THREE RIVERS DISTRICT COUNCIL

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

PLANNING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Thursday, 19 March 2026 at 7.30 pm in the Penn Chamber, Three Rivers House, Northway, Rickmansworth.WD3 1RL

Members of the Planning Committee:-

Councillors:

Chris Whately-Smith (Chair)
Oliver Cooper
Harry Davies
Steve Drury
Philip Hearn
Stephen King
Elinor Gazzard (Vice-Chair)
Chris Lloyd
Abbas Merali
Chris Mitchell
Debbie Morris

Joanne Wagstaffe, Chief Executive
Wednesday, 11 March 2026

The Council welcomes contributions from members of the public to aid discussions on agenda items at the Planning Committee meetings. Details of the procedure are provided below:

For those wishing to speak:
Members of the public are entitled to register and identify which item(s) they wish to speak on from the published agenda for the meeting. Those who wish to register to speak are asked to register on the night of the meeting from 7pm. Please note that contributions will be limited to one person speaking for and one against each item for not more than three minutes.

In the event of registering your interest to speak on an agenda item but not taking up that right because the item is deferred, you will be given the right to speak on that item at the next meeting of the Committee.

For those wishing to observe:
Members of the public are welcome to attend the meetings. If you wish to observe you can arrive on the night from 7pm.

In accordance with The Openness of Local Government Bodies Regulations 2014 any matters considered under Part I business only of the meeting may be filmed, recorded, photographed, broadcast or reported via social media by any person.

Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Legislation and the laws of libel and defamation.

The meeting may be livestreamed and an audio recording of the meeting will be made.

1. Apologies for Absence

2. Minutes (Pages 5 - 24)

To confirm as a correct record the minutes of the Planning Committee meetings held on 16 and 26 February 2026.

3. Notice of Urgent Business

Items of other business notified under Council Procedure Rule 30 to be announced, together with the special circumstances that justify their consideration as a matter of urgency. The Chair to rule on the admission of such items.

4. Declarations of Interest

To receive any declarations of interest.

5. 25/1020/OUT – Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters) at Land East of Oxhey Lane, Carpenders Park, Hertfordshire (Pages 25 - 206)

Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters) at Land East of Oxhey Lane, Carpenders Park.

Recommendation: that the application be delegated to the Head of Regulatory Services to grant outline planning permission 25/1020/OUT subject to:

1) the completion of a Section 106 Agreement to secure the Heads of Terms set out in section 7.15 of the report;

2) the planning conditions set out at section 8.2 of the report;

and

3) the authority to make any minor amendments to the Heads of Terms and planning conditions be delegated to the Head of Regulatory Services in consultation with the Chair of the Planning Committee.

6. **25/1346/FUL – Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth WD3 3JB** (Pages 207 - 250)

Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth.

Recommendation: that planning permission is granted.

7. **25/1347/LBC – Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth WD3 3JB** (Pages 251 - 294)

Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth.

Recommendation: that listed building consent is granted.

8. **25/1984/FUL - Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 Chestnut Avenue, Rickmansworth, Herts WD3 4HA** (Pages 295 - 312)

Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 Chestnut Avenue, Rickmansworth.

Recommendation: that planning permission be granted subject to conditions.

9. **25/2228/RSP – Part-Retrospective: Construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth, Hertfordshire WD3 3GD** (Pages 313 - 328)

Part-retrospective: construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth.

Recommendation: that part-retrospective planning permission be granted subject to conditions.

10. **26/0041/RSP - Part Retrospective: Demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance at 11 Pembroke Road, Moor Park, Northwood, Hertfordshire HA6 2HP** (Pages 329 - 354)

Part retrospective: demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance at 11 Pembroke Road, Moor Park, Northwood.

Recommendation: that planning permission be granted subject to conditions.

11. **26/0073/RSP – Part-Retrospective: Construction of two storey side extension, loft conversion including hip to gable extension and rear dormer and front/rear rooflights at 9 The Crescent, Croxley Green, Rickmansworth, Hertfordshire WD3 3DU** (Pages 355 - 378)

Part retrospective: construction of two storey side extension, loft conversion including hip to gable extension and rear dormer and front/rear rooflights at 9 The Crescent, Croxley Green, Rickmansworth.

Recommendation: that part retrospective planning permission be granted subject to conditions.

12. **Other Business - if approved under item 3 above**

Exclusion of Public and Press

If the Committee wishes to consider any items in private, it will be appropriate for a resolution to be passed in the following terms:

"that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information."

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items).

General Enquiries: Please contact the Committee Team at
committeeteam@threerivers.gov.uk

THREE RIVERS DISTRICT COUNCIL

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Planning Committee
MINUTES

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Monday, 16 February 2026 from 7.30 - 9.16 pm

Present: Councillors Chris Whately-Smith (Chair), Elinor Gazzard, Oliver Cooper, Steve Drury, Philip Hearn, Stephen King, Chris Lloyd, Chris Mitchell, Debbie Morris and Tom Smith

Also in Attendance:

Parish Councillor Diana Barber (Batchworth Community Council), Jon Bishop (Chorleywood Parish Council), Councillor Andrea Fraser, County Councillor Paula Hiscocks (Rickmansworth West) and Councillor Narinder Sian

Officers in Attendance:

Lauren Edwards, Senior Planning Officer
Emma Lund, Senior Committee Officer
Matthew Roberts, Develpoment Management Team Leader
Kimberley Rowley, Head of Regulatory Services
Claire Wilson, Principal Planning Officer

PC89/25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Harry Davies, who was substituted by Councillor Tom Smith, and from Councillor Abbas Merali.

PC90/25 MINUTES

The minutes of the Planning Committee meeting held on 22 January 2026 were confirmed as a correct record and signed by the Chair.

PC91/25 NOTICE OF URGENT BUSINESS

There were no items of urgent business.

PC92/25 DECLARATIONS OF INTEREST

The Liberal Democrat Group declared a non-pecuniary interest in agenda items 9 (18 Greenways, Abbots Langley), 10 (39-41 High Street, Abbots Langley) and 12 (10 Oak Green, Abbots Langley) as the agent is a member of the authority and a member of the Liberal Democrat Group.

Councillor Cooper stated, in relation to agenda item 8 (Three Rivers House, Northway, Rickmansworth), that the application was brought to the committee as a result of an enforcement complaint which he had made. However, planning matters were separate to enforcement matters, and Councillor Cooper declared that he was considering the planning application with an open mind.

PC93/25 25/0195/FUL: DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF DETACHED BUILDING CONTAINING 5 RESIDENTIAL FLATS, WITH ASSOCIATED LANDSCAPING, PROVISION OF NEW VEHICULAR ACCESS, CAR PARKING, CYCLE AND REFUSE STORAGE AT 80 THE DRIVE, RICKMANSWORTH, HERTS WD3 4DU

The application was for demolition of existing dwelling and construction of detached building containing 5 residential flats, with associated landscaping, provision of new vehicular access, car parking, cycle and refuse storage at 80 The Drive, Rickmansworth.

The Planning Officer reported that one further objection had been received since the publication of the officer report. This did not raise any further matters other than those which were already addressed in the report.

Those present in the public gallery were reminded by the Chair that as an appeal against non-determination had been made, the committee was not able to determine the application. Instead, it would consider how it would have determined the application had the appeal against non-determination not been made.

A member of the public spoke against the application.

The agent spoke in favour of the application.

County Councillor Paula Hiscocks spoke on the application.

Parish Councillor Jon Bishop of Chorleywood Parish Council spoke on the application.

Comments made by speakers against the proposal included: the likely increase in traffic during and after the construction phase, and the impact of congestion and on-street parking on the nearby narrow residential roads which may in particular pose a safety risk to pupils of the adjacent primary school; insufficient parking provision and the likelihood of parking obstructions which may also prevent access by the emergency services; difficulty of access for construction vehicles due to the steep slope of the road leading to the application site; lack of robustness of the parking survey due to the timings of when it was carried out; the proposal to build a block of flats in a road which comprised all single, detached dwellings would be out of character with the surrounding area contrary to the Chorleywood Neighbourhood Plan; the increase in the density would be dis-proportionate to the size of the site and would impact on its rural character; the distance of the site from public transport, open spaces, play areas and other services was contrary to Policy 5 of the Chorleywood Neighbourhood Plan; due to the variable gradients and the distance involved access on foot to bus stops and local shops would be challenging; the proposal involved the loss of eleven trees and two hedgerows which would impact biodiversity; concern about the ability of drainage and sewerage systems to cope with the increased density on the site; flooding issues and the risk of future flooding arising from the loss of vegetation; privacy and overlooking concerns; health risks to existing residents arising from noise and pollution; safeguarding concerns arising from the overlooking of the adjacent primary school playground affecting privacy and welfare; and the environmental impact of the demolition of an existing serviceable building.

Points made by speakers in favour of the application included: the British standard of a 20% maximum of hard surfacing was based on guidance. The proposal would retain the functional integrity of the rooting environment of the protected trees due to the structural nature of the proposed hardstanding. There would be no excavation within the Root Profile Area and the existing soil profile would remain intact. The proposal did not constrain the trees' ability to grow to maturity and there was no evidence that the specified 'no dig' system would lead to a decline in the trees' condition. The matters specified in the reasons for refusal could be addressed by a pre-commencement condition. The proposal offered significant benefit

through the provision of much needed housing, and this would outweigh any perceived harm to the trees.

Officers' responses included the following:

- Hertfordshire Highways had been consulted on a number of occasions with regard to the safety of the site access and had not raised any objections. The movements associated with five units were not considered to intensify the use of the site sufficiently to justify refusal on the grounds of highways access.

- The shortfall in off-street car parking was acknowledged; however, the ability to access the station via a lit, level-surface route in c20 minutes had been given weight and the shortfall in assigned spaces was minimal.

- The parking survey had been conducted at night, which was considered to be the time at which most residents would be inside their residences and parked. Given the proximity of the school it was recognised that there may be periods of on-street parking intensity during the day, but this would be limited and officers did not feel that it substantiated a reason for refusal.

- The council's Landscape Officer had raised an objection on the basis of the impact on both protected trees and the wider sylvan character of the locality and lack of compliance with Policy DM6 of the Three Rivers Local Plan. Refusal had been recommended on that basis.

- The primary school was located in a residential area next to an existing property where there was already some overlooking. It was not unusual for schools to be located next to, or close to, residential properties and so officers did not consider there were grounds to justify refusal on that basis. Additionally, the applicant had sought to mitigate concerns by the addition of a privacy screen to the terrace serving Flat 3, fencing along the boundary, and a landscaping scheme.

Committee Members asked questions about the proposal which were responded to by officers. The Committee's discussions included the following:

- The reasons for refusal as set out in the report were supported. However, Members considered that there was an additional reason for refusal on the grounds of the parking shortfall, which was considered to be significant and particularly important given the distance of the site from the town and station. Whilst a 20 minute walk was possible one way, it was challenging to do there and back, especially in harsh weather conditions. It was also not a level route and so would not be possible for some community members. A Committee Member endorsed the view that the route was unpleasant to use, as it involved walking along the A414 and also the use of an underpass. For these reasons it was considered that residents of the development would be highly likely to use a private vehicle rather than walk, and that great weight should therefore be given to the parking shortfall which would cause harm to local residential amenity and to users of the school. For these reasons it was considered that the proposal was not compliant with Policy 5 of the Chorleywood Neighbourhood Plan.

- A Committee Member noted that as most of the neighbouring properties had off-street parking, it was the parking arising from daytime activities (e.g residents' visitors, delivery drivers, school activities etc) which was of more relevance in relation to the parking shortfall. For this reason, a Committee Member questioned the reliance which should be placed on the parking survey.

- A Committee Member commented that whilst it was acknowledged that there was already a residence close to Charlotte House school and that the school was located in a residential area, officers had noted in the report that the rear windows would have some outlook to the

school. Given that the proposal would involve an increase of five households rather than the existing one which overlooked the school, it was not accepted that this would result in the situation being 'not significantly different from the existing' as stated in the officer report.

- A Committee Member supported comments which had been made by speakers that the proposal represented over-development of the site and would adversely impact the sylvan character of the area. It was suggested that these reasons should be included in the reasons for refusal. Another Committee Member agreed that the loss of the hedgerow at the front of the property was a significant harm to the sylvan nature of the site and that a rural nature was one of the key characteristics of Chorleywood.

- Another Committee Member expressed concern that the development of flats in the location may set a precedent for future developments having similar parking shortfalls and causing similar on-street parking issues. Additionally, the robustness of the Viability Assessment and appraisal, which found that no affordable housing contribution was required, was questioned.

- A Committee Member highlighted for clarity that in considering the reasons for refusal no reliance was being placed on the emerging Local Plan in light of the recent ministerial direction.

Councillor Cooper moved, and Councillor Hearn seconded, that the decision be delegated to the Head of Regulatory Services to write to the Planning Inspectorate to confirm that in the absence of an appeal against non-determination, planning permission would have been refused for the reason set out at section 8 of the committee report and for additional reasons which included the adverse impact on trees, loss of greenery impacting the sylvan character of the area, shortfall of parking and overdevelopment of the site. Final wording of the reasons for refusal would be circulated to Committee Members separately.

On being put to the vote this was carried, the voting being unanimous.

RESOLVED: that the decision be delegated to the Head of Regulatory Services to write to the Planning Inspectorate to confirm that in the absence of an appeal against non-determination, planning permission would have been refused for the reason set out at section 8 of the committee report and for additional reasons which included the adverse impact on trees, loss of greenery impacting the sylvan character of the area, shortfall of parking and overdevelopment of the site. Final wording of the reasons for refusal would be circulated to Committee Members separately.

PC94/25 25/1671/FUL – VARIATION OF CONDITION 2 (PLANS) AND 25 (OBSCURE WINDOWS) PURSUANT TO PLANNING PERMISSION 22/1148/FUL TO ALLOW ALTERATIONS TO FENESTRATION DETAILING, OMISSION OF TERRACE BALCONIES, ADDITION OF AOV ROOFLIGHTS AND SUBMISSION OF HARD AND SOFT LANDSCAPING DETAILS INCLUDING LANDSCAPE MANAGEMENT AT BEESONS YARD, BURY LANE, RICKMANSWORTH, HERTS.

The application was for variation of Condition 2 (Plans) and 25 (Obscure Windows) pursuant to planning permission 22/1148/FUL to allow alterations to fenestration detailing, omission of terrace balconies, addition of AOV rooflights and submission of hard and soft landscaping details including landscape management at Beesons Yard, Bury Lane, Rickmansworth.

The Planning Officer reported that there were no updates but informed the Committee that the purpose-made obscure glazing to the Automatic Opening Vent (AOV) windows on the northern elevation facing Ebury Road had been fitted.

A local resident spoke against the application.

The agent spoke in favour of the application.

Parish Councillor Diana Barber of Batchworth Community Council spoke on the application.

Points raised by those speaking against the proposal included: the replacement of the glazing had not alleviated the detrimental impact on neighbouring outlook as the AOVs were highly reflective, significantly larger than had been approved, and the internal lighting represented a nuisance affecting neighbouring amenity; harm had been caused to biodiversity by the development through the loss of shrubs, hedging and vegetation and two further trees were likely to be lost due to a loss of trunk and branch protection and the impact of an excavation trench; residents had been subjected to significant disturbance due to a lack of enforcement, including of approved internal motion sensors, working times and light pollution; and the developer had shown disrespect to both local residents and the planning authority by failing to adhere to the terms of the planning permission previously granted.

Points raised by those speaking in favour of the proposal included: the proposed amendments were minor in nature and had largely arisen due to changes in other regulations, including building and health and safety regulations, which had been amended since the original planning application was submitted; in response to community concerns, a motion sensor had been installed to ensure that the internal corridors were not permanently lit; the glass in the AOV windows to the northern elevation corridor had been replaced with purpose made obscured glazing and would only mechanically tilt open in the event of a fire; and restrictors had been installed to the stairwell windows to limit the opening to 15mm.

In responding to the points raised by speakers, the Planning Officer acknowledged that the site was constrained and that there had been a number of planning breaches, including some which had led to the application which was now before the Committee. Further matters remained to be resolved separately, including the external lighting within the car park and landscaping. Officers were working with the applicant to resolve these.

The Planning Officer reported that the replacement of the obscure film previously used on the northern elevation windows with purpose-made obscured glass at the highest level of obscurity was considered to have addressed the issue of the temporary nature of the obscurity. Officers did not therefore consider that there was any reason to refuse the application on that basis. The internal lighting arrangements did not meet the test for enforcement, but the applicant had now installed motion sensors in addition to the obscure glazing.

Committee Members asked questions about the detail of the application which were responded to by officers. The Committee's discussions included the following:

- The issues referenced by speakers relating to the development were regrettable. The applicant were encouraged to ensure that the remaining matters were satisfactorily addressed. However, the Committee was only able to consider the specifics of the application which was before it.

- In response to a Committee Member's question, the Planning Officer confirmed that condition 19 required the purpose-made obscured glazing to be permanently retained.

Councillor Whately-Smith moved, and Councillor Gazzard seconded, that planning permission be granted, subject to the completion of a Deed of Variation to a Section 106 Agreement pursuant to planning permission 22/1148/FUL dated 18 December 2023 securing an occupancy age restriction, affordable housing contribution, controls on parking permits, amendment to traffic regulation order and Waste Management Scheme, and planning conditions as set out at Section 7 of the report.

On being put to the vote this was carried, the voting being 8 in favour, 0 against and 2 abstentions.

RESOLVED: that planning permission be granted, subject to the completion of a Deed of Variation to a Section 106 Agreement pursuant to planning permission 22/1148/FUL dated 18 December 2023 securing an occupancy age restriction, affordable housing contribution, controls on parking permits, amendment to traffic regulation order and Waste Management Scheme, and planning conditions as set out at Section 7 of the report.

PC95/25 25/1722/RSP – PART RETROSPECTIVE: CONSTRUCTION OF TWO OUTBUILDINGS AND ALTERATIONS TO REAR LAND LEVELS AND LANDSCAPING WORKS AT 38 MOOR LANE, RICKMANSWORTH, HERTFORDSHIRE WD3 1LG

The application was part retrospective, for construction of two outbuildings and alterations to rear land levels and landscaping works at 38 Moor Lane, Rickmansworth.

The Planning Officer issued a correction in that although Outbuilding A was referred to in the report as being 4.5m deep it was in fact only 2.5m deep. The retaining wall projected beyond the edge of the outbuilding and so measurement of this together with the depth of the outbuilding had resulted in the stated measurement of 4.5m.

The applicant spoke in favour of the application.

Parish Councillor Diana Barber of Batchworth Community Council spoke on the application.

In making their representation the applicant advised that the use of Outbuilding B as a games room was ancillary to the use of the dwelling, and it would not be used for any other purpose. The proposal was not pursuant to application 25/1495/CLPD but was instead a separate matter. The landscaping largely conformed to the previous design which had been in situ for in excess of 5 years with the same extent of retaining walls, although the land levels had been lowered and levelled in places as set out at paragraph 7.2.2 of the report. The proposal sought to introduce sympathetic buildings which would manage storm water run-off efficiently, and to enhance and improve drainage and surface water run-off.

In speaking against the proposal the Parish Councillor expressed concern about over-development of the plot, removal of trees and soft landscaping, and the fact that unauthorised development had taken place which had necessitated a retrospective planning application.

In responding to the points raised, the Planning Officer clarified that the Certificate of Lawfulness application referred to by the speakers was for an outbuilding sited on the patio level, adjacent to the rear of the dwelling. This had been considered under a lawful development certificate to be permitted development in its own right. On separate investigation, and prior to that application being made, the site had been investigated and it had been brought to officers' attention that the land levels had been altered. The application before the Committee therefore only pertained to the rear outbuildings and was separate to the Certificate of Lawfulness application. It sought to remedy the alterations to the land levels and regularise the outbuildings. Additional clarification was provided that whilst the outbuildings might in themselves have been permissible under permitted development, the fact they were reliant upon the altered land level (and the extent of the required landscaping changes had exceeded the limit of permitted development) meant that planning permission was required for the works in their totality, including the outbuildings.

A Committee Member expressed the view that there was no identifiable harm arising from the change in land levels which would justify refusal.

Another Committee Member recommended that in the event of approval, a further condition should be added to remove permitted development rights for further outbuildings in order to prevent over-development of the plot.

Councillor Cooper moved, and Councillor Drury seconded, that part retrospective planning permission be approved subject to conditions and an additional condition to remove permitted development rights for further outbuildings in order to prevent over-development of the plot.

On being put to the vote this was carried, the voting being unanimous.

RESOLVED: that part retrospective planning permission be approved subject to conditions and an additional condition to remove permitted development rights for further outbuildings in order to prevent over-development of the plot.

PC96/25 25/1754/ADV - ADVERTISING CONSENT: DISPLAY OF FLAGS AT THREE RIVERS HOUSE, NORTHWAY, RICKMANSWORTH, HERTFORDSHIRE WD3 QRL

The application was for advertising consent for display of flags at Three Rivers House, Northway, Rickmansworth.

The Planning Officer reported that since publication of the agenda one further objection had been received. This had referred to the impact on heritage assets through visual clutter, which it was considered would pose highway and pedestrian risks.

The Planning Officer also reported that condition 2 should be amended to reflect that other flags may be erected via deemed consent by the Advertisement Regulations.

A member of the public spoke against the application.

Councillor Andrea Fraser spoke on the application.

Points raised by the speakers against the application included: the impact on visual amenity and harm to a prominent civic building located in the Rickmansworth Conservation Area; the effect of rotating a variety of flags rather than a stable display of civic flags would be cumulatively harmful; core civic flags already had deemed consent under the Advertisement Regulations; the application sought to promote a political agenda; and the display of certain flags would be divisive to the community.

The Committee's discussions included the following:

- A Committee Member commented that there did not appear to be reason for refusal on the grounds of visual amenity.

- Another Committee Member commented that there had been longstanding issues in the Rickmansworth Conservation Area with regard to visual clutter and appearance. If the application had related to shop front advertising rather than flags, then the colour schemes would likely have been deemed to be harmful to the Conservation Area. The officer's view that the flags would not be visually prominent was not accepted, and the Committee Member recommended that the application be refused on the grounds of harm to the Conservation Area and a lack of public benefit.

- A Committee Member commented that many of the flags which were already flown under deemed consent were multi-coloured. Refusal on the grounds of harm to visual amenity would appear inconsistent with the existing situation.

- Another Committee Member expressed the view that flags which did not have deemed consent should be considered in the same way as advertisements. If they did not preserve or enhance the Conservation Area, then permission should not be granted.

Councillor Smith moved, and Councillor King seconded, that the application be approved subject to conditions and amendment to condition 2 to refer to signs granted deemed consent by Advertisement Regulations.

On being out to the vote this was carried, the voting being 6 in favour, 2 against and 2 abstentions.

RESOLVED: that the application be approved subject to conditions and amendment to condition 2 to refer to signs granted deemed consent by Advertisement Regulations.

PC97/25 25/1987/FUL - CONSTRUCTION OF PART-SINGLE, PART-TWO STOREY SIDE AND REAR EXTENSIONS AND SINGLE STOREY SIDE EXTENSION AT 18 GREENWAYS, ABBOTS LANGLEY, HERTFORDSHIRE WD5 0EU

The application was for construction of part-single, part-two storey side and rear extensions and single storey side extension at 18 Greenways, Abbots Langley.

The Planning Officer reported that there were no updates.

The Committee noted that there had been no responses to the public consultation and no objections had been received.

Councillor Lloyd moved, and Councillor Mitchell seconded, that planning permission be granted subject to conditions.

On being put to the vote this was carried, the voting being unanimous.

RESOLVED: that planning permission be granted subject to conditions.

PC98/25 25/2091/RSP – RETROSPECTIVE: CONSTRUCTION OF SINGLE STOREY REAR EXTENSION AT 39 - 41 HIGH STREET, ABBOTS LANGLEY, HERTFORDSHIRE WD5 0AA

The application was retrospective, for construction of single storey rear extension at 39 - 41 High Street, Abbots Langley.

The Planning Officer reported that there were no updates.

Councillor Drury moved, and Councillor Cooper seconded, that retrospective planning permission be granted.

On being put to the vote this was carried, the voting being unanimous.

RESOLVED: that retrospective planning permission be granted.

PC99/25 25/2102/FUL - ERECTION OF A TIMBER PERGOLA AT CROXLEY GUILD BOWLS CLUB, THE GREEN, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE WD3 3HT

The application was for erection of a timber pergola at Croxley Guild Bowls Club, The Green, Croxley Green.

The Planning Officer reported that there were no updates.

A speaker on behalf of the Croxley Guild Bowls Club spoke in favour of the application.

Councillor Narinder Sian spoke on the application.

Points raised by speakers in favour of the application included: the existing plastic marquee had reached the end of its life and had been inadequate in terms of size, longevity and safety; the proposed new structure would have a long lifespan, be of sustainable materials and

sympathetic to its surroundings; and the new pergola would be vital both for shade in summer and protection from the elements in winter.

Committee Members asked questions about the detail of the application which were responded to by officers.

- A Committee Member expressed the view that the proposal represented a significant improvement on the previous temporary structure. This was supported by other Committee Members.

- It was noted that the applicant would need to separately obtain the approval of the council's Property Services team as landlord of the Guild of Sport site.

Councillor Whately-Smith moved, and Councillor Lloyd seconded, that planning permission be granted subject to conditions.

On being put to the vote this was carried, the voting being unanimous.

RESOLVED: that planning permission be granted subject to conditions.

PC100/25 25/2150/FUL - EXTENSION OF EXISTING CROSSOVER AND ALTERATIONS TO DRIVEWAY AT 10 OAK GREEN, ABBOTS LANGLEY, HERTFORDSHIRE WD5 OPG.

The application was for extension of existing crossover and alterations to driveway at 10 Oak Green, Abbots Langley.

The Planning Officer reported that there were no updates, and clarified that the application pertained to the extension of a dropped kerb which would facilitate the provision of additional on-site parking.

Councillor Cooper moved, and Councillor Drury seconded, that planning permission be granted subject to conditions.

On being put to the vote this carried, the voting being unanimous.

RESOLVED: that planning permission be granted subject to conditions.

CHAIR

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THREE RIVERS DISTRICT COUNCIL

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Planning Committee
MINUTES

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Thursday, 26 February 2026 from 7.30 - 10.00 pm

Present: Councillors Chris Whately-Smith (Chair), Elinor Gazzard, Oliver Cooper, Harry Davies, Steve Drury, Philip Hearn, Stephen King, Chris Lloyd, Abbas Merali, Chris Mitchell and Debbie Morris

Also in Attendance:

County Councillor Paula Hiscocks (Rickmansworth West), Parish Councillor Kingsley Jolowicz (Croxley Green Parish Council) and Councillor Narinder Sian

Officers in Attendance:

Matthew Barnes, Principal Lawyer - Planning
Lauren Edwards, Senior Planning Officer
Suzanne O'Brien, Principal Planning Officer
Emma Lund, Senior Committee Officer
Adam Ralton, Development Management Team Leader
Kimberley Rowley, Head of Regulatory Services
Scott Volker, Principal Planning Officer

PC101/25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

PC102/25 NOTICE OF URGENT BUSINESS

There were no items of urgent business.

PC103/25 DECLARATIONS OF INTEREST

Councillor Debbie Morris declared a non-pecuniary interest in agenda item 5 (25/1055/FUL – Land to the Rear of Woodlands Cottage, Oxhey Lane, Carpenders Park) and stated that she would leave the room whilst the application was discussed and would not participate in determining it.

Councillor Chris Mitchell declared a non-pecuniary interest in agenda item 6 (British Red Cross, Community Way, Croxley Green), having been previously involved with the application, and stated that he would leave the room whilst the application was discussed and would not participate in determining it.

PC104/25 25/0484/OUT – OUTLINE APPLICATION: ERECTION OF UP TO 75 NEW DWELLINGS, PARKING AND LANDSCAPING WITH ASSOCIATED ACCESS ONTO CHALFONT ROAD (APPEARANCE, LAYOUT, LANDSCAPING AND SCALE AS RESERVED MATTERS) AT LAND AT NORTH OF CHALFONT ROAD, CHALFONT ROAD, MAPLE CROSS, HERTFORDSHIRE

The application was outline, for erection of up to 75 new dwellings, parking and landscaping with associated access onto Chalfont Road (Appearance, Layout, Landscaping and Scale as reserved matters) at Land at North of Chalfont Road, Chalfont Road, Maple Cross, Hertfordshire.

The Planning Officer provided updates and clarifications as follows:

- Following consideration of a preliminary report by the Committee in December 2025, and a site visit, the officer report had been updated to provide full justification for the officer recommendation, including in relation to the material points raised in discussion of the preliminary report.

- Since publication of the report the Growth and Infrastructure Board had provided further comments withdrawing its request for the development to provide financial contributions towards primary education. Following discussions with officers it was considered appropriate to facilitate primary education funding through CIL in order to mitigate the impact from the site. The Board had, however, maintained its position in respect of contributions towards secondary education and SEND, and further discussions would be required to complete the S106 agreement. Therefore, the recommendation before the Committee was that in order to allow for those discussions, authority be delegated to the Head of Regulatory Services to grant planning permission following the completion of a S106 securing Heads of Terms and subject to planning conditions; and that authority be delegated to the Head of Regulatory Services to make any minor amendments necessary to the Heads of Terms and planning conditions in consultation with the Planning Committee Chair.

- Two further objections had been received since publication of the agenda. Officers did not consider that they raised any new material planning considerations which were not already addressed in the report.

- The proposed development was for 75 dwellings, and the published report set out the officers' view that the proposal was development of Grey Belt land which satisfied the requirements of paragraph 155 of the NPPF. Officers therefore considered that it was an appropriate form of development. Furthermore, the site was considered to have met the 'Golden Rules' set out within paragraphs 156 and 157 of the NPPF. The Planning Officer highlighted that the NPPF emphasised that a development which complied with the 'Golden Rules' should be give significant weight in favour of the grant of planning permission.

- Members were reminded that the application site was included within the Council's Local Plan Regulation 19 site allocations document, which had been approved at Full Council in January 2026. Although the Regulation 19 consultation had been paused following intervention by the Minister for Housing, Communities and Local Government, this was nevertheless a material consideration in the assessment of the principle of residential development at the site.

The applicant spoke in favour of the application.

County Councillor Paula Hiscocks spoke against the application.

Points raised by the speaker in favour of the application included: a legal opinion sought by the applicant had agreed with the officers' view that the site met the definition of Grey Belt land and met the relevant tests within the NPPF; the applicant had worked closely with the Council and key consultees, including engagement with the LLFA and Herts Highways and a public exhibition and as a result there were no outstanding technical or statutory objections; the issues which had been raised during consideration of the preliminary report had been addressed; benefits of the proposal included 75 homes of which 38 would be affordable, as

well as a significant new public open space and connectivity, a sensitively designed scheme on the edge of a settlement location, delivery of at least 10% biodiversity net gain, off-site highways improvements to Chalfont Road and bus stop facilities, and flood storage and SUDS arrangements which would result in a reduction of flood depths and a betterment to existing properties.

Points raised by the speaker against the proposal included: the site was not Grey Belt but was instead open, functional green space forming the last buffer before the Colne Valley Regional Park; Colne Valley Regional Park had objected to the proposal, as had the Campaign to Protect Rural England; the proposal was unsuitable due to the impact on the already congested Chalfont Road as the addition of further properties would intensify an existing unsafe situation and increase air pollution; the site suffered from drainage problems and there was insufficient evidence in the application that the land could be engineered to cope with the increased hard surfacing without displacing flood risk to neighbouring homes; there was uncertainty about the real impact of the proposal as appearance, layout, landscaping and scale were reserved matters; and the effect of recent and pending developments in Maple Cross had not been properly assessed, resulting in incremental urbanisation and a lack of strategic planning, infrastructure investment or environmental safeguards.

Committee Members asked questions about the detail of the proposal which were responded to by officers. The Committee's discussions included the following:

- The Stage 4 Green Belt Review had suggested that the site was Grey Belt. In assessing the application, officers had given consideration as to whether it strongly contributed to purposes (a), (b) and (d) of paragraph 143 of the NPPF. As set out in the report, officers did not consider that Maple Cross was a large, built-up area; or that the site prevented the neighbouring towns of Rickmansworth, Chalfont St Peter, Chalfont St Giles and Gerrards Cross from merging; or that it had historical significance. Therefore, the site was not considered to strongly contribute to purposes (a), (b) and (d) of paragraph 143 of the NPPF and could be regarded as Grey Belt land. Some Committee Members did not agree with this assessment, considering that the site comprised Green Belt land.

- The surface water flooding on Chalfont Road was noted; however, the LLFA had been consulted and had raised no objection. The applicant had provided an evacuation plan and the proposal included a compensation basin and other ponds and basins across the site which would reduce the extent of surface water pooling on Chalfont Road and was considered to be a betterment to the site and the surrounding area.

- Several Committee Members disagreed with the officers' assessment of the sustainability of the site, raising concerns about the distance to schools, play areas, sports facilities, underground station, health and dental services and the lack of shops in close proximity, none of which was considered to be within safe walking distance of the site. The Planning Officer provided the reasons why the site was considered by officers to be sustainable (as set out at paragraph 10.1.22 of the report) and highlighted that the proposal also included a contribution for electronic timetables and improvements to bus stops which would comprise a betterment to the local bus network. Several Committee Members considered that, notwithstanding these improvements, the development would be car dependent and expressed the view that because of the unsustainability of the site the proposal represented inappropriate development.

- Committee Members also raised concerns about the ability of existing infrastructure to cope with the development, and in particular the condition required by Thames Water which prevented the occupation of the development until all sewage works upgrades required to accommodate the additional flows from the development had been completed, or a development and infrastructure phasing plan had been agreed. A Committee Member recommended that the Chief Executive be asked to write to Thames Water to convey dissatisfaction with the requirement to include such a condition. In responding,

the Planning Officer reported that legal advice obtained on the matter had concluded that the approach taken by Thames Water was appropriate and acceptable.

- Committee Members agreed that great weight needed to be given to the need for housing, particularly in light of the council's limited housing land supply. Following the ministerial direction, Committee Members commented that only limited weight could be given to the emerging Local Plan.

- Whilst acknowledging that Hertfordshire Highways had not objected, several Committee Members remained concerned about the highways implications associated with the proposal.

- In response to a Committee Member's questions on road safety, officers clarified that whilst there weren't any 30mph speed limit signs of that section of the road, the access road to the development was close to the existing residential development of Oakhill Road. Relocating the access further up the road had been considered but dismissed due to the loss of additional trees and hedgerow and the further urbanisation of Chalfont Road which it would involve. The siting of the access closer to Oakhill Road would allow drivers rounding the bend of Chalfont Road to see the access point. Other modifications to the access point included improving the visibility splay; widening of the carriageway and access road (to 5.5m) and existing footpath (to 2m); linkage of the existing footpath to a new footway within the development which would provide a walking route to The Reach Free School and primary schools; and dropped kerbs and tactile paving for a crossover across Oakhill Road.

- In debate it was noted that paragraph 10.18.2 of the report set out that Hertfordshire County Council was seeking a contribution of £864,943 for the delivery of a new secondary school at Carpender's Park. In response to a Member's question, the Planning Officer reported that HCC had subsequently clarified that the reference to Carpender's Park was incorrect and should refer to The Reach Free School.

- Several Committee Members expressed concern about the inclusion of shared ownership as part of the affordable housing tenure mix, expressing the view that First Homes would be a preferable option.

- A Committee Member recommended that whilst great weight was given to the provision of housing and affordable housing, and weight was also given to the economic benefits during construction and the contributions to be secured through S106, the application should be refused on the basis that the unsustainable location of the site would constitute inappropriate development in the Green Belt and there were no Very Special Circumstances which outweighed the harm caused. Particular factors contributing to the unsustainability of the site were cited as a lack of GP facilities; primary and secondary school inaccessibility; and the distance from the public transport network. This was endorsed by other Committee Members.

Councillor Cooper moved, and Councillor Whately-Smith seconded, that the application be refused on the basis that the development is not in a sustainable location and would be inappropriate development in the Green Belt, and the development fails to secure contributions through a S106 agreement. Final wording of the reasons for refusal would be circulated to Committee Members separately.

On being put to the vote this was carried, the voting being 10 for, 0 against, 1 abstention.

RESOLVED: that the application be refused on the basis that the development is not in a sustainable location and would be inappropriate development in the Green Belt, and the development fails to secure contributions through a S106 agreement. Final wording of the reasons for refusal would be circulated to Committee Members separately.

PC105/25 25/1055/FUL - DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF 96 RESIDENTIAL DWELLINGS (USE CLASS C3), FLEXIBLE COMMUNITY FLOORSPACE (USE CLASS F), WITH THE PROVISION OF AN ACCESS, VEHICLE AND CYCLE PARKING, LANDSCAPING, SUSTAINABLE URBAN DRAINAGE SYSTEMS AND OTHER ASSOCIATED WORKS AT LAND TO THE REAR OF WOODLANDS COTTAGE, OXHEY LANE, CARPENDERS PARK, WATFORD, HERTFORDSHIRE WD19 5RF.

Councillor Morris left the meeting.

The application was for demolition of existing structures and construction of 96 residential dwellings (Use Class C3), flexible community floorspace (Use Class F), with the provision of an access, vehicle and cycle parking, landscaping, sustainable urban drainage systems and other associated works at Land To The Rear Of Woodlands Cottage, Oxhey Lane, Carpenders Park, Watford.

The Planning Officer reported that amendment was needed to Condition 25 to remove reference to the construction vehicle access as this was covered under separate conditions. Condition 27 also required a change to refer to plan number WCO_006 P05 only.

A speaker on behalf of Carpenders Park Residents' Association spoke against the application.

The applicant spoke in favour of the application.

Points raised by the speaker against the application included: the site was considered to be Green Belt and not Grey Belt, and to be of fundamental importance to the wider Green Belt; the proposal was considered to be inappropriate development in the Green Belt without Very Special Circumstances to outweigh the harm; there was a significant parking shortfall; the nearest station was a 23 minute walk away with only one bus per hour on Oxhey Lane so that the development would be car dependent and therefore unsustainable; amenity space was below standards; the amount of affordable housing had been significantly reduced; there was a lack of healthcare facilities; and the water infrastructure would not be able to cope with the development leading to a high risk of surface water.

Points raised by the speaker in favour of the application included: engagement had taken place with the community and stakeholders as part of the design process in order to understand the local need and provide benefit to the community; further improvements for pedestrians and cyclists had been incorporated following the consideration of the preliminary report and holding objections from Herts Highways and the LFFA had been removed; the site was sustainable, with access to doctors, dentists and two train stations; the site was considered to be Grey Belt and not Green Belt and to meet the 'Golden Rules'; the proposal would provide much needed housing; other benefits included rejuvenating a forgotten woodland, provision of pedestrian friendly streets and a community building, an electric vehicle car club and electric bicycles for use by residents, a S106 contribution towards other local infrastructure, and homes which generated more energy than they consumed.

Committee Members asked questions about the detail of the application which were responded to by officers. The Committee's discussions included the following:

- Due to its proximity to Bushey station the site was considered to be sustainable in terms of access to public transport. A pedestrian and cycle access to Carpenders Park would be provided as part of the scheme, along with a toucan crossing across the A road into Carpenders Park. The site was therefore considered to be sustainable for, and represent an improvement for, pedestrians and cyclists. Local schools, a play area and a doctor's surgery were located less than a mile from the site. It was acknowledged that accessing the GP surgery would involve an uphill walk on the return. Residents would also be able to access electric bikes.

- The proposal would involve a change to the speed limit on Oxhey Lane from 40mph to 30mph.

- In response to a question from a Committee Member, the Planning Officer responded that the proposal was considered to form part of a continuous pattern of development along Oxhey Lane, and did not form incongruous development.

- Committee Members discussed the issue of flood risk. Given the location of the site within Flood Zone 1 it was agreed that there were no grounds for refusal of the application on that basis.

- A Committee Member welcomed the sustainability features of scheme but highlighted the need to ensure that they were achieved.

- In response to a Committee Member's question about the internal arrangement of the community building, the Planning Officer advised that a condition could be added to require details to be provided prior to its construction. This was agreed by the Committee.

Councillor Whately-Smith moved, and Councillor Gazzard seconded, that the application be approved subject to conditions, amendment to conditions 25 and 27 as outlined above, and with an additional condition requiring details of the internal arrangement of the community building to be provided prior to its construction.

On being put to the vote this was carried, the voting being 4 in favour, 4 against and 2 abstentions. The Chair's casting vote was used.

RESOLVED: that the application be approved subject to conditions, amendment to conditions 25 and 27 as outlined above, and with an additional condition requiring details of the internal arrangement of the community building to be provided prior to its construction.

Councillor Morris re-joined the meeting.

PC106/25 25/1943/FUL - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A NEW THREE STOREY BUILDING TO PROVIDE COMMUNITY CENTRE AT GROUND FLOOR LEVEL AND 8 RESIDENTIAL UNITS TO THE TWO UPPER FLOORS WITH ASSOCIATED LANDSCAPING, ACCESS, AND PARKING ALTERATIONS AT BRITISH RED CROSS, COMMUNITY WAY, CROXLEY GREEN, HERTS WD3 3HB

Councillor Mitchell left the meeting.

The application was for demolition of existing building and construction of a new three storey building to provide community centre at ground floor level and 8 residential units to the two upper floors with associated landscaping, access, and parking alterations at British Red Cross, Community Way, Croxley Green.

The Planning Officer reported that the second sentence of paragraph 7.5.4 of the report contained a typo and the word 'noted' should read 'not'. The full sentence was therefore: *'No.1a Barton Way is a first floor flat with amenity space at ground floor. As above it is noted that the proposed building would be taller than the existing building however owing to the separation distance it is not considered that overall the proposed building would result in such an overbearing impact or loss light so as to result in demonstrable harm to the rear gardens of the properties to the north.'*

Additionally, the numbers at paragraphs 4.1.10 and 4.1.9 had been transposed. The Planning Officer confirmed for clarity that 71 people had been consulted on the application and 12 comments had been received.

Finally, the use class referred to in the first sentence of condition 19 should be Use Class F2(b) and not F2(d), although the description in brackets was correct.

Councillor Narinder Sian spoke on the application. Points raised included that the scheme would provide a sustainable long-term community hub, in line with the aims of the Croxley Green Neighbourhood Plan, which would secure its future; an aging building would be replaced with a modern, accessible community hall which would provide offices for the Parish Council as well as eight affordable rented homes in a sustainable location; the community facility would help to alleviate loneliness and isolation for local older people; the proposal was not considered to be out of character with the area; and residents were strongly in favour of the proposal.

Committee Members asked questions about the proposal which were responded to by officers. The Committee's discussions included the following:

- Whilst expressing reservations about the building design, a Committee Member supported the principle of the development.

- Another Committee Member recommended that priority for the housing units should be given to local Croxley Green residents, rather than those from across the district as a whole. The Planning Officer confirmed that the affordable housing condition as written in the report did not contain and reference to Croxley Green residents specially, but rather it would be for those in housing need / on the housing register across the district as a whole. It was agreed that officers would add an informative to draw this to the applicant's attention.

  (Note: subsequent to the meeting the Council's Housing Team advised that properties advertised via the Council's Housing Register are allocated strictly in accordance with the Council's Housing Allocations Policy. Preferential treatment to residents from any particular area could not be offered / specified, as the local connection test applies district wide).

Councillor Drury moved, and Councillor Lloyd seconded, that the application be approved subject to conditions, amendment to condition 19 as outlined above, and the addition of an informative relating to occupancy.

On being put to the vote this was agreed unanimously.

RESOLVED: that the application be approved subject to conditions, amendment to condition 19 as outlined above, and the addition of an informative relating to occupancy.

Councillor Mitchell re-joined the meeting.

PC107/25 25/2120/FUL - REMOVAL OF CONDITION 3 (LIGHTING HOURS) PURSUANT TO PLANNING PERMISSION 25/1012/RSP AT 57 - 59 HIGH STREET, ABBOTS LANGLEY, HERTFORDSHIRE WD5 0AE

The application was for removal of condition 3 (Lighting Hours) pursuant to planning permission 25/1012/RSP at 57 - 59 High Street, Abbots Langley.

The Planning Officer reported that there no updates.

Committee Members asked questions about the proposal which were responded to by officers. The Committee's discussions included the following:

- A Committee Member reported that they had undertaken a visit to the site at night. In addition to the light emanating from the parcel locker, there was also light from street

lights and shops, so that the locker downlight was not considered to be significantly contributing to the overall illumination.

- No complaints had been received from residents in relation to the locker lighting.

- A Committee Member commented that the street lights were switched off between 1am and 5am, and it was questioned whether the same could be required of the light which illuminated the locker. However, in debate it was noted that the shop lights remained on all night and so conditioning of the hours of operation may not be reasonable. In relation to a suggestion from the Parish Council that a motion sensor be installed, Committee Members considered that this would serve no useful purpose as the sensor would be likely to be triggered by wildlife. Additionally, the periodic switching of the light on and off may prove more disruptive.

- A Committee Member commented that the level of the lighting appeared excessive in relation to what was needed to operate the locker. Whilst Committee Members did not object to the lighting in principle, it was recommended that the Planning Officer should discuss with the applicant whether the level of brightness could be reduced or changed to a warmer tone. This was supported by Committee Members.

Councillor Lloyd moved, and Councillor Whately-Smith seconded, that authority be delegated to the Head of Regulatory Services to request a change to a warmer lighting tone and a reduction in brightness, and subject to that change, to grant planning permission.

On being put to the vote this was carried, the voting being 10 in favour, 0 against and 1 abstention.

RESOLVED: that authority be delegated to the Head of Regulatory Services to request a change to a warmer lighting tone and a reduction in brightness, and subject to that change, to grant planning permission.

PC108/25 25/2182/FUL - CONSTRUCTION OF SINGLE STOREY REAR EXTENSION, GARAGE CONVERSION AND LOFT CONVERSION WITH SIDE ROOFLIGHTS AND WINDOWS TO SIDE ELEVATION, RELOCATION OF ENTRANCE DOOR AT 99 BYEWATERS, CROXLEY GREEN, WATFORD, HERTFORDSHIRE WD18 8WH

The application was for construction of single storey rear extension, garage conversion and loft conversion with side rooflights and windows to side elevation, relocation of entrance door at 99 Byewaters, Croxley Green.

The Planning Officer reported that there were no updates.

A local resident spoke against the application.

Parish Councillor Kingsley Jolowicz of Croxley Green Parish Council spoke on the application.

Points raised by speakers against the application included: there were two further planning applications for the site which were currently under consideration and which, if approved, would result in a significantly different development; there would be a loss of parking due to the conversion of the garage, and officers' view that the garage was not suitable for its intended use was not accepted; there were implications for privacy arising from overlooking; the proposal was contrary to the design principles of the Byewaters estate and the Croxley Green Neighbourhood Plan; the loft extension sought under separate application would be overbearing and have an adverse effect on the streetscene; the applications when considered together suggested that the property was being adapted for multiple occupancy; and the Parish Council objected to the hip to gable loft extension, the conversion of the garage to living accommodation and the proposed garden room.

Committee Members asked questions about the proposal which were responded to by officers. The Committee's discussions included the following:

- In light of the points raised by speakers about other applications at the site, a Committee Member recommended that permitted development rights for extensions, roof extensions and outbuildings be removed in order to prevent over-development. The Planning Officer responded that a condition could be added to require this if considered reasonable and necessary by the Committee; however, it was important to note that it would only become effective once the planning permission were implemented. In the event that permission was granted for the outbuilding and it was constructed first, it would remain lawful.

- The Planning Officer clarified that subsequent to the publication of the agenda, application 25/2183/PDE had been approved. Application 25/2184/CLPD had not been determined but did not form part of this application. Concerns about the head height in relation to the loft conversion would be a matter for building control rather than a planning consideration; however, no changes to the roof form were proposed within this application.

- A Committee Member endorsed the concerns of the public speaker in relation to the potential change of use facilitated by the conversion of the garage to living space and the potential impacts on the streetscene, character and parking in the area. It was therefore recommended that permitted development rights to convert from C3 to C4 land use class be removed by condition. This was supported by other committee members. In responding, the Planning Officer highlighted that the condition would again only become effective when the planning permission was implemented. In the event that the use class was changed prior to this, then there was a mechanism by which the condition could be circumvented. Additionally, the removal of the permitted development rights for multiple occupation may be difficult to defend as the application was for extension of a single family dwelling and not an HMO.

Councillor Cooper moved, and Councillor Drury seconded, that planning permission be granted subject to conditions with an additional condition removing permitted development rights to convert from use class C3 to C4 and removing permitted development rights for extensions, roof extensions and outbuildings.

On being put to the vote this was carried, the voting being 10 for, 1 against and 1 abstention.

RESOLVED: that planning permission be granted subject to conditions with an additional condition removing permitted development rights to convert from use class C3 to C4 and removing permitted development rights for extensions, roof extensions and outbuildings.

CHAIR

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PLANNING COMMITTEE – Thursday 19 March 2026

25/1020/OUT – Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters) at LAND EAST OF OXHEY LANE, CARPENDERS PARK, HERTFORDSHIRE.

Parish: Watford Rural
Ward: Carpenders Park
Expiry of Statutory Period: 24 September 2025
Case Officer: Matthew Roberts
Extension of Time: 27 March 2026

Application Type: Major development

Recommendation: The application be delegated to the Head of Regulatory Services to **GRANT OUTLINE PLANNING PERMISSION 25/1020/OUT** subject to:

1) **The completion of a Section 106 Agreement to secure the Heads of Terms set out in section 7.15.**

2) **The planning conditions set out at section 8.2 below.**

   And,

3) **The ability to make any minor amendments to the Heads of Terms and planning conditions in consultation with the Chair of the Planning Committee.**

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee due to the scale of the development.

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

https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SXOFSIQFGUT00

Executive Summary

This report makes a full assessment of planning application 25/1020/OUT, for the proposed development comprising up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping.

The application is in Outline, with details of access provided for full consideration. The appearance, layout, landscaping and scale are therefore reserved matters and would only be progressed if this application is approved.

The assessment has considered all relevant material planning considerations, including the provision of the 2024 National Planning Policy Framework (NPPF) and the Three Rivers Local Development Plan. The responses from consultees have also been considered, and are listed at Section 9 (**Appendix 1**).

The primary planning considerations include the principle of the development in the Green Belt; impact on the local landscape, housing provision; highways and access, flooding, ecology, local infrastructure, and residential amenity.

In relation to Green Belt, officers consider that the site is Grey Belt and the proposal accords with criteria (a) – (d) of Paragraph 155 of the NPPF. As such, it is considered that the development is an appropriate form of development in the Green Belt. In relation to the impact on the local landscape and the change in character of Oxhey Lane, Officers recognise that adverse impacts would arise to local character / landscape through the development of the northern parcel of the application site.

The benefits of the scheme are considered at section 7.17 and include but are not limited to the need for housing, the need for affordable housing, compliance with the 'Golden Rules', – all of which are afforded weight in support of the application.

Officers, having assessed these matters and all other planning considerations in full, conclude that the proposal, having regard to the presumption in favour of sustainable development (Paragraph 11 of the NPPF), is acceptable.

This report therefore recommends approval, subject to conditions and a S106 agreement securing obligations to make the development acceptable in planning terms.

This executive summary provides an overview. It is not exhaustive and should be read in conjunction with the full report for a complete understanding.

Update

A preliminary report was discussed at the Planning Committee meeting on 23 October 2025, where the Committee were asked to note the report and make general comments with regard to the material planning issues raised by the application. The analysis has been updated to provide a full justification for the officer recommendation, including in relation to the material points raised when the preliminary report was discussed.

At the October 2025 meeting Members also agreed for officers to arrange a site visit ahead of the application being returned to committee for determination. The site visit took place on 14 February 2026.

1 Relevant Planning History

1.1 25/0021/EIA: EIA Screening Request: Mixed-use development of up to 260 homes, a care home together with associated parking, open space, landscaping and vehicular access. Determined. Not EIA development.

2 Description of Application Site

2.1 The application site comprises three main greenfield parcels of land totalling approximately 12.7 hectares, located on the eastern side of Oxhey Lane, a classified main distributor road (A4008) on the edge of Carpenders Park.

2.2 The application site adjoins and wraps around Carpenders Park Care Home which fronts Oxhey Lane and a telecommunication mast, set behind the care home. A Public Right of Way (Watford Rural 013) extends through the site (running east to west) and is positioned towards the site's northern edge where it connects to 'Bushey 025'. To the east, the site is predominately bounded by Merry Hill Wood with tree belts to fields parcels and other site boundaries. To the south of the site is the Hartsbourne Stream, a tributary of the River Colne and the Hartsbourne Stream Flood Storage Area.

2.3 The site has a varied topography with the land at its highest to the north sloping gently downwards towards the southern boundary. Within and adjacent to the application site, a significant number of trees are provisionally[1] protected by Tree Preservation Order 937.

2.4 On the eastern side of Oxhey Lane is the built-up settlement of Carpenders Park comprising a range of residential housing, a school and associated pre-school, church, Greenfield Park play area, local amenities and Carpenders Park train station. Beyond Carpenders Park, on the western side of the railway is South Oxhey.

2.5 The north eastern boundary of the site is also the administrative boundary between Three Rivers District Council (TRDC) and Hertsmere Borough Council although the application site is solely within TRDC. Beyond the site to the south east is Mutton Wood with Grims Dyke Golf Course and the administrative boundary with the London Borough of Harrow.

2.6 In the wider vicinity of the application site to the south east is the London Coal Duty Marker (Burnt Oak Farm), stable buildings in the grounds of Melodies and Oxhey Lane Farmhouse (all Grade II listed buildings), Grim's Ditch (Scheduled Monument) and Grimsdyke (Grade II*) and associated park and garden (Grade II). The Brookshill Drive and Grimsdyke Conservation Area within Harrow is also located approximately 900m to the south east. To the north is Oxhey Grange and the Front Lodge to Oxhey Grange (Grade II).

2.7 In terms of policy designations, the application site falls wholly within the Metropolitan Green Belt. To the south and south west there are local wildlife sites (Mutton Wood and Woodwalks, on the western side of Oxhey Lane).

3 Description of Proposed Development

3.1 The applicant is seeking **outline planning permission** for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters).

3.2 Of the new homes proposed, 50% will be affordable (128 dwellings), of which 70% would be social rent and 30% shared ownership. Additionally, 10% of market housing (13 dwellings) will be self/custom build.

3.3 The application has been supported by a Parameter Plan (P24-2204_DE_003_C_10) and Illustrative Landscape Masterplan (P24-2420_EN_08E) which provides an indicative overview of how the development **could** be laid out at the quantum proposed. In the event that Outline planning permission was granted, a condition would require that subsequent Reserved Matters generally accord with the Land Use Parameters Plan.

3.4 It is however important to note that the plans are for **illustrative purposes** only. The plan identifies that the development would be accessed via Oxhey Lane, opposite the junction with Carpenders Avenue. A new four-way junction would include puffin crossings and associated infrastructure. Internally within the site the main primary access road would meander into the site and would feed the remaining parcels of residential development.

3.5 The submitted details indicate that the development would be split into character areas; CA1-The Spine, CA2-Neighbourhood Core and CA3-The Green Edge.

3.6 The northern part of the site would contain a surface water attenuation basin, open space, a new native woodland, a Locally Equipped Area for Play (LEAP) and community orchard with the existing Public Right of Way maintained along its current alignment. Centrally and

[1] TPO937 to be confirmed and made permanent if no objections made by 20 March 2026.

towards the eastern part of this parcel, residential development is indicatively proposed up to two storeys.

3.7 The central part of the development site, located between Carpenders Park Care Home and Merry Hill Wood, would contain residential development including Housing with Care, all of which would be up to three storeys in height and would adjoin a green corridor. To the north west of this parcel a strip of two storey residential development is proposed with a pedestrian access linking onto Oxhey Lane. Towards the main part of central parcel and to the north east of the green corridor, further housing is proposed up to two storeys.

3.8 The most southern parcel of the development site would contain three storey residential development including a 4 bed Children's Home (for looked after children), native woodland planting, play provision, an attenuation pond (south eastern corner) and an emergency access with removable bollards proposed onto Oxhey Lane.

3.9 The Housing with Care element would be a 3 storey building supporting 60 x 1 and 2 bed self-contained apartments whereby residents would have access to a range of communal services, such as a dining room, lounge, reception, office and changing room and laundry rooms. The communal facilities would also be available for the wider community to use, on an ad hoc basis (ancillary to its C2 Use).

3.10 The Children's Home would include a 4-bed dwelling capable of accommodating up to three children as well as providing facilities for staff to stay on site.

3.11 In addition to the primary access, there would be two further access points with Oxhey Lane, one restricted to pedestrians and cyclists and the most southern access would be for emergency access only (bollard operated).

3.12 During the application process, amendments were sought and include:

- The re-positioning of the play area adjacent to the northern boundary (referenced as '7a' on the submitted Landscape Masterplan) to an area closer to the built form within the northern parcel of the application site.

- Enhanced native woodland to the northern parcel (referenced as '3' on the submitted Landscape Masterplan) and re-location of orchard (referenced as '9' on the submitted Landscape Masterplan).

- Additional play areas across the development.

- Removal of woodland path within the south eastern corner of the application site

3.13 The above changes are reflected within the Parameter Plan and Landscape Masterplan which are shown below.



Figure 1: Amended Parameter Plan



Figure 2: Amended illustrative Landscape Masterplan

3.14 The application was accompanied by the following plans/reports:

- Location Plan (P24-2204_DE_001_A_01)
- Parameter Plan (P24-2204_DE_003_C_10)
- Illustrative Landscape Masterplan (P24-2420_EN_08E)

- Illustrative Masterplan (P24-2204_DE_003_E_01)
- Planning Statement (Boyer, May 2025)
- Design & Access Statement (Pegasus, March 2025)
- Tree Protection Plans (PRI24711-02 Sheet 1 of 4, PRI24711-02 Sheet 2 of 4, PRI24711-02 Sheet 3 of 4 & PRI24711-02 Sheet 4 of 4)
- Flood Risk Assessment and Drainage Strategy
- Transport Assessment (i-Transport, March 2025)
- Framework Travel Plan (i-Transport, March 2025)
- Green Belt Assessment (Pegasus Group, March 2025)
- Heritage Statement (Handforth Heritage, March 2025)
- Land Contamination Assessment (Brownfield Solutions Ltd, March 2025)
- Landscape and Visual Impact Assessment (Pegasus Group, March 2025)
- Planning Needs Assessment – Housing with Care (Carterwood, March 2025)
- Air Quality Assessment (Logika Group, March 2025)
- Sequential Test (Boyer, May 2025)
- Sustainability and Energy Statement (Blue Sky Unlimited, March 2025)
- Utility Assessment (Ardent, March 2025)
- Arboricultural Impact Assessment (ACD Environmental, March 2025)
- Tree Survey & Plan (ACD Environmental, March 2025)
- Biodiversity Checklist
- CIL Form

The following documents have been submitted and / or amended during the course of the application:

- Amended Health Impact Assessment (Boyer, May 2025)
- Archaeological Desk Based Assessment (HCUK Group, August 2025)
- Applicant's response to Woodland Trust (ACD Environmental, September 2025)
- Additional Grey Belt Information including Legal Opinion from Lord Banner KC (Boyer, October 2025)
- Grey Belt, Sustainability and Consultation Responses Letter (Boyer, November 2025)
- Educational Note (Iceni Projects Limited, November 2025)
- Health Note (Iceni Projects Limited, November 2025)
- Landscape & Visual Impact Assessment Addendum (Pegasus Group, December 2025)
- Indicative Site Visualisations (Pegasus Group, December 2025)
- Housing with Care Response (Boyer January 2026)
- Summary of Sustainable Transport Improvements; includes Amended Site Access Arrangement - ITL200107-GA-002 Rev E (i-Transport, January 2026)
- Addendum to Flood Risk Assessment and Drainage Strategy (Ardent, January 2026)
- Amended Parameter Plan and Landscape Masterplan (January, 2026)
- Grey Belt / Golden Rules and Local Plan Letter (February 2026)
- Amended Ecology Report (Ecology Solutions, November 2025)
- Addendum to Flood Risk Assessment and Drainage Strategy (Ardent, January 2026)
- Ecology Response including breeding bird surveys (Boyer, February 2026)
- Updated Ecology Assessment (Ecology Solutions, March 2026)
- Ecology Solutions Response (Ecology Solutions, March 2026)
- Biodiversity Net Gain Report (Ecology Solutions, March 2026)
- BNG Metric (Ecology Solutions, March 2026)
- 'Further Opinion' provided by Lord Banner (March, 2026)

4 Consultation

4.1 Statutory Consultation

4.1.1 A summary is provided in the table below, with the full comments set out in **Appendix 1** at **Section 9.**

Consultees		
Active Travel England	9.1	No objection
Affinity Water	9.2	No objection
Environment Agency	9.3	No objection
Herts Constabulary	9.4	No objection
Herts Fire & Rescue	9.5	No objection
Herts and West Essex ICB (NHS)	9.6	No objection subject to obligations
Herts Archaeology	9.7	No objection, subject to conditions
Herts Footpath Section	9.8	No response received (dealt with via HCC Highways comments)
HCC Growth and Infrastructure Unit (Adult Care Services)	9.9	No objection subject to obligations
HCC Growth and Infrastructure Unit	9.10	No objection, contributions requested
Herts Ecology	9.11	Cannot be determined. Planning conditions recommended*
HCC Highways	9.12	Contrary to HCC policy but conditions recommended if officers minded to approve
HCC Waste and Minerals	9.13	No objection subject to conditions
HCC Healthy Places	9.14	No objection
HCC Water Officer	9.15	No objection subject to condition / obligation
HCC Lead Local Flood Authority	9.16	No objection subject to conditions
National Grid	9.17	No response received to date
Natural England	9.18	No response received to date
Sport England	9.19	No objection
Transport For London	9.20	No objection
Thames Water	9.21	No objection, subject to conditions
The Ramblers Association	9.22	No objection
TRDC Conservation Officer	9.23	No objection
TRDC Environmental Health	9.24	No response received to date
TRDC Environmental Protection	9.25	Advisory comments
TRDC Housing Officer	9.26	No objection
TRDC Tree and Landscape Officer	9.27	Advisory comments
TRDC Leisure Officer	9.28	Advisory comments
TRDC Planning Policy / Local Plans	9.29	Advisory comments
WBC Environmental Health (Commercial)	9.30	No objection
Watford Rural Parish	9.31	Objection
Woodland Trust (not statutory)	9.32	Objection
Place Services (Landscape Architect)	9.33	Objection
Adjoining districts / boroughs		
Hertsmere Borough Council	9.34	Advisory comments
London Borough of Harrow	9.35	Objection (GB & highways)
Watford Borough Council	9.36	No response received to date

*Additional information has been provided following comments.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 238

4.2.2 No of responses received: 914

4.2.2.1 490 in objection.

4.2.2.2 422 in support.

4.2.2.3 2 neutral.

4.2.3 During the course of the application the applicant undertook a public engagement exercise which produced comments from individual households from Your Shout (these form part of the 914 reponses). The applicant confirmed that the purpose of this exercise was to seek resident's views on the scheme and confirmation if they wished to offer either their support or objection.

4.2.4 Site Notices (x10): Expiry: 30.07.2025 Press Notice: Expiry 25.07.2025

4.2.5 Summary of Responses:

Objections	
Impact on Green Belt	- Urban sprawl and merging of towns - Should always be protected from development - Green space enjoyed by many for walking. - Fields are historic pastureland - Irreversible loss of countryside - Would uncheck urban sprawl of built-up areas from Stanmore and Headstone all the way to the Bushey area. - Lead to a merging of Bushey and Watford into a single urban area with Headstone and Stanmore. - Reduce the separation between Oxhey and Carpenders Park. - Set a precedent and weaken protections for all such land in the region.
Impact on Character	- Multi storey bulks out of character with area. - Development would result in a devasting change. - Development will blur the boundaries between urban and rural. - Development would erode the distinct identity of Carpenders Park
Impact on Traffic / Highway Safety	- Negative impact with increased congestion, noise and pollution. - Oxhey Lane heavily congested. - Car dependant development

	- No regular bus service on the Carpenders Park side of the rail line. - Lead to parking stress on adjacent roads leading to parking restrictions and permits. - Existing roads cannot cope as it stands. - Junction with new access will become hazardous. - Roads already a nightmare during rush hour. - Oxhey Lane is a very busy road so potential for accidents. - Place greater parking burden at Carpenders Park station and surrounding area. - The planned entrance is severely hazardous to residents emerging from Carpenders Avenue. - Adding 256 new homes would likely introduce hundreds of additional vehicles, increasing congestion, especially during peak hours. - Not enough schools will also increase traffic chaos - it's already worst around Bushey Arches and to and from route to Harrow during peak hours. - Put at risk the essential access of Emergency Services to/from Watford Fire Station. - Cars queuing during rush hour down Pinner Road and Villiers Road. - The Transport Assessment underestimates trip numbers and fails to reflect actual local travel patterns. Parking is insufficient, leading to overspill. Pedestrian and cycling provisions are inadequate, breaching NPPF paragraphs 110-112 and Policy DM1.
Impact on local resources	- Resources already stretched. - Development places additional strain on local resources. - Carpenders Park cannot sustain additional development. - Loss of vast natural water absorbent areas. - Local services under great stress, long GP waiting lists and stretched services of the NHS and Watford Hospital. - Pressure on local schools and utilities.

	- Local nursery and junior school provision is already inadequate and competition for secondary school education places is already severely under strain. - Only one primary school and no secondary school. - Transport infrastructure already busy. - Local infrastructure will not cope with the influx of families. - Site forms part of an important green corridor with a seamless link to the Hertsmere Merry Hill Woods Nature Reserve. - Lack of local recreational facilities – few green spaces and a modest play area on Greenfield Avenue. - Development does not enhance the area's recreational offer and contributes to its erosion. - Despite its name, there is no actual 'park' in Carpenders Park. - No water capacity. - When the houses were built in Horse Haven my water pressure noticeably dropped so have adequate measures been taken to ensure this doesn't make it even worse, it got so bad it wouldn't fire my central heating boiler on occasions.
Impact on Natural Beauty and Recreation	- Cherished green space that serves the health and wellbeing of the local community. - Green space enjoyed by many for walking and running. - Site balances urban and rural. - Area provides wild-growing fruit which can be harvested by locals. - Site should be preserved as a local asset. - Out of character with area. - Damage trees. - Destroy valuable Woodland Trust wildlife habitat in Merry Hill.
Impact on Wildlife	- Great impact on local wildlife. - Loss of young Oak trees that are part of a regenerating ecosystem.

	- Green space is mainly flora and fawn which will be destroyed. - Home to a variety of wildlife, including birds, hedgehogs and mature trees. - Ecological assessments are weak and lack enforceable biodiversity measures. - Off-site net gain proposals are vague and insufficient. - Many hedgerows will be destroyed.
Environmental Impact	- Loss of open spaces / green spaces which support biodiversity. - We do not need more homes. - Noise impacts. - Air pollution. - Development is unstainable. - Contradictory to any plan for net zero. - Complete contradiction to climate control.
Impact on Amenity	- Loss of privacy and increase of over shadowing given the heights of the buildings. - Block sunlight.
Flooding	- Could increase the risk of surface water flooding. - Site prone to surface water issues. - Proposal lacks sufficient detail on drainage and flood mitigation. - Flood defences prevent flooding so further development may impact mitigation.
Other	- Not earmarked for development in the adopted Local Plan or emerging draft version. - Development needs to demonstrate very special circumstances. - Application is inappropriate premature and contrary to national and local planning policy. - Population raise may lead to a rise in crime and antisocial behaviour. - Delivery of new homes does not in themselves constitute ‘very special circumstances.’

	- People in favour do not live in Carpenders Park. - Beautiful view across to Carpenders Park would disappear. - No 'exceptional' reason to build these homes. - Emergency access via removable bollard is inadequate. - Care home will have to put up with construction work. - Abundant car parks, golf courses, and brownfield sites should be prioritised. - Empty properties and office-to-residential conversions are underutilised. - Creative solutions exist. - Loss of Community Identity. - The Council is legally obliged to publicise applications via site notices, neighbour letters, and local newspaper advertisements. Many affected residents, including myself, received no notification until this week, and no visible site notices have been displayed. This failure undermines transparency, limits public participation, and renders the application procedurally unlawful. - There is a clear conflict of interest since Three Rivers Council is both the applicant and decision-maker. This risks bias and damages public trust. Planning decisions must be impartial and transparent, but this process has lacked proper public engagement, breaching principles of natural justice.
Support	
	- Support care home building for elderly population - Need more homes - More parks for children - Happy to see affordable homes - Need more affordable homes - Waiting lists are long. - Need more open spaces with greenery

	- Planning gain money should be spent locally. - Well designed - Really hard to save up for a deposit so more housing is a great idea. - Young family homes required. - As a parent and a person with personal experience to be able to afford a home and support the scheme. - Keep the next generation near their families. - Struggling to get on the property ladder. - This is the best available site. - Low level development. - Create jobs. - Would support local services / community. - Great to see pathway (PRoW) being kept. - I would like this coming true for support people's needs. - Support special needs children home - Landscape promises with new woodland must be kept. - On balance a fair development, mixed and open spaces.

4.2.6 Four further comments were received in respect of incorporating swift bricks into the development proposal.

4.2.7 A formal objection was also received from Ward Councillor Rue Grewal. The objection refers to inappropriate development in the Green Belt, no very circumstances presented, local plan conflict, flood risk, highway impacts, visual impact, biodiversity and ecology failures and infrastructure concerns.

5 Reason for Delay

5.1 The application has been extended beyond its original statutory determination period in order to enable the applicant to work with those statutory consultees who have raised technical objections.

6 Relevant Planning Policy, Guidance and Legislation

6.1 <u>Legislation</u>

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.

S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

Countryside and Rights of Way Act 2000.

Levelling-up and Regeneration Act 2023.

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 2017, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

6.2 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the National Planning Policy Framework (NPPF) was updated and may be read along with the National Planning Practice Guidance (NPPG) as relevant government planning guidance. As is recognised in the NPPF, planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF and NPPG are 'material considerations' relevant to planning decision making. The NPPF is equally clear that "existing [development plan] 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" (NPPF Annex 1: 225).

A number of NPPF chapters are relevant to the consideration of this application, with the most important being:
2 – Achieving sustainable development
4 – Decision-making
5 – Delivering a sufficient supply of homes
8 – Promoting healthy and safe communities
9 – Promoting sustainable transport
12 – Achieving well-designed and beautiful places
13 – Protecting Green Belt land
14 – Meeting the challenge of climate change, flooding and coastal change
15 – Conserving and enhancing the natural environment
16 – Conserving and enhancing the historic environment

6.3 The Three Rivers Local Plan

The planning merits of the application have been assessed against the policies of the development plan, namely, the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013), 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 (Overarching Policy on Sustainable Development), CP2 (Housing Supply), CP3 (Housing Mix and Density), CP4 (Affordable Housing), CP6 (Employment and Economic Development), CP8 (Infrastructure and Planning Obligations), CP9 (Green Infrastructure), CP10 (Transport and Travel), CP11 (Green Belt) and CP12 (Design of Development).

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 (Residential Design and Layout), DM2 (Green Belt), DM3 (Historic Built Environment), DM4 (Carbon Dioxide Emissions and On Site Renewable Energy), DM6 (Biodiversity, Trees, Woodland and Landscaping), DM7 (Landscape Character), DM8 (Flood Risk and Water Resources), DM9 (Contamination and Pollution), DM10 (Waste Management), DM11 (Open Space, Sport and Recreation Facilities and Children's Play Space), DM12 (Community, Leisure and Cultural Facilities), DM13 (Parking), Appendix 2 (Design Criteria) and Appendix 5 (Parking Standards).

Hertfordshire County Council's adopted Minerals Local Plan 2002 – 2016.

The Waste Core Strategy and Development Management Policies 2011–2026.

The Waste Site Allocations Development Plan Document 2011–2026.

6.4 Other

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

Open Space, Amenity and Children's Playspace Supplementary Planning Document (December 2007).

Affordable Housing Supplementary Planning Document (adopted June 2011).

South-West Hertfordshire Local Housing Need Assessment (March 2024)

Local Housing Need Assessment (LHNA) Update (March 2024).

Housing Delivery Test Action Plan 2022 (December 2024 update)

Housing Land Supply Update 2024 (December 2024 update)

Stage 1 Green Belt Review – Strategic Analysis (2017).

Stage 2 Green Belt Assessment for Three Rivers and Watford Borough (2019).

Stage 4 Green Belt Review (2025) - draft form only.

Landscape Sensitivity Assessments (2019)

Interim Sustainability Appraisal Report (June, 2021)

7 Planning Analysis

7.1 Principle of development

7.1.1 The application site has not been allocated as a housing site by the Site Allocations Local Development Document (2014) and as such is not currently identified as part of the District's housing supply.

7.1.2 In assessing applications for development not identified as part of the district's housing supply including windfall sites, Policy CP2 of the Core Strategy states that applications will be considered on a case by case basis having regard to:

i. The location of the proposed development, taking into account the Spatial Strategy
ii. The sustainability of the development and its contribution to meeting local housing needs
iii. Infrastructure requirements and the impact on the delivery of allocated housing sites
iv. Monitoring information relating to housing supply and the Three Rivers housing targets.

Location

7.1.3 The application site falls adjacent but outside the settlement boundary of Carpenders Park, defined as a Secondary Centre by the Spatial Strategy. For clarity, Policy PSP3 relates to development in Secondary Centres with the supporting commentary stating:

Secondary Centres *include a range of smaller sized settlements distributed throughout the District. They provide a more limited range of services and facilities than the Key Centres but are still important in meeting local needs. They are generally well located with regard to access to adjoining centres and public transport facilities. Therefore, it is appropriate that a proportion of future development should be located within and immediately surrounding the Secondary Centres.*

There is scope for continued infilling within the urban areas, primarily on previously developed land, subject to the protection of existing residential and historic character and amenities. Whilst the scope for development on the edge of the Secondary Centres is constrained by Green Belt and other environmental designations, there are opportunities to promote sustainable development through limited development within the Green Belt including on previously developed land.

7.1.4 Policy PSP3 therefore accepts that in certain situations future development may not be unacceptable if located immediately surrounding a Secondary Centre like Carpenders Park.

Sustainability

7.1.5 Carpenders Park is a settlement which provides a good range of local amenities and services, with good transport connections, including the Carpenders Park Rail Station which is served by the Lioness line and falls in Zone 7 on the London Underground network. This service runs a southbound train (towards London) from 05:21 (Monday to Fridays) with the last northbound train arriving at 00:36 (Monday to Fridays). At weekends there is a slightly reduced timetable, but trains run from the station from 05:23 in the morning to 23:38 in the evening, if alighting at London Euston (00:22). [2] The station is within a 10-minute walk from the edge of the development.

7.1.6 Carpenders Park is also served by bus services 346 which travels from Mount Vernon Hospital to Watford (every two hours), R17 providing a route between Carpenders Park railway station and Hatch End Harrow Arts Centre (one bus on Wednesday) and R16

[2] London Overground timetables - Transport for London

providing a route between Bushey Railway Station and North Watford (two buses on Monday and Friday only).

7.1.7 Carpenders Park has a mixed one-form entry primary school, St Meryl School which includes a nursery. Little Hearts Pre-School is also located at the school, providing early years education for children aged 2-5 years. The school is located approximately 300/400m from the edge of the development site (approximately 5/6 minute walk). Further schools are located in South Oxhey, including, but not limited to, Woodhall School, Warren Dell and Greenfields Primary School.

7.1.8 In terms of local amenities, there is a local parade of shops at Delta Gain which include a Co-Op supermarket, post office, estate agents, pharmacy, take-aways, dental practice and other retail premises (all within approximately 700m from the edge of the development site). A public house, The Partridge is located adjacent to the Delta Gain parade. The settlement also includes a church, community hall and open spaces such as Greenfield Park Play Area, The Mead Wildlife Meadow and Carpenders Park Skate & BMX park. A doctor's surgery is also located on Harrow Way, close to Delta Gain parade and is within a 10-15 minute walk from the edge of the development site.

7.1.9 Further offer of amenities and services exist on the western side of the railway line within South Oxhey (Key Centre), forming part of a relatively recent redevelopment scheme. South Oxhey can be accessed by foot via the underpass at Carpenders Park Train Station.

7.1.10 As such, based on the above locational factors and as a matter of judgement, the application site is within a sustainable location.

Other considerations

7.1.11 In terms of national policy, the NPPF at paragraph 124 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.1.12 In respect of achieving appropriate densities the NPPF at Section 11, paragraph 129, emphasises where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.

7.1.13 In response to the Housing Delivery Test Result for the Council an Action Plan was required, setting out actions to improve housing delivery. As of June 2024, the Action Plan states at paragraph 3.23 that 'until a new local plan is in place and given the high demand for new homes and the constrained housing land supply, it will be crucial that new developments coming forward make the most efficient use of land'.

7.1.14 It is well documented that the Council cannot demonstrate a deliverable supply of housing as required by the NPPF, with the Council's current position at approximately 1.7 year supply of housing. The NPPF at paragraph 11 is clear and states that where a local planning authority cannot demonstrate a 5 year supply of deliverable housing sites then the policies within the development plan are considered out-of-date. As a result when engaging paragraph 11(d) of the NPPF it states that planning permission should be granted unless:

d)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;

d)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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

7.1.15 The proposal includes a quantum of development which would significantly weigh in favour of the development having regard to the Council's current housing delivery position.

7.1.16 The NPPF at Paragraph 71 states that "Mixed tenure sites can provide a range of benefits, including creating diverse communities and supporting timely build out rates, and local planning authorities should support their development through their policies and decisions (although this should not preclude schemes that are mainly, or entirely, for Social Rent or other affordable housing tenures from being supported). Mixed tenure sites can include a mixture of ownership and rental tenures, including Social Rent, other rented affordable housing and build to rent, as well as housing designed for specific groups such as older people's housing and student accommodation, and plots sold for custom or self-build."

Housing with Care (Use Class C2)

7.1.17 As part of the development a 60 x 1 and 2 bed three storey apartment building designed around a courtyard layout would be provided comprising shared facilities such as lounges, reception, office, changing room and laundry rooms with on-site staff supervision to facilitate delivery of care. This type of facility would give people the opportunity to live in their own purpose-built household while accessing care and meals on-site.

7.1.18 If permitted, it would be important to control the occupancy of those that would meet the definition of a Qualifying Person and where the Principal Occupant is in need of personal care (i.e at least one hour's personal care per week by reason of their old age / disablement). Qualifying persons are likely to be a person who is not less than 70 years of age on the date of first occupation. The specific details would be secured as part of the Section 106 Agreement.

7.1.19 In relation to the Housing with Care, the applicant has agreed for Hertfordshire County Council's first right of refusal, to be exercised through an option to take transfer of the land to enable the delivery of nursing care. HCC have also given their support to the Housing with Care element, but required certainly regarding the on-site provision of CQC registered care, although this would be secured by via a legal agreement.

7.1.20 The need and affordable housing requirement for housing with extra care is set out at section 7.2.57 & 7.2.60 below.

Custom / Self build

7.1.21 The development would look to develop 13 custom / self-build homes. The Self-build and Custom Householding Act 2015 (as amended) provides a legal definition of self-building and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

7.1.22 To date, the Local Plans team at the Council have confirmed that no custom and self-build homes have been delivered in the District. In the current local plan there are no local planning policies that relate to custom and self-build homes. The emerging local planning Policy HOU1 states that proposals for self-build and custom housebuilding will be supported where development would have no adverse effect on the local character, with sites of at least 200 dwellings expected to provide 2% of serviced plots for self-build and custom build where possible. The development proposes 10% (13 dwellings) and thus would exceed emerging Policy HOU1.

Children's Home

7.1.23 A 4 bed Children's Home (for looked after children) is proposed which would be capable of accommodating up to three children. The final location would be secured at the reserved matters stage. Subject to the grant of planning permission, the applicant has agreed to the

transfer of land associated with the Children's Home to Hertfordshire County Council. This would be secured as a Head of Term as part of any future Section 106 Agreement.

7.1.24 The need for a children's home is explored in more detail at paragraph 7.2.59.

7.2 Impact on the Green Belt

7.2.1 The application site falls entirely within the Metropolitan Green Belt. Since December 2024, the context for assessing such sites has significantly changed with the concept of 'Grey Belt' introduced by the Government.

7.2.2 Paragraph 142 of the NPPF states "the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Paragraph 143 states that Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;

b) to prevent neighbouring towns merging into one another;

c) to assist in safeguarding the countryside from encroachment;

d) to preserve the setting and special character of historic towns; and

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.2.3 The application site at present is considered to positively contribute towards purpose (a) given its edge of settlement location and purpose (c) as it is free of existing built form.

7.2.4 NPPF Paragraph 145 states that "Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process". This application does not seek to alter Green Belt boundaries. It proposes development within the Metropolitan Green Belt.

7.2.5 Paragraph 151 states that "Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access…"

7.2.6 Paragraph 153 states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Paragraph 153 states "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".

7.2.7 Paragraph 154 states "A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are as follows:

a) buildings for agriculture and forestry;
b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
c) 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;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
e) limited infilling in villages;
f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);
g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed used including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt;
h) Other forms of development provided that they preserve its openness and do not conflict with the purposes of including land within it. These are:

i. mineral extraction;
ii. engineering operations;
iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
v. material changes in the use of land (such as changes of use for outdoor sport or recreation, of for cemeteries and burial grounds; and
vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.2.8 Policy CP11 of the Core Strategy (adopted October 2011) sets out that the Council will maintain the general extent of the Green Belt in the District and will encourage appropriate positive use of the Green Belt and measures to improve environmental quality. There will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.

7.2.9 Policy DM2 of the Development Management Policies LDD (adopted July 2013) notes that "as set out in the NPPF, the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out below". Relevant to this current application is a) New Buildings, which states "Within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance". Policy DM2 was adopted prior to the publication of the current NPPF. However, it was adopted after the publication of the original 2012 NPPF, and the Green Belt policies in the NPPF in relation to inappropriate development are not materially different between the two, with the exception of the Grey Belt concept. On that basis, it is considered that Policy DM2 is in general accordance with the NPPF and may be afforded weight. The NPPF is considered to contain national policy and therefore relevant guidance and a relevant material consideration.

7.2.10 This application, submitted in outline form with only details of access provided at this time, proposes the 'Development of up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping'. When applying the development to Paragraph 154 of the NPPF, it would not benefit from any of the exceptions to inappropriate development.

7.2.11 Whilst the development would not comply with Paragraph 154, it is also necessary to consider the development in relation to Paragraph 155 of the NPPF. This states *'that the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all of the following apply:*

a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
b) There is demonstrable unmet need for the type of the development proposed;

c) The development would be in a sustainable location with particular reference to paragraphs 110 and 115 of this frameworks;
d) Where applicable the development meets the 'Golden Rules' requirements set out in paragraphs 156-157.

7.2.12 In considering whether the site would constitute Grey Belt land, reference must be had to Annexe 2 of the NPPF which defines Grey Belt as follows:

'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously development land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

7.2.13 In this case, the site is 'any other land' as it is not 'previously developed land'. For it to be considered Grey Belt, the application site needs to not strongly contribute to any of the purposes (a), (b) or (d) of Paragraph 143 of the NPPF. These purposes are:

a) to check the unrestricted sprawl of large built-up areas;

b) to prevent neighbouring towns merging into one another; and

d) to preserve the setting and special character of historic towns

7.2.14 In considering whether the application site contributes to purposes (a), (b) or (d) regard must be had to Planning Practice Guidance (PPG) at Paragraph 005 Reference ID: 64-005-2025022 which provides guidance in relation to informing judgements as to whether land can be considered as Grey Belt. In addition, Paragraph 007 of the PPG is also relevant and sets out the following: *After consideration of the above criteria, any assessment area that is not judged to strongly contribute to any one of purposes a, b, or d can be identified as grey belt land, subject to the exclusion of land where the application of the policies relating to the areas or assets in footnote 7 to the NPPF (other than Green Belt) would provide a strong reason for refusing or restricting development.*

7.2.15 In support of the application the applicant has submitted a Planning Statement and Green Belt Assessment (Iceni, March 2025), Additional Grey Belt Information (Boyer, dated 3 October 2025), appeal decisions, a KC Legal Opinion from Lord Banner, dated 24 September 2025 and a covering letter (dated 7 November 2025) concluding that in their opinion the development complies with Paragraph 155 ('grey belt') of the NPPF and is therefore not inappropriate, by definition.

7.2.16 Notwithstanding the above view, the assessment against each relevant purpose is set out below:

a) **to check the unrestricted sprawl of large built-up areas;**

7.2.17 It is acknowledged by the PPG that this purpose specifically relates to the sprawl of **built-up areas**, and that villages should not be considered large built-up areas. The application site lies adjacent to the built-up area of Carpenders Park, sited immediately to the west. The site is located a substantial distance from other nearby large built-up areas such as Bushey and Harrow so for the purposes of 'sprawl' they are unaffected by the development of the site.

<u>Is Carpenders Park a village?</u>

7.2.18 The Settlement Hierarchy set out within the Core Strategy (adopted October 2011) takes into account settlement size, population, existence of and access to a range of services and transport infrastructure and importance in economic and retailing terms. South Oxhey

identified as a Key Centre, with Carpenders Park a Secondary Centre, with only Bedmond and Sarratt identified as villages within the District.

7.2.19 Carpenders Park is a large built-up area which contains places of work, transport connections (has its own designated train station), local amenities, school, public house, church and care home. Whilst socially Carpenders Park is viewed by local communities as physically separate from South Oxhey, in a geographical sense, it is only physically separated via a railway and its associated infrastructure, whilst there are pedestrian connections via Carpenders Park Train Station, via Hartsbourne Woods (via Delta Gain) and a vehicular connection via Little Oxhey Lane. Whilst the two settlements feel somewhat detached as a result of the railway line, both South Oxhey and Carpenders Park when viewed from the ground, as a matter of planning judgement, are viewed as a single large settlement and are not to be taken as a village but viewed as a large built-up area.

Purpose a) – to check unrestricted sprawl of large built-up areas?

7.2.20 The Stage 2 Green Belt Review for Three Rivers and Watford Borough (2019) considered the effect of releasing land for development. The application site corresponds to Parcel SO3 of that review. In relation to the contribution the parcel made to the purpose of checking the unrestricted sprawl of large built-up areas, the Stage 2 Green Belt Review concluded that it made a significant contribution to that purpose, stating that; *"The parcel lies on the edge of South Oxhey, which is contiguous with Greater London and forms part of the large built up area. The A4008 and the landform provide strong distinction from the inset settlement edge and the parcel is open and uncontained therefore, development would constitute sprawl."*



Figure 3: The red edged line represents the **full extent of SO3** with the land edged yellow representing the extent of the application site.

7.2.21 The Stage 4 Green Belt Review (2025) is in draft form only at this time and therefore carries very limited weight in decision making. The Stage 4 Green Belt Review considers that Parcel SO3 makes a significant impact to purpose (a). One of the primary purposes of the 2025 Green Belt Review is mapping out provisional grey belt. The word provisional has been used to emphasise that there are still other factors to be considered prior to deciding whether land fully constitutes grey belt. Parcel SO3 is not identified as provisional grey belt. However, it is important to note that while the parcel level identification of grey belt is helpful at a strategic level for plan making, when considering the identification of grey belt in decision making, it is more relevant to assess at a site specific level, especially considering that the application site forms only part of the much larger parcel as identified at Figure 3 above.

7.2.22 The Stage 4 Green Belt Review (2025) also considers whether the releasing of Green Belt would fundamentally undermine the purposes of the remaining Green Belt across the plan area, identifying areas of the district where the Green Belt was performing a role of 'fundamental importance'. Seven broad areas of fundamental importance are identified where future growth should be considered carefully, to ensure that it does not fundamentally undermine the purposes of the Green Belt across the plan area. Parcel SO3 is within area '1' - an identified area of 'fundamental importance', with the associated explanation as:

"This area of Green Belt may be deemed of fundamental importance to the wider Green Belt as it checks the unrestricted spread of both the south-eastern edge of Watford at Watford Heath and at South Oxhey, containing the potential for sprawl across the A4008 into open land. It also checks the spread of South Oxhey southwards and so preventing a merger with the large built-up area extending out from Greater London at Pinner (Hatch End). The area therefore plays an important role in maintaining the wider gap between Watford, South Oxhey, Carpenders Park and Harrow and London."

7.2.23 Nevertheless, the review makes it evidently clear that *"Identification of an area of fundamental importance may not, however, mean that these areas cannot accommodate some development, and it will be for the LPA to undertake a balanced judgement based on the scale and location of the proposed land for release."*

7.2.24 In considering the site's contribution to checking the unrestricted sprawl of a large built-up area it is also appropriate to have regard to the PPG guidance (Paragraph: 005 Reference ID: 64-005-20250225) which lists illustrative features that might be associated with a strong contribution, moderate contribution or weak/no contribution as set out at Figure 4 below.

Contribution	Illustrative features
Strong	Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features: - be adjacent or near to a large built up area - if developed, result in an incongruous pattern of development (such as an extended "finger" of development into the Green Belt)
Moderate	Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land's contribution to this purpose a, such as (but not limited to): - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development - being subject to other urbanising influences
Weak or None	Assessment areas that make only a weak or no contribution are likely to include those that: - are not adjacent to or near to a large built up area - are adjacent to or near to a large built up area, but containing or being largely enclosed by significant existing development

Figure 4: Image taken from PPG. Guidance when considering contribution to purpose (a).

7.2.25 The PPG advises that areas that contribute 'strongly' are likely to be free from existing development, and lack physical features in reasonable proximity that could restrict and contain development. The PPG continues that they are also likely to include all of the following features: be adjacent or near to a large built-up area; if developed, result in an incongruous pattern of development such as an 'extended finger' of development into the Green Belt. It is recognised that a degree of judgement is required in assessing the strength of a contribution to Green Belt purposes and that there may be some overlap between categories

7.2.26 The PPG advises that areas that contribute 'moderately' are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land's contribution to this purpose, such as (but not limited to):

- having physical feature(s) in reasonable proximity that could restrict and contain development
- be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development
- contain existing development
- being subject to other urbanizing influences

7.2.27 Having regard to the illustrative features identified in the PPG, the site is adjacent to a large built-up area (Carpenders Park), is entirely free of existing development and would involve a new wedge of development onto the eastern side of Oxhey Lane, noting that there is currently a strong boundary edge with the settlement as defined by the A4008. The fact the site is adjacent to a large built up area, is free of existing development and extends into the countryside are important aspects relating to the 'strong' category, but these must not be looked upon as determinative as to whether the site contributes strongly to purpose (a) and it is necessary to consider whether there are any other factors, such as the presence of existing development and physical features which could potentially weaken the land's contribution. It is noted that neither the NPPF nor the PPG exclude any particular physical features from consideration and thus they could be man-made or natural.

7.2.28 In this case, it is noteworthy that the application site possesses physical features in reasonable proximity that restrict and contain development from unrestricted sprawl. Merry Hill Wood, a publicly accessible area owned by the Woodland Trust exists to the north east and runs alongside the application site with the Woodland Trust's ownership extending towards Bushey and to the north as highlighted by Figure 5 below. Additionally, the application site is, in part, adjacent to an existing settlement and Oxhey Lane, the Carpenders Park Care Home, a telecommunications mast, the Hartsbourne storm flood storage area, tree lined boundaries, and further enhanced mitigation is planned through woodland planting on the northern field parcel of the site.

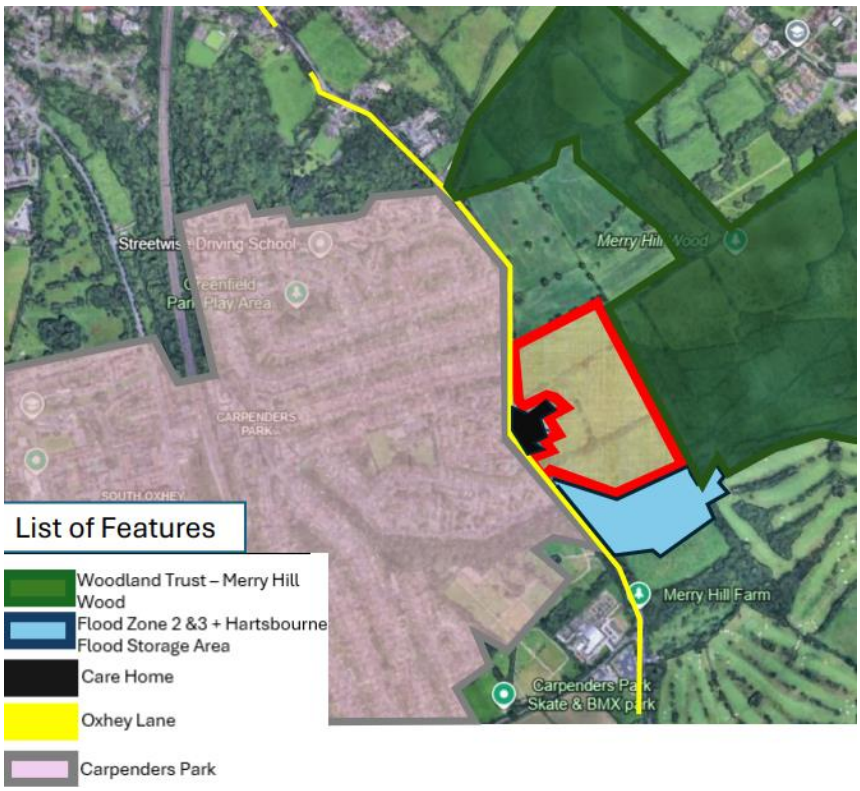


Figure 5: Extract provided by the applicant demonstrating location of physical features / existing development in reasonable proximity to the application site.

7.2.29 Much of the development would be focused on the shallower parts of the site which are well contained by Merry Hill Wood and the Carpenders Park Care Home. Additionally, the Hartsbourne Stream Flood Storage Area is a permanent intervention in the landscape to the south and falls within Flood Zone 2 and 3, thereby preventing further development sprawling to the south east. These physical features and existing development would therefore assist in containing development. Whilst part of the planned development is on the highest portion of the site, the PPG is clear that features do not need to be present on all sides of the site and that a site which is 'partially' enclosed is enough to ensure it has a moderate contribution to purpose (a).

7.2.30 Whilst recognising that the development would encroach into the immediate countryside, it is considered that it would be viewed as a continuation of Carpenders Park and is significantly contained. As a matter of judgement, in its wider context, the layout and position would not be incongruent with the surrounding pattern of development. It is undeniable that the application site is weakened by the proximity of existing development and physical features.

7.2.31 The site therefore is considered to make an overall **'moderate contribution'** and so would not strongly contribute to Green Belt purpose a). Applying the value that the very large land parcel identified at SO3 contributes to purpose (a), this is not reflective of the contribution of the application site by virtue of the scale of the area to be developed and its site circumstances.

Purpose b) - to prevent neighbouring towns merging into one another;

7.2.32 The PPG states that assessment areas that contribute strongly are likely to be free of existing development and include all of the following features:

- forming a substantial part of a gap between towns
- the development of which would be likely to result in the loss of visual separation of towns.

Contribution	Illustrative Features
Strong	Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features: - forming a substantial part of a gap between towns - the development of which would be likely to result in the loss of visual separation of towns
Moderate	Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - forming a small part of the gap between towns - being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation
Weak or None	Assessment areas that contribute weakly are likely to include those that: - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation

Figure 6: Image taken from PPG. Guidance when considering contribution to purpose (b).

7.2.33 The Stage 2 Green Belt Review concluded that parcel SO3 made a 'moderate' contribution towards preventing neighbouring towns merging into one another, stating that …*'the parcel lies in the gap between Bushey and Pinner, however, this is a relatively large and robust gap limiting the role of the parcel in maintaining separation.'* The Stage 4 Green Belt Review also confirms that the parcel makes a 'moderate' contribution towards purpose (b).

7.2.34 In terms of an officer assessment, South Oxhey and Carpenders Park are physically separate from the nearby settlements such as Oxhey Hall, Oxhey Village which incorporates Watford Heath to the north and collectively form part of Watford having regard to their locational factors, Eastbury which forms part of Northwood / Greater London to the west and Harrow / Hatch End to the south, also part of Greater London.

7.2.35 When considering the location of the application site relative to these areas, it is not considered that they are at risk of merging as a result of the development. For example, in respect of Watford, there is a substantial gap with the application site, made up of open fields and sporadic developments on the eastern side of Oxhey Lane.

7.2.36 In respect of Harrow, the application site would introduce development towards the direction of Harrow. However, there is a significant distance between the site and Harrow, as well as other factors such as the topography and the intervening woodland, golf courses and developments such as Carpenders Park Nursery and Lucketts.

7.2.37 With regards to Bushey, which lies to the east and is close to Watford geographically, it contains extensive amenities, schools etc. It is therefore considered that Bushey is a town in its own right. Whilst the application site is sizable in its extent, there is a large gap with Bushey so the development of the application site means that the two towns are not at risk of coalescence, both towards the north and east, the latter of which is separated by a substantial woodland, Merry Hill Wood and associated grazing land / open space owned by The Woodland Trust. The topography also plays a role with the application site on a lower gradient than land towards Bushey.

7.2.38 When considering the above factors, Officers conclude that as a matter of judgement the site has a **moderate contribution to purpose (b)** which aligns with the assessments provided for parcel SO3 within the Stage 2 and 4 Green Belt reviews.

Purpose d) - to preserve the setting and special character of historic towns;

7.2.39 The nearest part of Watford to the application site falls within the Watford Heath Conservation Area (falling within Watford Borough Council). This conservation area was designated in 2001 and was extended in 2006 to include properties on Sherwoods Road and Pinner Road.

7.2.40 The application site is some distance away from special character of the Watford Heath Conservation Area which falls within the town of Watford and is separated by pockets of development and has no important visual, physical or experiential relationship to the historic aspects of this part of Watford.

7.2.41 Carpenders Park is not a historic town and Grims Dyke to the south east is not a settlement nor not part of Harrow.

7.2.42 Officers therefore consider as a matter of planning judgement that the site makes a **weak or no contribution to purpose (d).**

Summary:

7.2.43 In summary, in officer's judgement the application site makes a moderate contribution to purpose (a) and purpose (b) and a weak or no contribution to purpose (d). This judgment would align with the legal Counsel advice sought by the applicant from Lord Banner as well as the Council's own planning advice from Francis Taylor Building.

7.2.44 Annexe 2 of the NPPF which defines Grey Belt also notes that; 'Grey Belt excludes land where the application of the policies relating to the areas of assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development'.

7.2.45 Footnote 7 of the NPPF is provided below:

"The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change."

7.2.46 Impacts on whether any irreplaceable habitats exist and the risk of flooding is explored in more detail in full below. Notwithstanding neither provides a strong reason for refusing the development.

7.2.47 The application site is therefore considered to meet the NPPF definition of grey belt. To be considered as an exception to inappropriate development the development must comply with all the criterion set out within Paragraph 155 of the NPPF.

Paragraph 155:

7.2.48 Paragraph 155a of the NPPF states "the development of homes…should also not be regarded as inappropriate where all the following apply:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the

area of the plan;
b. There is a demonstrable unmet need for the type of development proposed;
c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below."

7.2.49 In respect of **criterion (a),** whilst it has been concluded that the site can be considered to be Grey Belt, the development must also not fundamentally undermine the purposes taken together of the remaining Green Belt across the area of the plan.

7.2.50 The five purposes of Green Belt are set out at 7.2.2 above. Purposes (a), (b) and (d) have been considered above. This leaves purposes (c) 'to assist in safeguarding the countryside from encroachment' and (e) 'to assist in urban regeneration, by encouraging the recycling of derelict and other urban land'. In relation to purpose (e), the proposal does not assist in urban regeneration and therefore the contribution is weak or none

7.2.51 In relation to purpose (c), the application site is a greenfield site, and therefore development of the site would run counter to the aim of safeguarding the countryside from encroachment.

7.2.52 Both the Stage 2 and Stage 4 Green Belt reviews concludes that parcel SO3 has a significant contribution in safeguarding the countryside from encroachment. However, as highlighted above the application site forms only a part of SO3, which is an important consideration. More specifically, the application site's location at the existing urban edge of Carpenders Park along with its enclosure by defensible boundaries of Merry Hill Wood and adjacent to existing built development (Carpenders Park Care Home) would ensure that any encroachment is well contained and limited in its extent.

7.2.53 The Stage 2 Green Belt review states that the release of SO2 would have 'very high' harm and the site forms part of a 'broad area of fundamental importance' within the Stage 4 Green Belt Review (Area to the south-east of Watford and east of South Oxhey). A broad area of importance are those areas which perform a strategically important role against the Green Belt purposes across the plan area and are therefore considered the most sensitive to change. However, importantly, the said review makes it absolutely clear that the *'Identification of an area of fundamental importance may not, however, mean that these areas cannot accommodate some development.'*

7.2.54 When considering the locational context of the application site both within the broad area of importance and within the wider strategic land coverage of SO3 and its scale relative to the remaining Green Belt, it is not considered that the proposal would fundamentally undermine the purposes (taken together) of the remaining Green Belt. As such, criterion (a) of Paragraph 155 of the NPPF would be met.

7.2.55 **Criterion (b)** of Paragraph 155 of the NPPF sets out that development in the Green Belt would not be inappropriate where 'there is a demonstrable unmet need for the type of the development proposed'. In this case, the applicant is proposing a residential development for the provision of up to 256 dwellings, a Children's Home and Housing with Care (C2 use class). National Policy places great emphasis on the delivery of housing with Paragraph 61 of the NPPF stating the following:

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

7.2.56 The Council cannot demonstrate a five-year housing land supply as required by the NPPF, with the current housing land supply being at 1.7 years. Consequently, there is a significant need for housing within the district which must be afforded significant weight in the decision-making process. In this case, the scheme would deliver up to 256 residential dwellings of a range of unit sizes and types, providing an opportunity to meet different needs.

7.2.57 In respect of Housing for Care the Adult Services team at Hertfordshire County Council have identified a future need of 857 units, although comment that this figure is dependent on the delivery of other similar schemes that may come forward sooner. The application has been supported by a 'Comprehensive Planning Need Assessment' produced by Carterwood which considers the need for Housing for Care. This need is also assessed within the South West Hertfordshire Local Housing Need Assessment (LHNA) which concludes that there is a net need for Housing with Care of 850, similar to the figure provided by HCC. On this basis, it is considered that there is a demonstrable unmet need for Housing with Care.

7.2.58 The delivery of a further 60 dwellings as part of the Housing with Care development would also count towards housing delivery. Having regard to the Council's conversion ratio as set out at paragraph 2.6 of the Housing Land Supply Update (2024) of 1.9:1 (i.e. 1.9 bedrooms in C2 use 'frees up' 1 open market dwelling) this will be the equivalent of at least 32 dwellings (60 beds / 1.9) towards the Council's housing supply.

7.2.59 In respect of the children's home, a Statement of Common Ground has been prepared with Hertfordshire County Council (Appendix 1 of the applicant's Planning Statement), which confirms the need for children's homes across Hertfordshire, with a need in Three Rivers for 24 new bedspaces up to 2041, as confirmed in the LHNA Update (March 2024). HCC have confirmed their support for the children's home which has been derived from data provided from HCC Children Looked After team). In light of the submissions made by HCC and the need identified within the LHNA, it is considered that there is a demonstrable unmet need for this type of development.

7.2.60 In addition, it is noted that there is also a significant need for affordable housing within the district. In this case 50% / 128 dwellings would be for affordable housing along with a contribution provided arising from the Housing with Care aspect of £110,722.50, the latter of which would meet the requirements of Paragraph 157 by providing 15 percentage points (15%) above the existing affordable housing requirement of zero, if considered an institutional use (see paragraph 7.5.8 for further clarification). Given the need for housing and affordable housing within the district, it is considered that the proposed development would be in accordance with criterion (b) of Paragraph 155.

7.2.61 Criterion (c) of Paragraph 155 sets out that the development should be in a sustainable location with particular reference to paragraphs 110 and 115 of the NPPF. Paragraph 110 of the NPPF states that significant development should be focused on locations **which are or can be made sustainable**, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 of the NPPF seeks to ensure that sustainable transport modes are prioritised, safe and suitable access can be achieved and any significant impacts from development can be cost effectively mitigated to an acceptable degree through a vison-led approach.

7.2.62 In respect of (c), the applicant asserts that the land would be within easy reach of key amenities and transport connections and would therefore be in a sustainable location, of which would be made sustainable further by active travel measures and improvements to local walking and cycling routes and the introduction of a new bus service.

7.2.63 For the purpose of part (c) it is not considered that a quantitative analysis is required. The application site is located on an edge of a settlement, which arguably could be viewed as next logical urban extension of Carpenders Park. Notwithstanding, the development would

deliver a signalised crossing point and highway improvements on local road networks with the edge of the development within approximately 700m of local amenities within Delta Gain with the Carpenders Park Station a short work from Delta Gain. Whilst it is acknowledged that future occupants are still likely to use private vehicles given their convenience, whether to travel to larger settlements or local schools, this is not a factor which should render the site as unsustainable for the purposes of part (c). Importantly, trips to local amenities, Carpenders Park Train Station, doctor's surgery and St Meryl can all reasonably be made by foot or by bike. Consequently, for the purposes of criterion (c) relating to Paragraph 155, the site is within a sustainable location and is made more sustainable in accordance with Paragraph 110 of the NPPF.

7.2.64 Finally, criterion (d) sets out that the development must meet the 'Golden Rules' requirements set out in Paragraphs 156-157 of the NPPF as follows: "Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:

a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) **until such policies are in place, the policy set out in paragraph 157 below;**
b. necessary improvements to local or national infrastructure; and
c. the provision **of new**, or improvements to existing, **green spaces that are accessible to the public**. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces."

7.2.65 In respect of criterion (a), the development is proposing 50% affordable homes, which in terms of tenure would be split as 70% social rent and 30% shared ownership. This particular Golden Rule would therefore be met.

7.2.66 With regard to criterion (b) of Paragraph 156, necessary improvements to local infrastructure are proposed. These include a signalised junction, resurfacing of footways and tactile paving at crossing points on local roads, financial contributions towards a new bus service (over a period of 5 year period), new bus stop, Beryl Bike parklet in Carpenders Park and the provision of a dedicated Beryl Bike parklet on site. For these reasons, this particular Golden Rule would be met.

7.2.67 In respect of criterion (c), the development would provide new green spaces, play provision including a Locally Equipped Area for Play (LEAP), play trail encouraging 'play on the way', a Local Area for Play (LAP) featuring low level equipment and natural elements designed for younger children, an area of amenity open space adjacent to the existing Public Right of Way (Watford Rural 013) and a community orchard. At present, with the exception from the existing Public Right of Way, there is no public access across the site; however, the proposed green space provision will be accessible for future residents as well as existing residents. The proposed development would therefore meet criteria (c) of Paragraph 156.

7.2.68 **Summary:** In summary, it is considered that the site is Grey Belt as it does not strongly contribute to purposes (a), (b) or (d). It is also considered that there is a demonstrable unmet need for residential development in view of the fact that TRDC is unable to demonstrate a five year housing supply and that the site is located in a sustainable edge of settlement location in accordance with Paragraph 155 of the NPPF. Furthermore, it is noted that the site meets the Golden Rules set out in Paragraphs 156 and 157 of the NPPF. Paragraph 158 of the NPPF states that 'a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission'.

7.2.69 It is considered that the development represents an appropriate form of development and consequently is acceptable in accordance with the provisions of the NPPF and in

accordance with Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD.

7.3 Impact on character and appearance of the locality, including Landscape

7.3.1 The NPPF at Paragraph 131 states that; *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*

7.3.2 Paragraph 135 of the NPPF further states that planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.3.3 Additionally, Paragraph 136 of the NPPF states; *"Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-line, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible."*

7.3.4 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.3.5 Policy DM7 of the Development Management Policies LDD requires proposals to make a positive contribution to the surrounding landscape. Proposals that would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission. The Council will support proposals that:

i) Lead to the removal or a reduction in the impact of existing structures and land use that are detrimental to the visual quality of the landscape

ii) Enhance public access and recreation opportunities without detriment to the landscape or wildlife

iii) Contribute to delivery of Green Infrastructure

iv) Contribute to the measures identified in the Hertfordshire Landscape Strategy 2001 to strength, reinforce, safeguard, manage, improve, restore and reconstruct landscapes.

7.3.6 This application is submitted in outline, with only matters of access for detailed consideration. The application is accompanied by a Land Use Parameter Plan which demonstrates how the different components of the scheme could be incorporated. The Parameters Plan identifies areas for residential development; open space; sustainable drainage features; new native woodland and the primary access road. In the event that Outline planning permission was granted, a condition would require that subsequent Reserved Matters accord with the Land Use Parameters Plan.

7.3.7 To assist in considering the impact on the landscape character, Officers consulted with a Landscape Architect who provided their professional judgements (see 9.36). The applicant in support of the application provided a Landscape & Visual Impact Assessment (17/03/25), including an Addendum (12/12/25) and indicative site visualisations.

7.3.8 The application is also accompanied by an illustrative Landscape Masterplan which accords with the Land Use Parameters Plan and demonstrates how the site could be developed. It is important to note that the masterplan is submitted for illustrative purposes only to demonstrate how the site could be developed at the quantum proposed.

7.3.9 The indicative Building Heights Plan (page 44 of Design and Access Statement) indicates development up to 3 storeys in height, with the height varying across the development site. For example, development proposed on the most sensitive part of the site to the north would be up to 2 storeys (lower density) as would the most eastern part, adjacent to Merry Hill Wood, with the remainder of the development site up to 2 or 3 storeys in height. The denser 3 storey element would be limited to the western part of the site subject of the Housing with Care.

CA1 The Spine

7.3.10 This area would be focused along the primary street which would be a tree lined avenue. It would have medium density development ranging from 2-3 storey buildings which would likely include a variety of typologies including short terraces, semi-detached dwellings and occasional apartments and detached properties.

CA2 Neighbourhood Core

7.3.11 This area covers development within the inner parts of the development as well as areas at the interface between the proposed and existing built-up areas at the site's immediate context. This area would be denser and include buildings up to 2-3 storeys of varying typologies.

CA The Green Edge

7.3.12 This part of the development includes areas which overlook proposed landscaped open space at the northern edge and running along the east of the site facing the woodlands. It would be of lower density with buildings up to 2 storey in height.

Impact on local character / streetscene

7.3.13 To facilitate the development a new access is to be created opposite Carpenders Avenue with the main internal primary access route meandering its way through the northern field parcel to serve the remainder of the development. The access will be supported by a signalised junction with a puffin crossing point and 2m wide footways on Oxhey Lane. The new access would require the removal of a section of well-established hedgerow with an indicative surface water attenuation basin positioned behind with extensive native woodland planting proposed throughout the northern field parcel.

7.3.14 At a more localised level, the change in the area's character will be experienced greatest as a result of the creation of the access, the introduction of the primary access road and attenuation basin. This viewpoint is shown at 'Viewpoint 14A and 14B' of the LVIA. As it stands, the A4008 provides a strong defined physical buffer to the built-up area of Carpenders Park. However, the nearby presence of the Carpenders Park Care Home cannot be discounted in the impact it plays on this particular part of Oxhey Lane, as emphasised by the fact that parts of the building are evident in 'Viewpoint 14B' of the LVIA.

7.3.15 Nevertheless, the new signalised junction, access point, primary access and basin will most notably adversely affect the character of this part of Oxhey Lane, however, the level of impact is mitigated through the presence of the nearby care home and the fact that the site is adjacent to existing residential development which already contains the presence of brick walls and highway furniture. To combat the impact arising from the new access point the Council's Landscape Consultant recommended an alternative location, immediately adjacent to the Carpenders Park Care Home. Whilst understandably this position would have a lesser visual / landscape impact, the applicant has commented that:

The proposed site access arrangement was chosen because it is the 'optimal location in terms of safety, prevailing guidance, vertical and horizontal alignment and pedestrian desire lines. The applicant also commented that with respect of the suggested location, junction visibility is not achievable to the south of this location due to the crest in the road on Oxhey Lane, i.e. vehicles exiting a site access in this location would not be able to see vehicles travelling northbound on Oxhey Lane as visibility is restricted. An access in this location would be unsafe and would not be accepted by HCC. In addition, the minimum acceptable distance between adjacent junctions should be 43m, and the suggested location is roughly within 43m of the care home access junction, and concerns with vehicle manoeuvres from Highfield junction could also arise. Therefore, HCC would object to an access in this location.

7.3.16 Notwithstanding, the proposed access as submitted is what is being assessed. With that in mind, it is inevitable that to unlock any undeveloped parcel of land there will invariably be some impacts. As suggested, at a localised level, the change within this part of Oxhey Lane will be felt the most and the change in character would lead to an adverse impact in terms of the visual amenity and character of Oxhey Lane as development within this part of the site will require engineering operations and alterations, in some form, to the land form close to Oxhey Lane which in turn will appear more urbanising. However, it is not considered that the harm would be significant for reasons stated above and importantly any impacts would be localised, although recognising that the primary access road and built development within the northern field parcel may have more wider landscape implications, with this discussed in greater detail below.

7.3.17 In addition to the main access point, the submitted drawings also indicate two further accesses, a pedestrian access adjacent to the Carpenders Park Care Home and an emergency access point, the latter of which is already a lawful access with a dropped kerb onto Oxhey Lane. It is not considered that the use of either access points would result in any detrimental harm to the visual amenity of the area.

7.3.18 As a result of the development there will be a significant change in the character of the site, when viewed from Oxhey Lane and vantage points from Carpenders Avenue. The change is likely at this point to be heavily urbanising although it is recognised that the basin can be

mitigated through careful design and planting. Nevertheless, this change in character will erode the strong defined buffer between the A4008 and the built settlement, contrary to Policy CP12 which seeks to conserve or enhance the character and quality of an area and Policy DM7 which requires proposals to make a positive contribution to the surrounding landscape.

Impact on Landscape Character

7.3.19 The application site is not subject to any statutory or non-statutory landscape protection designations. In terms of National Character Areas (NCAs), the site is located to the western edge of National Character Area: 111 – 'Northern Thames Basin'. This character area extends from Hertfordshire to the Essex coast. The application site is also located within the 'Hertfordshire plateaux and river valleys' distinct character area and within the 'Bushey Hill Pastures' as set out within The South Hertfordshire Landscape Character Assessment.

7.3.20 The application site comprises rough grassland with overgrown hedgerows, forming landscape belts of blackthorn and bramble scrub and mature trees, some of which are notable specimens. The land is also sloping, with a topographical variation across the site, broadly from the northeast to the southwest. The submitted Topography Plan (See LVIA) shows an approximate variation of 27m with the lowest point to the southwestern edge and the highest point adjacent to the northeast boundary, adjacent to Merry Hill Wood. There is also one Public Right of Way (PRoW) 'Watford Rural 013' which passes through the northern parcel of the site, connecting with the 'Bushey 025' PRoW.

7.3.21 A Landscape Sensitivity Assessment (August 2019) was commissioned by the Council in 2019 to understand the landscape sensitivity in the context of the emerging local plan. Within this assessment the application site (including land to the south) falls within Site Ref No. CFS69 which concluded that the site had a 'medium high' sensitivity to built development.

7.3.22 From site visit observations it is evident that the application site has a feeling of rurality notwithstanding its close proximity to the adjacent settlement. Additionally, as a result of its topography it can be considered as a distinctive landscape element which contributes to the character of the area, although it is in keeping with the context of the local landscape which has a varied topography, forming part of the Bushey Hill Pastures landscape. This is especially evident when standing within the northern parcel and on the 'Watford Rural 013' PRoW which enables panoramic views over Carpenders Park and South Oxhey. Therefore, it can be concluded that the application site can be regarded as forming part of a pleasant edge of settlement landscape that remains intact and unspoilt in this locality and assists in providing a rural buffer from Carpenders Park.

7.3.23 The submitted LVIA sets out that the immediate landscape is influenced by the settlement edge character of Carpenders Park, the A4008, and the 3-storey care home. It is argued by the applicant that the development would strongly reflect the existing character of the adjacent settlement edge and link visually with the care home, whilst also being well contained by existing woodland. To mitigate against the landscape impacts from the development there will be significant new native tree planting and hedgerow restoration throughout the site, but also significant concentrations of woodland planting within the sensitive part of the site, the northern parcel.

7.3.24 The proposed built development is considered to cover approximately 53% of the application site and the overall gradient would remain as existing, with minor changes proposed as a result of excavations to facilitate the construction of the SUDs basins, road network, paths parking areas, driveways and digging of new building foundations. The submitted LVIA sets out that the development would avoid the steepest gradient land within the north western corner with the vehicular access designed to follow a gentler gradient across the contours within the northern parcel of the site. The 'Watford Rural 013' PRoW is to be retained within an area of open space.

7.3.25 The character of the site itself would change as a result of the proposed development, with the existing open pasture-land lost and replaced by a new residential development with associated open space and infrastructure. The submitted LVIA judges that the landscape character of the site has a medium overall sensitivity to the type of development proposed with a **moderate adverse effect** on landcover from the loss of the rough grassland field parcels and a **minor adverse effect** upon topography where the landform would be largely retained at existing levels. The LVIA also suggests that the magnitude of change within the site results in a **major adverse effect**; however, this does not mean that the resultant development would be unattractive or inappropriate.

7.3.26 The LVIA concludes that the initial changes to visual amenity would be major adverse for users of the Watford Rural PRoW reducing to moderate adverse effect at Year 15 following growth of mitigation planting. The same can be said for the settlement of Carpenders Park which would experience moderate adverse effects at Year 1 reducing to minor adverse at Year 15 as a result of mitigation planting. The assessment concludes that the proposed development has the potential to respect the surrounding landscape context and relationship to the existing settlement edge of Carpenders Park without causing unacceptable harm to the existing landscape and visual resource. On this basis the applicant asserts that there would be harm to the landscape character, however, this would be limited in their view and mitigated to an acceptable degree by Year 15.

7.3.27 What is evident is the visual effects on the users of the 'Watford Rural 013' PRoW. This would be major adverse, considered to be significant; however, it is agreed that by Year 15 whilst the magnitude of change will remain high, the footpath will be viewed amongst native trees and hedgerow planting providing green corridors with any built form set well back from the footpath, thereby ensuring that users of the footpath would still have a sense of rurality but the site would be viewed in a different context but the mitigation and siting of built form would still ensure that any adverse impacts were not significant. In addition the proposal will provide extensive landscaping with large pockets of woodland, throughout the northern parcel and close to the northern boundary, where the Watford Rural PRoW meets the Bushey 025 PRoW. This part of the site is further complimented by an orchard, new hedgerows and tree planting to ensure impacts are not significant and can be adequately mitigated.

7.3.28 The proposal would extend the urban boundary further to the east into an area of open greenfields that is influenced by the Carpender Park Care Home and telecommunication mast. The site is also visually enclosed to an extent by the dense surrounding woodland, meaning it is not conspicuous in the wider landscape. For this reason, it was evident that large parts of the site, excluding the northern field parcel have the ability to accommodate the type of development proposed without having any wider landscape impacts, largely due to its gradient and containment from Merry Hill Wood and the Carpenders Park Care Home. Whilst the development would be noticeable from wider views from Oxhey Lane for example, the views would be somewhat contained and filtered by existing vegetation.

7.3.29 There are some longer range views of the site, including from Carpenders Avenue and slightly further afield from South Oxhey. However, from these vantage points, the site is seen at a distance within the context of a much larger panorama which includes built development, such that the proposal would not be dominant and would be largely filtered by landscaping.

7.3.30 That said, the development of the site within the most sensitive part, i.e the northern parcel would change its character from a rural to a more suburban one. However, the site is not subject of any national landscape designations, and it is agreed it does not comprise a 'valued landscape' in terms of Paragraph 187(a) of the NPPF nor can it be regarded as truly 'tranquil' given its location adjacent to Carpenders Park and the A4008, although it is recognised that it is not to say that it is not valued and well used by local people.

7.3.31 The development would inevitably result in the loss of open greenfield land and the urbanisation of the countryside. It would also result, in part, in the loss of a 'green buffer' between the built-up area and Merry Hill Wood. The landscape and visual effects would clearly be greater in the early years of the development but would significantly reduce over time as the landscaping matures and the built form becomes more assimilated into the local context. Whilst the proposal would advance built form into this part of the countryside, the effects would ultimately be relatively localised and the impact within the wider landscape would not be significant when the landscaping mitigation matures and enables a softer buffer between the settlement of Carpenders Park and the proposed residential development.

7.3.32 Overall, in terms of the landscape, there would be conflict with Policy CP12 insofar as it seeks to safeguard and conserve the landscape. There would also be conflict with Policy DM7. This policy is silent on whether any harm could be minimised and mitigated. Nevertheless, the mitigation proposed is an important part of the development and will help to reduce the impact on the landscape, especially over time.

Impact on trees

7.3.33 As previously noted, this application is submitted in outline with landscaping a reserved matter. Nevertheless, the application has been submitted with an Illustrative Landscape Masterplan.

7.3.34 Policy DM6 of the Development Management Policies LDD notes that proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible. It also notes that planning permission will be refused for any development resulting in the loss or deterioration to protected woodland, protected trees, and hedgerows unless conditions can be imposed to secure their protection. It states that where the felling of a tree or hedgerow is permitted, a replacement tree or hedge of an appropriate species, size and in a suitable location will be required.

7.3.35 The NPPF states at Paragraph 136 that "Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users."

7.3.36 The application has been supported by an Arboricultural Impact Assessment (AIA), Tree Survey and Tree Protection Plans. The submitted Tree Survey has identified 68 trees across the site and a number of groups of Blackthorn trees. Many trees (27) have been identified as of 'high' value (Category A) which means that every attempt should be made to incorporate them into any proposed development design.

7.3.37 The application site has a strong physical connection to trees with all site boundaries heavily lined with mature trees, a line of mature Oaks behind Carpenders Park Care Home as well as the site influenced by vegetated field boundaries and Merry Hill Wood.

7.3.38 On 10 February 2026, a Tree Preservation Order (TPO 937) titled 'Carpenders Park Dairy, east of Oxhey Lane' was granted by the Council and includes trees on land within and adjacent to the application site, to the north, east and south.

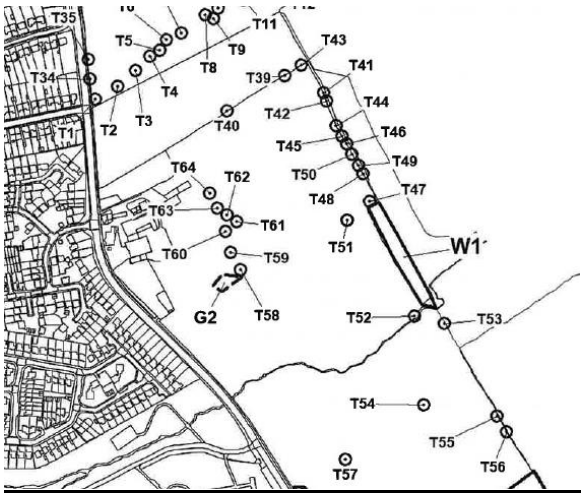


Figure 7: TPO 937 identifying protected trees within and adjacent to the application site.

7.3.39 Importantly, however, no trees are proposed to be removed and they are viewed as key components of any future development of the land.

7.3.40 The Woodland Trust (WT) who own land to the east of the application site which incorporates Merry Hill Wood, whilst not a statutory consultee have highlighted some significant concerns with the deterioration of a number of mature trees (referenced by WT as Veteran trees) as a result of the layout of the development. Within their comments they requested that the Council's Tree Officer visited and made a judgement on the trees.

7.3.41 The NPPF defines a veteran tree as 'a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. They are also considered as 'irreplaceable habitats'.' The Tree Officer has acknowledged that some trees on site do display conditions associated with veteran trees such as such as extensive decay, hollowing, deadwood in the crown, habitat spaces, major storm damage and Fungi. However, the Tree Officer does not believe, at the current time, that they are of the age and size to comprise veteran trees, although like any tree they have the potential to be veteran trees in the future. In addition, the Tree Officer has acknowledged that there will be little direct impact on trees on site with no trees to be felled or pruned.

7.3.42 Notwithstanding the above, the Tree Officer has recognised that the development has the potential for indirect impacts on notable trees and hedgerows as a result of the presence of residential development. These indirect impacts arise from an increase in population which would inevitably lead to additional recreational pressures on the trees and hedgerows, such as the compaction of soils around important trees; erosion and widening of footpaths through green space areas; and the disturbance of wildlife, through activities such as dog walking. The increased population will also increase recreational pressure on existing, publicly accessible green space, in particular Merryhill Wood, which borders the site to the east.

7.3.43 On this basis, it is considered that a precautionary approach should be taken to the trees which are notable trees on and adjacent to the site and are protected long-term once the development has been built. This is considered to be best captured into a Landscape Management Plan which would be secured by condition. The management plan would require how the trees can be managed to prevent any loss or degradation whilst being integrated safely into open spaces. Examples of possible mitigation could include fencing off root protection areas of notable trees, avoiding recreational use and informing residents / members of the public of their importance via information boards.

7.3.44 The current indicative plans show that an access road would be built within the Root Protection Area (RPA) of two Common Oaks, T25 and T26 and surface water and foul water sewer pipes would encroach into the RPA of T23, also a Common Oak. In addition,

footpaths circulating the site close to the boundaries would also encroach into the RPA of a number of trees. Notwithstanding this, the encroachment is less than 1% of the tree's RPAs plus the final layout would be a matter for the reserved matters stage, whereby the impact on trees can be examined more closely. Concerns have also been raised about the potential impact on T1, a Common Oak which is located within the south western corner of the site and close to the main access into the site. The new works associated with the main access fall outside the RPA of the tree, although it is recognised that any resurfacing works within the bounds of the highway would fall within the RPA of the tree, as per the current arrangement. Nevertheless, such concerns have been noted by the Highway Authority and sympathetic construction methods would be utilised.

7.3.45 In terms of the increased recreational use of Merry Hill Wood, this must be viewed in the context of usage by existing residents but the applicant has agreed to make a proportionate contribution to the implementation of existing WT management plan for the Wood. That said, the WT have to date not agreed to this contribution so it does not currently form part of the heads of terms.

7.3.46 The submitted AIA states that no trees are to be removed to implement the design proposals and that the only vegetation to be removed is limited to selective removal of 'Blackthorn Clumps' across the site and a section of boundary hedgerow for the access points.

7.3.47 Tree protection plans have been submitted and would be secured by condition.

Summary:

7.3.48 In summary, localised landscape impacts would arise as a result of the development, especially through proposed built form of the northern field parcel. The impacts would however significantly reduce over time, but conflicts do arise with Policy CP12 of the Core Strategy and Policy DM7 of the Development Management Plan.

7.3.49 In relation to tree impacts, whilst the concerns from the Woodland Trust are acknowledged, the Tree Officer has expressed doubts that the trees on site are veteran trees, and this is especially the case when applied to the definition of veteran trees within the NPPF. Nevertheless, the trees on site offer significant amenity value, have been protected and importantly are not proposed to be removed. Mitigation is also proposed to ensure that the development would accord with Policy DM6 of the Development Management Policies LDD.

7.4 Housing Mix

7.4.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%
Social/ Affordable Rented Housing	20%	32%	35%	12%

Figure 8: Market housing, affordable home ownership and social/affordable rented housing identified in the LNHA

7.4.2 The housing mix is not a matter being determined at outline stage. That said, the Housing Development Officer confirmed that in the absence of the tenure information, they would support this application in principle on the basis that 70% of the affordable housing to be provided on site is at social rent and the size of dwellings fulfils the Council's current requirements.

7.5 Affordable Housing

7.5.1 Core Strategy Policy CP4 states that in order to increase the provision of affordable homes in the district and meet local housing need, the council will seek an overall provision of around 45% of all new housing as affordable housing, incorporating a mix of tenures. All new development resulting in a net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. As a guide, 70% of affordable housing would be social rented and 30% intermediate

7.5.2 For a major planning application such as this, it would be expected that all affordable housing is provided on site. This is reflected in Policy CP4 and the Affordable Housing SPD.

7.5.3 On 24 May 2021 the Government published a Written Ministerial Statement to set out plans for the delivery of First Homes. Following this, TRDC set out a Policy Position Statement on First Homes. First Homes are a specific kind of discounted market sale housing which must be discounted by a minimum of 30% against the market value, sold to a person meeting First Homes criteria and have a restriction to ensure this. Given the First Homes guidance, TRDC have been requiring 25% of affordable housing to be First Homes, 70% to be social rented and 5% to be intermediate. However, within paragraph 6 of the NPPF (2024), reference to the Written Ministerial Statement on Affordable Homes (24 May 2021), which contained policy on First Homes, has been removed and the prescriptive requirement that 10% of the total number of homes to be available for affordable home ownership as set out in former paragraph 66 has been deleted.

7.5.4 The applicant is proposing the deliver 50% of the dwellings as affordable units, with the remaining 50% being provided as market dwellings, with 10% self-build dwellings.

7.5.5 Based on the delivery of 256 dwellings, the affordable housing element would comprise 128 dwellings, with 70% Social Rent and 30% Shared Ownership. The Housing Development Officer has confirmed that they would generally support this application as proposed, provided that the size of the dwellings provided complies with the above housing mix. The level of affordable housing exceeds the policy requirement of 45%. **The affordable housing tenure is to be secured by section 106 agreement.** The mix (unit sizes) secured at Reserved Matters stage. It would be expected that any Reserved Matters application(s) reflect existing needs and the Housing Team would be consulted at the time of any Reserved Matters application(s).

7.5.6 The application also proposes the construction of a 4-bed dwelling for Children's Home (Use Class C2). HCC welcome and supports the inclusion of a children's home on the site.

7.5.7 The application also proposes Housing with Care (Use Class C2). The Affordable Housing Supplementary Planning Document states that if the residential accommodation has shared facilities and is not self contained, as in the case of some supported and residential care homes, it is regarded as an institutional use and Policy CP4 will not apply.

7.5.8 During the course of the application officers have accepted, as a matter of planning judgement, that Policy CP4 would not apply to supported housing given the purpose built nature of the building which would come with communal facilities and a prerequisite that a level of care is required to occupy the dwellings. Whilst the individual units would have their own self-contained accommodation, their use would be heavily reliant on the communal facilities which provided as a package and would, in some form, be open for a wider

community use. As a result, it is considered that the Housing with Care element of 60 units would not result in a net gain of dwellings but instead would provide an extra care development of 60 units comprising apartments and associated communal facilities. This judgement is also consistent with other decisions made on similar C2 uses within the District. Notwithstanding, having regard to the Golden Rules (Paragraph 157 of the NPPF), a financial contribution has been provided and would be secured by legal agreement.

7.5.9 In light of the above, the development would comply and exceed the requirements of Policy CP4 of the Core Strategy.

7.6 Impact of development on heritage assets

7.6.1 Strategic Objective S10 of the Core Strategy is "To conserve and enhance the historic environment by resisting the loss of, or damage to, heritage assets including important buildings". Core Strategy Policy CP12 states that "in seeking a high standard of design, the Council will expect all development proposals to conserve and enhance natural and heritage assets".

7.6.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

7.6.3 Paragraph 208 of the NPPF advises that:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

7.6.4 Paragraphs 212 and 213 of the NPPF state 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

7.6.5 Paragraph 215 of the NPPF advises that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal…"

7.6.6 The NPPG advises that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit

7.6.7 Policy DM3 of the Development Management Policies LDD (adopted July 2013) refers to the historic built environment and notes that when assessing applications for development,

there will be a presumption in favour of the retention and enhancement of heritage assets. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.

7.6.8 The application site does not contain any designated or non-designated heritage assets, but several exist in the wider area. The application is accompanied by a Heritage Assessment (Handforth Heritage, March 2025) (HA) which identified the following heritage assets which could be affected by the proposals through change within their settings:

- Front Lodge to Oxhey Grange (Grade II)
- Oxhey Grange (Grade II)
- Grim's Ditch (Scheduled Monument)
- Grims Dyke Registered Park and Garden (Grade II)
- Grimsdyke (Grade II*)
- London Coal Duty Marker (Grade II)
- Stable in grounds of Melodies (Grade II)

7.6.9 The HA highlights that Carpenders Park was originally an estate based around a manor house which was later converted to a girl's school, Highfields, which was demolished to make way for United States Air Force married quarters, which were also in turn demolished in the late 1990s and replaced by residential development which exists today.

7.6.10 In relation to Oxhey Grange and the Front Lodge, the Conservation Officer has agreed that there is no indication of a historic and/or functional link between the application site and these properties with the main setting of Oxhey Grange being within its private grounds, and to a lesser extent in open space to the east of Oxhey Lane. The Conservation Officer is of the view that the development would have a neutral impact on the significance of these assets.

7.6.11 In respect of Grim's Ditch and Grims Dyke Registered Park and Garden and Grimsdyke (Grade II*) which are all located close together and are located partly or fully within Brookshill Drive and Grimsdyke Estate Conservation Area, the Conservation Officer agrees that based on the lack of apparent historic relationship, long distances and lack of visibility between these assets and the application site that the development would have a neutral impact on their significance. Harrow Borough Council were formally consulted and do not offer any comments on the impact on this asset.

7.6.12 The Conservation Officer has identified one asset which has not been individually assessed in the submission. This relates to 'Barn About 30 Metres North of Merry Hill Farmhouse, a late seventeenth or early eighteen century timber framed barn in Hertsmere. However, the related farmhouse has been demolished and is surrounded by modern development, so the development proposal is not considered to have a harmful impact on this asset. Hertsmere District Council were formally consulted and do not offer any comments on the impact on this asset.

7.6.13 In addition to the above, given the distances involved and due to their relatively localised settings, the development proposal is not considered to impact on the Grade II listed 'London Coal Duty Marker, northwest of Burnt Oak Farm and 'Grade II 'Stable in the grounds of Melodies.'

7.6.14 To the north, there are four conservation areas; Bushey High Street, Melbourne Road Bushey Conservation Area, The Lake Conservation Area and Bushey Heath Conservation Area. The Conservation Officer has confirmed that due to the distances involved, of approximately 2 kilometres, and the lack of visual connection, that no impacts are identified.

7.6.15 Officers have formally consulted all adjacent Councils / Boroughs and none have provided any comments relating to heritage impacts stemming from the development.

Archaeological Considerations

7.6.16 Policy DM3 of the Development Management Policies LDD (adopted July 2013) advises that where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, it must be accompanied by an appropriate desk-based assessment. The submitted HA considers archaeological interest.

7.6.17 The Historic Environment Advisor had initially reviewed the submitted details and advised that an Archaeological Desk Based Assessment and Geophysical Survey shall be undertaken.

7.6.18 In response the applicant has submitted an Archaeological Desk Based Assessment which sets out that based on information held by Hertfordshire County Council Historic Environment Record (HHER) there is a high potential for archaeological remains dating to the Medieval, Post Medieval and Modern periods.

7.6.19 Due to the fact there is no current vehicular access onto the site, it has been agreed by parties that the Geophysical Survey can be undertaken prior to commencement.

7.6.20 The Archaeological Desk Based Assessment was considered acceptable upon a review by the Historic Environment Advisor. Given the size and scope of the development, it is advised that:

- A Geophysical Survey of the development area is undertaken prior to any development (excluding access) commencing
- Trial trenching forming part of the archaeological field evaluation to take place prior to commencement of the development
- Take the appropriate mitigation measures as indicated to preserve any remains in situ.
- Undertake an analysis of the results including their publication

7.6.21 The above requirements are recommended to be captured within a planning condition.

Summary of heritage impact

7.6.22 Having regard to the above assessment, the development is considered to conserve the setting of nearby heritage assets and would not impact on assets of archaeological interest. The development would therefore accord with Policy CP12 of the Core Strategy, Policy DM3 of the Development Management Policies LDD and the NPPF.

7.7 Highways & Transport Impacts

7.7.1 Core Strategy Policy CP10 states that development proposals will be expected to contribute to the delivery of transport and travel measures identified as necessary for the development, either on-site as part of the development or through contributions to off-site provision as appropriate. Provision for interchange and access by public transport, walking and cycling will be regarded as particularly important. The policy explains that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Clearly the development subject of this application is specifically designed to cater for travel by motor vehicle.

7.7.2 Policy CP10 states that Development will need to demonstrate that it provides a safe and adequate means of access, is appropriate in scale to the existing transport infrastructure and where necessary infrastructure can be improved. It is necessary for the impact of the proposal on transport to be fully assessed through a comprehensive Transport Assessment.

7.7.3 The NPPF at paragraph 115 sets out that in assessing specific applications for development it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.7.4 Paragraph 116 states that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

7.7.5 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.

7.7.6 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:

i) It provides a safe and adequate means of access
j) It is appropriate in scale to the existing infrastructure…
k) It is integrated with the wider network of transport routes…
l) It makes adequate provision for all users…
m) It includes where appropriate, provision for public transport either within the scheme or through contributions
n) The impact of the proposal on transport has been fully assessed
o) The proposal is accompanied by a draft Green Travel Plan

7.7.7 The matter of access is for full consideration as part of the application. The development would require significant highway works with a new signalised access directly onto Oxhey Lane, opposite Carpenders Avenue. Two further access points are proposed, one of which is an emergency access utilising an existing access onto Oxhey Lane and another relating to a pedestrian access point.

Hertfordshire County Council – the Local Highway Authority (HCCHA)

7.7.8 In August, the Local Highway Authority (HCCHA) had raised an initial objection to the application and further details were required. Some of the initial matters raised by HCCHA are set out below (not an exhaustive list).

- No details of the gradient profile or visibility splays have been provided within TA.
- No assessment made on the impact on street trees
- No safety audit provided for the new accesses
- Trip generation, distribution and assignments provided in the TA are not acceptable.

- Lack of bus service in the vicinity has not been addressed

- Proposed access onto the A4008 is contrary to Policy 5(f) of the HCC's Local Transport Plan, 2018.

7.7.9 In response to the HCCHA objection and following a number of meetings between all relevant parties, further information in the form of a Summary of Sustainable Transport Improvements document clarifying the package of sustainable transport improvements, including elements that are proposed to be delivered by the applicant and proposed contributions was provided.

7.7.10 HCCHA within their updated comments maintain their objection on policy grounds, setting out that the new access onto A4008 is contrary to Policy 5(f) of the HCC's Local Transport Plan 2018.

"The application is considered contrary to Policy 5(f) of HCC's Local Transport Plan 2018 which states that HCC as HA will "Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals"

7.7.11 Notwithstanding, the Highway Officer has made it clear through discussions with officers that if the LPA are minded to grant planning permission, then HCCHA would request that planning conditions and contributions are secured. Whilst recognising the requirements of Policy 5(f) which seeks to steer new accesses away from primary and main distributor roads, there are no valid planning reasons to refuse the new access onto Oxhey Lane as proposed which has been considered by the HCCHA to be acceptable. The report considers whether public benefits exist at Section 7.17.

New Access

7.7.12 Oxhey Lane (A4008) is a Main Distributor Road with a speed limit of 40mph with street lighting. The development would include a new access directly onto the A4008.

7.7.13 During the course of the application a road safety audit has been provided. Initially, ten 'problems' were identified. Upon a review of the road safety audit, HCCHA have accepted the responses provided.

7.7.14 The review also added an additional two areas of concern. It is noted that many of these issues will be a matter of further scrutiny at detailed design stage which will be the subject of a further (Stage 2) road safety audit and designer's response. In respect to the second issue identified by HCC safety team the applicant notes that "This Problem is noted. However, the vehicle tracking is of simultaneous refuse vehicles which is an unlikely event. However, the kerbline within the site can be amended at detailed design stage to accommodate swept path".

7.7.15 Given the topography of the northern parcel, the initial 15m of the access road has been designed with a 4% gradient in line with Design Manual for Roads and Bridges, with potential for the remainder of the access to be designed at a gradient of 6% or 5% in accordance with HCC design guidance. HCCHA have confirmed that a planning condition for a maximum gradient of 1 in 20 can be applied to the main access road into the development.

7.7.16 Within the last 5 years the applicant's Transport Assessment (TA) states that there have been two serious and two slight incidents, two in Carpenders Avenue and two in Oxhey Lane. The TA confirmed that the two serious incidents were both caused by driver error and that there does not appear to be any existing highway safety concern close to the site, that the proposed development traffic would exacerbate.

7.7.17 It has also been agreed by the HCCHA and the Landscape Officer that the minor incursion from works associated with the new access into the root protection area of a mature Oak tree close to the new access can be appropriately dealt with through sympathetic construction methods which would form agreements secured by the County Council.

7.7.18 To summarise, there are no outstanding issues with the proposed access in terms of highway safety issues, that cannot be addressed as part of the detailed design phase.

Trip generation and, distribution

7.7.19 In relation to trip generation, the modelling results provided by the applicant and scrutinised by HCCHA show that all arms operate within capacity, well below a 'degree of saturation' of 90% which would signify that the junction was nearing capacity. The modelling results were accepted by HCCHA and thus is considered that the impact on the road network would not be severe, so as to form a reason to refuse the development.

7.7.20 During the October Planning Committee, Members raised concerns that this development will result in additional traffic flows towards South Oxhey, meaning that there is likely to be a requirement for the Carpenders Park railway bridge to be widened and that a financial contribution should be sought. However, based on the above modelling, accepted by HCCHA, it is not considered that the development would place undue pressure on the local highway network nor materially affect traffic flows along Little Oxhey Lane to such an extent that would warrant the bridge's widening. Any requests to do so would therefore not meet the relevant tests set out Paragraph 57 of the NPPF.

Sustainability & Active Travel

7.7.21 Carpenders Park railway station is approximately 800m from the site, and the nearest bus stop is circa 700m. It is HCCHA's expectation that all occupied parts of the development should be within 400m walking distance of a bus stop or transport hub by public walking route. As a result of the above HCCHA required further interventions to address the quality of cycling and walking routes and access to bus services.

7.7.22 HCCHA had requested that a formal audit of the quality of local routes for cycling and walking in the vicinity of the site is provided, noting that local facilities including a post office and food store exist within 700m. It is noted that Carpenders Avenue is a key walking route (as identified within the LCWIP) and has the potential to be subject to enhance identified deficiencies. The applicant subsequently carried out a walking and cycling audit along three routes (1 - St Mery School & Little Hearts pre-school; 2 – to bus stop on By The Wood and 3 – to Carpenders Park station and South Oxhey local centre) and confirmed the measures required to address the deficiencies identified and confirmation that they would be undertaken as a result of the development:

- Resurfacing and footway widening on Oxhey Lane
- Installation of a controlled signalised crossing

  Resurfacing of footway on the south side of Carpenders Avenue up to the junction with Foxleys

- Installation of tactle paving at nearby junctions (Carpenders Avenue / Foxleys; Foxleys / The Mead; Delta Gain / Gibbs Couch; Gibbs Couch near Carpenders Park Train Station).

7.7.23 The above measures are to be secured by planning conditions.

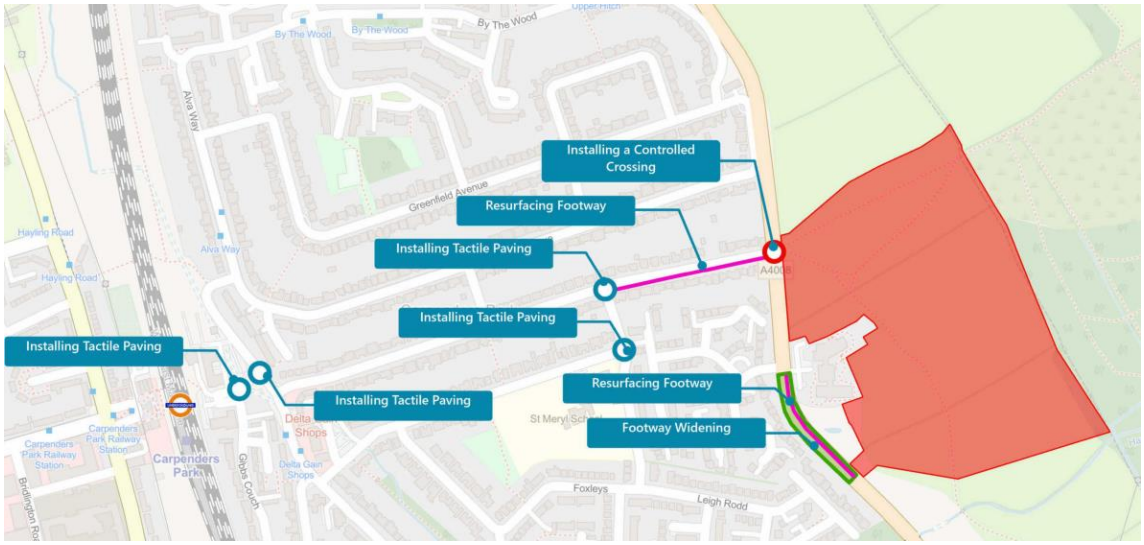


Figure 9: Overview of the off-site walking and cycling improvements on local roads

7.7.24 The above measures would also align with comments received from Transport for London who wished to seek walking and cycling improvements to and from Carpenders Park Overground Station to the application site.

New bus service

7.7.25 In addition to the local highway improvements and to support local bus service improvements, it has been agreed that a new service (328a) will operate on a 'one way loop' around Carpenders Park passing the site on Oxhey Lane before turning left onto Carpenders Avenue, left again onto Delta Gain, which becomes Harrow Way and then turning back onto Little Oxhey Lane. A developer contribution for a single bus was also considered appropriate by HCCHA.

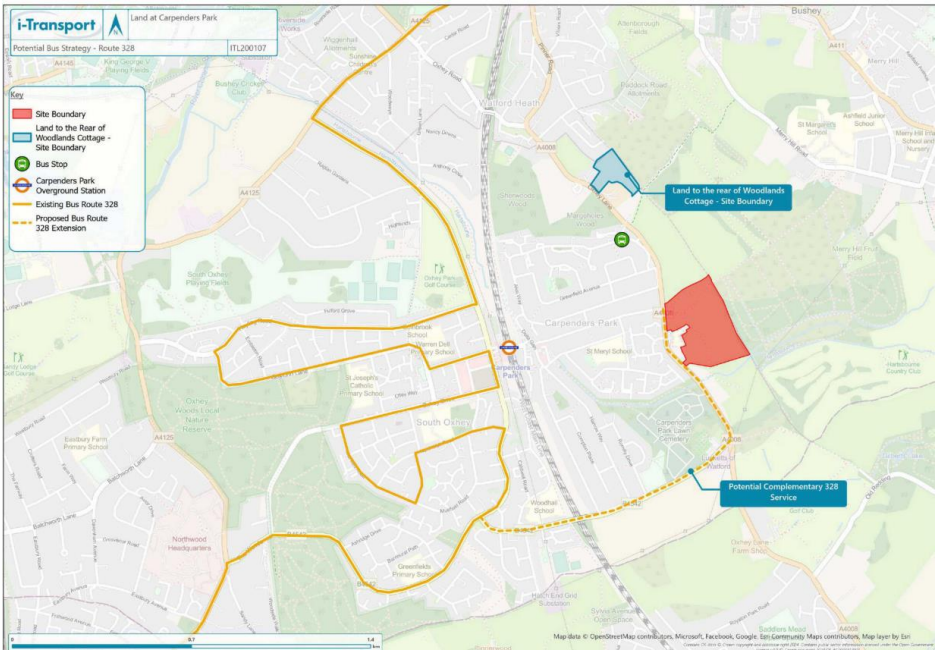


Figure 10: Proposed 328A 'one way loop' bus service

7.7.26 It was concluded that a 328A bus service will be provided with a financial provision as follows covering a 5-year period, whereby it is expected to become commercially viable:

- Year 1 - £153,389.67

- Year 2 - £153,389.67
- Year 3 - £153,389.67
- Year 4 - £76,694.84
- Year 5 - £76,694.84

7.7.27 This results in a total financial contribution of £613,558.69 over a five-year period, index linked from the date of the provision of the estimate (December 2025) against the Confederation of Passenger Transport's (CPT) Cost Monitoring report in respect to overall costs for buses per km. for English shires. These contributions will be secured by way of a Section 106 agreement. The applicant has agreed to the contributions.

7.7.28 Furthermore, a new bus stop would also be required by HCCHA, to be served by the new bus service along Oxhey Lane, to ensure that the majority of the development will be within 400m catchment. As it stands the direction of the new bus service is yet to be decided, so a financial contribution is required to secure the bus stop which includes the following costs:

- Kassel Kerbing £8k
- Shelter £15k
- RTI Screen £15k

7.7.29 This amounts to a total of £38,000 to be index-linked by SPONs to the date of the estimate (December, 2025). This contribution is to be secured by way of a Section 106 agreement and has been agreed by the applicant.

Beryl bike contribution

7.7.30 In relation to Beryl bikes, the applicant has agreed to contribute towards the provision of three bikes and a future docking station on site, equating to £20k. This has been discussed and agreed with the Sustainable Transport Officer.

Travel Plan

7.7.31 As part of the application a Travel Plan was provided although HCCHA have suggested that its contents are not acceptable and that separate travel plans will be required for the residential and care home uses. Notwithstanding the submitted travel plan, a planning condition could adequately deal with this matter, along with a Support and Evaluation payment of £12k index linked by RPI to May 20124. This is to be secured by a Section 106 agreement.

Planning Obligations

7.7.32 HCCHA require that the immediate/specific impacts of larger developments are mitigated via S278 obligations and / or Section 106 Agreements. These are described as 'Strand 1' contributions.

7.7.33 The 'Strand 1' contributions are summarised below, these include financial contributions to be secured via a S106 Agreement (Figure 11). All Heads of Term to be secured via S106 agreement are summarised in the table at 7.20 below

Bus service provision (328A)	Year 1, Year 2, Year 3 payments of £153,389.67 and Year 4 and Year 5 payments of £76,694.84. Total: £613,558.69

Bus stop	£38,000
Berly Bikes	£20,000
Travel Plan (Support and Evaluation)	£12,000
Total	**£683,558.69**

Figure 11: Financial Contributions secured by Section 106 Agreement

7.7.34 HCCHA also request that specific planning conditions, necessary to make the development acceptable are included. Off-site highways improvements highlighted above would be secured by planning conditions as well as subject to other legal agreements with HCC.

Vehicle parking

7.7.35 Development Management Policy DM13 requires development to make provision for parking in accordance with the parking standards and zone based reductions set out in Appendix 5.

7.7.36 This application is submitted in outline with only matters of access for consideration. The site's layout would be considered at a later date as a reserved matter, and it is expected that the proposed car parking layout and provision would be dealt with at that time. The submitted TA confirms that parking spaces, including visitor, disabled, cycle parking and electric vehicle charging would be provided in accordance with the adopted local plan.

7.7.37 It is recognised that new developments have the potential to impact adjacent areas in terms of parking pressures. In this instance, it is acknowledged that not everyone will walk or cycle to local amenities on Delta Gain or Carpenders Park Train Station for a variety of reasons. However the scheme does provide other alternative opportunities and having liaised with the TRDC Parking Team, it is not considered that the uplift from the development would have a detrimental impact on parking pressures on surrounding roads to warrant any further intervention.

Summary

7.7.38 In conclusion, as set out above, HCC as Highway Authority (HCCHA) advise that there would not be an unacceptable highway safety reason nor a severe road network reason to justify the recommendation of refusal of the proposals from a highways or transport perspective, subject to the full technical approval and completion of the necessary off-site highway work and inclusion of recommended conditions and S106 obligations.

7.7.39 The package of active travel measures would also accord with Active Travel England standing advice and ensure that the development facilitates enhanced access to public transport links.

7.7.40 The development would therefore accord with Policy CP10 of the Core Strategy and the NPPF.

7.8 <u>Impact on Agriculture, Wildlife, Biodiversity (including BNG)</u>

7.8.1 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.

7.8.2 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by:

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

7.8.3 Footnote 62 states "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality".

7.8.4 Paragraph 192 of the NPPF advises that in order to protect and enhance biodiversity and geodiversity, plans should: b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. Paragraph 193 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

7.8.5 Policy CP1 of the Core Strategy (adopted October 2011) advises that; "all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to" (amongst other things) (f) "protect and enhance our natural, built and historic environment from inappropriate development and improve the diversity of wildlife and habitats". Policy CP9 of the Core Strategy (adopted October 2011) advises that; "The Council will seek a net gain in the quality and quantity of Green Infrastructure, through the protection and enhancement of assets and provision of new green spaces".

7.8.6 Policy DM6 of the Development Management Policies LDD (adopted July 2013) advises that development should result in no net loss of biodiversity value across the District as a whole.

7.8.7 The application site is not currently in use for agricultural purposes, nor has it been for a considerable period of time. As such, the development would not be utilising the best and most versatile agricultural land.

7.8.8 In respect of biodiversity, the submission includes Biodiversity Checklist, an amended Ecological Assessment (Ecology Solutions (ES) March 2026), an amended Biodiversity Net Gain Report (ES, March 2026), an amended Statutory Biodiversity Metric Calculation Tool (ES, March 2026) and an Ecology Note (ES, March 2026).

7.8.9 The Oxhey Local Wildlife Site is situated 17m south west of the site boundary at its closest point, comprising a small grassy bank. Mitigation throughout construction and additional measures should be undertaken to ensure new residents are aware of its ecological importance. The Carpenders Park Cemetery Woodland is located approximately 85m west of the site and supports a semi-natural broadleaved woodland and a tributary of the River Colne. Mutton Wood Local Wildlife Site adjoins the wider study area to the south, approximately 300m from the site boundary and comprising deciduous ancient woodland.

7.8.10 The Prestwick Road Meadows Local Nature Reserve is located approximately 1.4km south west of the site, situated within a residential area.

Great Crested Newt

7.8.11 Within 500m of the site 5 ponds are present and therefore provide suitable habitat for newts. Great crested newts and their habitats are protected. During of the course of the application surveys were undertaken, with three of the ponds found to be completely dry, meaning eDNA sampling was not possible. The eDNA survey window runs from 15 April to 30 June.

7.8.12 Despite three of the ponds being dry at the time of survey, Natural England's standing advice requires local planning authorities to consider the potential presence of GCN wherever suitable breeding or terrestrial habitat is present within or near a development site. Suitable aquatic habitat that is temporarily dry can still form part of a GCN breeding network, and its condition must therefore be considered within the planning process.

7.8.13 Herts Ecology have stated that the inability to complete the eDNA survey prevented collection of valid eDNA evidence, and the planning process must therefore rely on alternative assessment methods and/or precautionary approaches until suitable survey conditions return. As a precautionary measure, it is considered that the surveys can be conditioned and form part of the CEMP along with any mitigation outlined by ecologists.

7.8.14 Following Herts Ecology's response, further information has been provided which states that only one pond was wet in July 2025, with the survey undertaken just a few days after the eDNA survey window. This pond returned as negative indicating the absence of GCNs. In accordance with comments from Herts Ecology, the applicant has accepted that a precautionary approach is required to construction works and therefore mitigation will for part of the Construction Environmental Management Plan (CEMP) to ensure precautionary working measures. Additionally, if species were to be found, a site based mitigation licence would be sought from Natural England, or the scheme could opt into the District Level Licensing scheme.

Breeding Birds

7.8.15 As part of the application process an Amended Ecology Report was provided which recognised that the site contains areas suitable for ground nesting bird species and record of Skylarks, protected species, were returned by the data search and are therefore potentially present in the area.

7.8.16 As skylark is a Section 41 Priority Species, the Local Planning Authority must have baseline survey data to assess impacts and the feasibility and proportionality of mitigation before determining the application.

7.8.17 Despite the latest comments from Herts Ecology, two breeding bird surveys were undertaken at the site in July 2025 and one in August 2025. A third survey is scheduled for early April 2026. Within these surveys no Skylarks were recorded, nor were any other ground nesting birds. No protected species under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) were recorded. Based on this information, whilst Skylarks have not been recorded, a precautionary approach is to be taken to ensure that the baseline situation has not changed prior to the submission of any Reserved Matters application.

Bats

7.8.18 The habitats onsite were deemed to be of high suitability for foraging and commuting bats. The results of bat activity surveys in 2024 have been provided although the survey missed the early season walkover visit. Two Night Walkover Surveys (NWS) were undertaken in August and October 2024 and a further two in August and September 2025, complimented with static deployment in August, September and October 2025. The additional surveys in 2025 were not undertaken during the early season to detect maternity roost activity, needed to inform appropriate mitigation.

7.8.19 The Ecological Assessment states that 32 trees on-site were recorded as having potential roost features, 3 of which were suitable for multiple bats / maternity roosts.

7.8.20 To provide up to date information an updated ground level tree assessment was completed on 4 March 2026, with the condition of the trees remaining unchanged from the survey conducted in July 2024. Additionally, an aerial inspection via certified tree climbers acting

as accredited agents has been undertaken and the results are awaited. The results of this assessment concluded that the condition and bat roost suitability of the trees identified unchanged since 2024. An aerial tree inspection was undertaken on 9 March 2026 to further assess the three identified trees.

7.8.21 The approach taken is that should any of the trees be subject to arboricultural works, they will be subject to further surveys to confirm that bats are absent from them. If present, then a bat mitigation licence from Natural England must be sought. In addition, bat boxes are to be incorporated into the development to provide for new roosting opportunities. In addition, a sensitive lighting strategy should be completed prior to works to ensure sensitive areas remain sufficiently dark and appropriate for foraging and commuting corridors.

Badgers

7.8.22 As part of the survey work there was no evidence of badgers, but recognises that given the nature of the site and adjacent features that they cannot be discounted. A pre-commencement badger survey has been recommended to determine whether any new badger setts have been excavated onsite, or within 30m of the site.

Reptiles

7.8.23 The site was deemed to be suitable for reptiles with habitats such as scrub, vegetated strips, rough grassland, and hedgerows present. Presence/absence surveys have been completed and no reptiles were found. However, reptiles are mobile species and given the suitable habitat both on and adjacent to the site a precautionary approach to vegetation clearance should be included within a Construction Ecological Management Plan.

On-Site Woodland:

7.8.24 Herts Ecology commented that the adjacent woodland including that present within to the south east of the site is priority deciduous woodland, recognised as a Priority Habitat under Section 41 of the NERC Act (2006). Priority Habitats are treated as high distinctiveness habitats, meaning loss must be compensated “like-for-like” under the metric and that Development must avoid impacts first, then minimise, then compensate only as a last resort.

7.8.25 As part of the original submission a footpath was provided through the woodland on site, thus parts would have to be removed, resulting in concerns from Herts Ecology that no justification had been provided for its loss. In response to Herts Ecology’s comments, the footpath has been removed from the submitted drawings to ensure no loss occurs.

Biodiversity Net Gain

7.8.26 In respect of BNG, an Amended BNG Assessment was submitted which followed comments made by Herts Ecology. which concluded a baseline total of 119.91 habitat units are present pre-development. This is made predominately up of neutral grassland, Blackthorn Scrub and individual trees.

7.8.27 The BNG Assessment states that the biodiversity units required to satisfy trading rules now total 54.70 habitat units with 56.90 habitat units required to achieve 10% biodiversity net gain.

7.8.28 The applicant has no off-site land available to offset the proposed development and therefore is exploring options to purchase the required biodiversity units from the private market (i.e. via a habitat bank). As it stands the location of any off-site units has not yet been determined. The required off-site biodiversity units will be secured and confirmed upon discharge of the Biodiversity Gain Plan condition, prior to the commencement of the development.

Summary

7.8.29 Conditions requested by Herts Ecology that are considered necessary to make the development acceptable in planning terms relate to: a Construction Environmental Management Plan (CEMP); a pre-commencement Badger Survey and a Lighting Design Strategy for bats.

7.8.30 In summary, in view of the specialist advice received, it is considered that subject to further surveys / conditions, the proposed development can meet the requirements of Policy CP9 of the Core Strategy, Policy DM6 of the Development Management Policies LDD and accords with the guidance in the NPPF (2024).

7.9 Promotion of healthy and safe communities

7.9.1 The NPPF at paragraph 96 states that planning decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

7.9.2 The proposal includes a Locally Equipped Area for Play (LEAP), an area of amenity open space to encourage informal sports, games and recreation, community orchard and footpath routes. There is also a real opportunity to integrate the Housing with Care and the wider development through clever placement of play and or recreational facilities to enable social interaction and a mix of different users.

7.9.3 As initially submitted the LEAP was positioned towards the northern boundary. This location would be isolated and lack natural surveillance from the development. As such, it was re-sited closer to the indicative development parcel, with the true final fixed positioned considered as a reserved matter.

7.9.4 The applicant is keen to deliver a number of play areas across the site, however, the specific details will be for the reserved matters stage.

7.9.5 A Health Impact Assessment has been submitted with the application which has been reviewed by HCC Healthy Places team with the findings considered acceptable. A revised assessment was submitted which has taken on board the comments.

7.10 Impact on residential amenity

7.10.1 Paragraph 135 (f) of the NPPF advises that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.10.2 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities. Design Guidelines for residential development are set out in Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.10.3 The application is submitted in outline, with matters of access for consideration. However, the application is accompanied by an illustrative Landscape Masterplan which suggests that new built form development would be set back from Oxhey Lane. However, impact on neighbouring amenity as well as any impact on Carpenders Park Care Home would be fully assessed at the reserved matters stage. The impact on the amenity of future occupiers would also be assessed.

7.10.4 The application was accompanied by a Rapid Health Impact Assessment (Boyer, Issue 04 dated 19 August 2025). The assessment assessed the potential impacts of the proposed development during construction, operation and management phases, evaluating the potential effects of the development on the health and well-being of the local population. The HIA concludes that the development would have a mostly positive impact on the health of the community, with the potential to improve access to green space, promote active travel and enhance healthcare services. However, it does also identify potential negative impacts such as temporary disruption during construction. Planning conditions have been recommended to mitigate potential negative impacts during construction.

Pollution – Air Quality

7.10.5 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations: (e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

7.10.6 The NPPG provides guidance as to when air quality would be relevant to a planning decision. In summary, it states that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would, amongst other considerations:

- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield.

- Introduce new point sources of air pollution e.g. furnaces.

- Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.

7.10.7 In relation to air quality, Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that development will not be permitted where it would:

- Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or

- Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.

7.10.8 The application is accompanied by an Air Quality Assessment (March 2025) which has been review by the Environmental Protection Officer (EPO). The submitted Air Quality Assessment sets out that a range of best practice mitigation measures will be implemented to reduce dust emissions during construction.

7.10.9 The EPO has recognised that the air quality conditions for future residents have been shown to be acceptable and any additional traffic generated will have a negligible impact on air quality conditions at all existing receptors along the local road network. The EPO raises no objection as the impact of the proposed development on local air quality is not considered to be significant.

7.10.10 In summary, in view of the specialist advice received, it is concluded that subject to conditions there would be no adverse impacts with regards to air quality as a result of the development. The proposed development in this respect complies with the NPPF and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

Pollution – Noise and Vibration

7.10.11 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

7.10.12 Policy DM9 of the Development Management Policies LDD (adopted July 2013) sets out that planning permission will not be granted for development has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development, has an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation.

7.10.13 The likely noise impacts resulting from the development are primarily in association with the increased traffic flows and general activity resulted from the development, as well as the LEAP. However, when considering the existing nature of Oxhey Lane, distances to the nearest dwellings on Carpenders Avenue, topography and boundary treatments, it is not considered that any unacceptable levels of noise will arise. The proposed development complies with the NPPF and Policy DM9 of the Development Management Policies LDD (adopted July 2013) in this regard.

Pollution – Light

7.10.14 Policy DM9 of the Development Management Policies LDD (adopted July 2013) sets out that development proposals which include external lighting should ensure that proposed lighting schemes are the minimum required for public safety and security, that there is no unacceptable impact on neighbouring or nearby properties or the surrounding countryside or wildlife.

7.10.15 As the application is in Outline, full details of lighting would be required at Reserved Matters stage.

Pollution – Land Contamination

7.10.16 Policy DM9 of the Development Management Policies LDD (adopted July 2013) states that the Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land, and there will be no adverse impact on the quality of local ground water or surface water quality.

7.10.17 The application is accompanied by a Phase 1 GEO-Environmental Assessment (March 2025) which has been reviewed by the Environmental Protection Officer (EPO). They note

that the preliminary risk assessment undertaken has identified a number of plausible contaminant linkages (soil contamination) that require further investigation.

7.10.18 As such, an assessment of the potential risks associated with the site is considered necessary and the EPO therefore recommends the standard contaminated land condition be attached in the event that planning permission were to be granted.

7.10.19 In summary, in view of the specialist advice received, it is considered that subject to conditions there would be no adverse impacts with regards to contaminated land as a result of the development. The proposed development complies with the NPPF and Policy DM9 of the Development Management Policies LDD (adopted July 2013) in this regard.

7.11 Energy Use

7.11.1 Paragraph 161 of the NPPF states that "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".

7.11.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

7.11.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

7.11.4 The application is accompanied by a Sustainability & Energy Statement (Bluesky Unlimited, March 2025). This sets out that the proposed development is predicted to exceed Part L 2021 carbon emission reduction requirements. As this application does not seek approval for the appearance or layout of the proposed buildings, it is anticipated that any future Reserved Matters submission would provide full details of the energy efficiency of the proposed buildings and demonstrate their ability to comply with Policy DM4. The Energy Statement is also closely aligned with the Council's Climate Change and Sustainability Strategy, contributing to the target of achieving net zero carbon emissions by 2045.

7.12 Flood Risk and Drainage

7.12.1 Policy CP1 of the Core Strategy (adopted October 2011) requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 of the Development Management Policies LDD (adopted July 2013) refers to Flood Risk and Water Resources, and states that development will only be permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.

7.12.2 The application has been accompanied by a Flood Risk Assessment & Drainage Strategy (Ardent, March 2025) (FRA & DS), Sequential Test (Boyer, May 2025) and Addendum to the FRA & DS (January 2026).

7.12.3 The site is wholly within Flood Zone 1 as defined by the Environment Agency. Flood Zone 1 signifies areas with the lowest probability of flooding (less than a 0.1% annual probability of river or sea flooding, equating to less than 1 in 1000 chance). Notwithstanding, the Hartsbourne Stream passes the southern boundary of the site, and flows in a westerly direction to the River Colne. In respect of surface water flooding, long term risk mapping shows a ribbon of surface flooding along the localised valley within the site and thus the application has been supported by a Sequential Test.

7.12.4 Paragraph 175 of the NPPF states:

"The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

7.12.5 Since the submission of the planning application, the PPG was updated in September 2025 in respect of the sequential approach. The PPG states (Para 027 Reference 7-027-20220825) states that:

'Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.'

7.12.6 As part of the development a Sustainable Water Drainage Strategy is proposed which will incorporate attenuation basins and seeks to mitigate the surface water flood risk which currently exists on-site but importantly as advised above it is only generated by the site itself, opposed to an off-site source / influence.

7.12.7 The submitted FRA and Sustainable Drainage Strategy have been reviewed by the Lead Local Flood Authority (LLFA) who do not object, subject to conditions. The LLFA also agreed during the application process that the sequential test no longer applied as the design and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for its lifetime and would not increase flood risk elsewhere.

7.12.8 The LLFA commented that part of the drainage scheme encroaches into the adjacent flood storage area to the south of the site. However, an amended scheme has been submitted which removes any encroachment into the flood storage area with the amended surface water infrastructure all within the bounds of the application site and running into Oxhey Lane. It is expected that the surface water sewer and associated manholes and headwalls would be adopted by either Thames Water or under a New Appointments and Variations (NAV agreement).

7.12.9 In relation to water quality, Affinity Water (AW) have advised that the proposed development site is not located within an Environment Agency defined Source Protection Zone or close to their abstractions. AW raise no objection but note that construction works should be in accordance with the relevant British Standards and Best Management Practices to minimise groundwater pollution risk. In relation to water efficiency, AW note that the site is within a water stressed area such they would expect it to include water efficient fixtures and fittings and measures such as rainwater harvesting. Whilst this level of detail would not be secured

at Outline stage, it is noted that the submission (Sustainability & Energy Statement (Bluesky, March 2025) has considered water efficiency and refers to various measures which would be incorporated.

7.12.10 Thames Water (TW) have confirmed that they cannot accommodate this development at Maple Lodge Sewage Treatment Works with the risk of it contributing to unacceptable levels of water pollution. TW have confirmed that they have upgrades planned for Maple Lodge as part of a fully funded upgrade programme.

7.12.11 TW also confirmed that they are simultaneously running a study to determine whether the STW can accommodate any additional development, without the risk of it contributing to unacceptable levels of water pollution, prior to the upgrades delivering. TW confirmed that to err on the side of caution, a Grampian condition should be imposed. This is considered the most logical way forward where there is no immediate capacity to accommodate new development, but given that a fully funded upgrade plan is in place, the use of the condition is considered to meet the relevant tests.

7.12.12 During the course of the application TW agreed with a suggested condition including the use of a temporary solution to surface water which could be submitted alongside the phasing plan in the event that the upgrades are not complete at the time of occupation.

7.13 Refuse and Recycling

7.13.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where: i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers iii) There would be no obstruction of pedestrian, cyclists or driver site lines.

7.13.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities taken responsibility for waste management. This includes ensuring that development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and ensuring that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.

7.13.3 HCC would therefore require a Site Waste Management Plan (SWMP) to be submitted which should aim to reduce the amount of waste produced on site. Through a S106 HCC seek a Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£26,033 index linked to BCIS 1Q2024).

7.13.4 In relation to minerals, the site falls within the 'Sand and Gravel Belt' as identified in HCC's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt', is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. The county council, as the Minerals Planning Authority, have confirmed that given the lack of deposits beneath the site, they do not have any mineral sterilisation concerns.

7.13.5 In respect of domestic and commercial waste, it is considered that further details regarding the storage and management of waste on site would be considered at the reserved matters stage.

7.14 Safety and Security

7.14.1 Policy CP12 of the Core Strategy advises that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to, for example promote buildings and public spaces that reduce opportunities for crime and anti-social behaviour. Policy CP12 also requires that development proposals design out opportunities for crime and anti-social behaviour through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places.

7.14.2 The Designing Out Crime Officer at Hertfordshire Constabulary has confirmed that they are able to support this application as they are satisfied that security measures have been considered and will be implemented for this development

7.15 Infrastructure Contributions / Heads of Terms

7.15.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) Charging Schedule sets out that the charge per sq.m of residential development. The application site falls within Area C which has a nil (£0) charge.

7.15.2 The following paragraph sets out the reasoning for the contributions requested.

Mainstream and Special Educational Needs and Disabilities Education:

7.15.3 It is recognised that significant concerns have been raised in relation to the strain the development proposal would place on local education. These concerns were raised at the October Planning Committee and have also been expressed by Watford Rural Parish Council on the basis that St Meryl School (primary school) in Carpenders Park is at capacity, would have limited capacity for expansion and that there is no secondary school in the area.

7.15.4 In considering the application, Hertfordshire County Council have applied the Hertfordshire Demographic Model as the agreed method for projecting the pupil yield which may arise from the development and the developer contributions to be sought.

7.15.5 In relation to primary provision, Hertfordshire County Council's School Planning team have confirmed post the October Planning Committee that existing primary schools in South Oxhey currently have sufficient capacity to accommodate the increase in pupil yield forecasted from the proposed development which equates using the abovementioned modelling at 40 pupils which includes early years. They also confirmed that to date, the same position applies to planning applications 25/1055/FUL (Land To The Rear Of Woodlands Cottage) and 25/2168/OUT (Land Adjacent Woodlands Cottages) in the (school catchment) area. In light of this, no contributions are required towards primary school provision.

7.15.6 In relation to secondary school provision, the HCC modelling anticipates that 27 pupils would arise from the development requiring a secondary school place, including post-16. HCC have confirmed that current year on year data shows that there is very limited capacity across schools in the local area and the wider South West Hertfordshire region. As such, HCC do not consider that current capacity, nor the longer-term forecast will be sufficient to accommodate the expected yield from the proposed development. The development will contribute to the cumulative growth that HCC state necessitates a new secondary school and thus contributions are sought towards a new school in Carpenders Park. This contribution is agreed between parties.

7.15.7 For Special Education Needs and Disabilities (SEND) the development may generate a need for a combined equivalent of 3 SEND school places. A financial contribution is requested from HCC towards the delivery of a new Severe Learning Difficulty (SLD) special school places (WEST). This contribution is agreed between parties.

Waste:

7.15.8 Hertfordshire County Council has confirmed that there is currently insufficient spare capacity at their Waterdale Transfer Station to handle the majority of Hertfordshire's residual waste. As a result, to ensure the impact of additional growth in the catchment area is mitigated, work is required to increase provision at this service station. The County Council have therefore requested a financial contribution of £26,033. This contribution is agreed between parties.

Primary Health Care:

7.15.9 The Hertfordshire and West Essex Integrated Care Board (HWE ICB) have set out their position on primary healthcare capacity and need arising from the development and the health financial contribution sought if planning permission was to be granted. Within their comments they state that new residents will impact on several practices and primary health care networks.

7.15.10 During the October Planning Committee meeting, Members raised concerns that all nearby surgeries were at capacity and had limited ability to accept additional patients. Additionally, concerns were raised that it was not clear which surgeries had been looked at.

7.15.11 The HWE ICN have confirmed that all surgeries within the local area are at capacity and their ability to accept additional patients is limited meaning the existing provision may not be able to accommodate the additional patient numbers arising from the development, and indeed potential future housing growth in and around the vicinity of Carpenders Park and South Oxhey.

7.15.12 In terms of geographical area covered, the HWE ICB confirmed that it extended beyond Carpenders Park and considered the surgeries at Manor View and Attenborough practices who have their main surgeries in Bushey.

7.15.13 The HWE ICB have also confirmed that even though most practices in the vicinity are operating close to capacity, they are accepting new patients and can potentially continue serving the growing patient population short to medium term. Two practices – Attenborough and Manor View – are large practices with several branch surgeries, which gives them more flexibility, economies of scale and makes them more resilient to changes in population.

7.15.14 The HW ICB also commented that the requested contributions will be used to deliver additional capacity in the vicinity, i.e. in GP practices that include the proposed development in their catchment area. Given that there is a lot of uncertainty in terms of what is going to be built, where and by when, it will be difficult, if not impossible to commit to a single project because a project that may be the best solution today, may not be that in 5 years' time.

7.15.15 The requested contribution has been agreed between parties.

Sport facility demand:

7.15.16 Sport England have advised that if the proposal involves the provision of additional housing, then it will generate demand for sport and if existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy. The Leisure department have not identified any requirements for additional demand on existing capacity in the area.

Summary:

7.15.17 The applicant raises no objection to the obligation and heads of terms detailed below which are considered to satisfy the tests set out at Paragraph 58 of the NPPF. The Section 106 agreement to secure the contributions will be progressed subject to a positive resolution.

Authority	Reason	Amount
Herts County Council Growth and Infrastructure Unit	**Secondary Education Contribution:** towards the delivery of a new secondary school at Carpenders Park and/or provision serving the development.	**£1,945,838** (includes land costs of £38,442) index linked to BCIS 1Q2024).
Herts County Council Growth and Infrastructure Unit	**Special Educational Needs and Disabilities (SEND) Contribution:** towards the delivery of new Severe Learning Difficulty special school places (West) and/or provision serving the development.	**£362,609** (index linked to BCIS 1Q2024).
Herts County Council Growth and Infrastructure Unit	**Waste Service Transfer Station Contribution:** towards increasing capacity at Waterdale Transfer Station and/or provision serving the development.	**£26,033** (index linked to BCIS 1Q2024)
Herts County Council Highway Authority	**New bus service**	Year 1 - £153,389.67 Year 2 - £153,389.67 Year 3 - £153,389.67 Year 4 - £76,694.84 Year 5 - £76,694.84 Total: **£613,558.69**
Herts County Council Highway Authority	**New bus stop and associated infrastructure**	Kassel Kerbing £8,000 Shelter £15,000 RTI Screen £15,000 Total: **£38,000**
Herts County Council Highway Authority	**Beryl Bikes**	**£20,000**
Herts County Council Highway Authority	**Travel Plans x2**	£6,000 per Travel Plan Support and Evaluation (**£12,000 in total**)
HWW ICB	**Primary healthcare contribution.**	**£428,032** (index linked)

Three Rivers District Council	**Affordable Housing relating to Housing with Care**	**£110,722.50** (index linked)
Three Rivers District Council & Herts County Council Growth and Infrastructure Unit	**Housing with Care:** CQC care registered **HCC Right of first refusal** – option to take transfer of the land to enable delivery of nursing care. **Occupancy restrictions** (qualifying persons) – i.e principal occupant is in need of personal care and is the recipient of such care (at least one hours personal care per week by reason of their old age / disablement) such that they come within C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). **Communal facilities to be available for wider community use** (ancillary to C2 Use Class).	
Three Rivers District Council & Herts County Council Growth and Infrastructure Unit	**Children's Home** Transfer of land associated with the children's home to Hertfordshire County Council.	
Three Rivers District Council	**Affordable Housing:** 128 dwellings (70% social rent and 30% shared ownership).	
Three Rivers District Council	**Custom / Self build:** 13 dwellings	
Three Rivers District Council	**Offsite Biodiversity Net Gain**	
Three Rivers District Council	**Monitoring Fees** **Affordable Housing on-site contribution: £673** **Affordable Housing financial contribution: £304** **Self-Build: £326** **Offsite BNG: £326** **Housing with Care: £326**	**Total: £1,477 (tbc)**

	Children's Home: £326 *Where an obligation secures more than one category of works as set out above, a fee is payable for each category. The full monitoring fee is payable for the largest fee category, and 50% of the monitoring fee for any subsequent categories.*	
Herts County Council Growth and Infrastructure Unit	**HCC Monitoring fees**	These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of **£420** (adjusted for inflation against RPI January 2024).

7.16 Referral to Secretary of State

7.16.1 The Town and Country Planning (Consultation) (England) Direction 2024 requires Local Planning Authorities to consult the Secretary of State before granting planning permission for certain types of development. The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under section 77 of the Town and Country Planning Act 1990. If a planning application is called in, the decision on whether or not to grant planning permission will be taken by the Secretary of State.

7.16.2 Applications required to be referred to the Secretary of State include inappropriate developments in the Green Belt that by reason of their scale or nature or location would have a significant impact on the openness of the Green Belt. Whilst officers consider the site to be Grey Belt and therefore not inappropriate in the Green Belt, in the event that Members conclude that the development subject of this application is acceptable although contrary to the Development Plan, or that very special circumstances exist which are considered to outweigh the harm to the Green Belt by inappropriateness and any other harm, it would be necessary for the LPA to consult the Secretary of State prior to a decision being issued.

7.16.3 It is also noted that the Town and Country Planning (Consultation) (England) Direction 2024 (published January 2024) requires Local Planning Authorities in England to consult the Secretary of State before granting planning permission for certain types of development, including development that results in the deterioration of irreplaceable habitats where the Local Planning Authority considers that the potential adverse impacts cannot be mitigated. As set out above officers consider that, as a matter of planning judgement that no irreplaceable habits would be lost or deteriorated as a result of the development.

7.17 Planning Balance

7.17.1 The above assessment has concluded that the development complies with Paragraph 155 ('Grey Belt') of the NPPF and is therefore not inappropriate development within the Green Belt. From the planning assessment a number of public benefits are considered to flow from the development, and these are briefly summarised below.

- ***Housing provision:*** The proposal to deliver 256 new homes will make a very significant contribution to the need for more housing. Officers are of the view that housing provision, in the backdrop of the Council's current housing supply position of 1.7 years, must, at the very least be afforded **very significant weight** in favour of the development.

- ***Affordable housing:*** The development will provide 50% affordable housing which exceeds the policy requirements and complies with the Golden Rules and therefore must attract **very significant weight**, when considered against the acute need for affordable housing in the district.

- ***Self / Custom Build Housing:*** No self-build homes have been delivered to date within the District. In an appeal decision in Sarratt it was accepted at the time by the Local Planning Authority that this type of housing in the District significantly exceeds supply. Officers are of the view that given the identified need, self / custom build housing should be afforded **significant weight** in favour of the development.

- ***Housing with care:*** The development includes the provision of 60 bed housing with care which attracts support from HCC, with all parties acknowledging a clear need. This type of housing would also provide other notable benefits arising from its use, such as health and wellbeing improvements, social benefits and freeing up family sized housing. The communal facilities would also be available for wider community use which would provide further benefits to existing and future residents. Officers are of the view that this part of the development should be afforded **significant weight** in favour of the development.

- **Compliance with the 'Golden Rules':** Paragraph 158 of the NPPF sets out that 'a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission'. As set out above (paragraph 7.2.48 – 7.2.69), it is considered that the development would comply with the 'Golden Rules'. As per Paragraph 158 of the NPPF, officers consider that compliance with the Golden Rules should be afforded **significant weight** in favour of the development.

- ***Economic benefits:*** The development would deliver economic benefits during both the construction and during the operational phases of the development with future occupants supporting local economies. Given the scale of the development these benefits should be afforded **moderate weight** in favour of the development.

- ***Children's Home:*** The development will provide a 4-bed children's home whereby a need for 24 new bedspaces has been highlighted within the South West Hertfordshire Local Housing Need Assessment (LHNA). The development is also supported by HCC. Officers of the view that this benefit should attract **moderate weight** in favour of the development, on the basis that it is only providing one home towards meeting the need.

- ***Public Open Space:*** The development will provide a variety of green infrastructure, totalling 6.2Ha, including play and recreational space for use by future residents and existing residents of Carpenders Park. Officers are of the view that new open space provision for existing and proposed residents of Carpenders Park should be afforded **moderate weight** in favour of the development.

- ***Sustainable Transport Initiatives:*** A signalised pedestrian crossing on Oxhey Lane will be provided, providing an alternative to the two existing uncontrolled crossings. Further pedestrian and cycle interventions would be proposed between South Oxhey and the site as well as a proportionate contribution to the delivery of benefits to support active travel improvements as identified in the LCWIP. A new bus service and bus stop would also be provided. On this basis, Officers are of the view that these package of measures should be afforded **moderate weight** in favour of the development.

7.17.2 Notwithstanding, the above assessment has also concluded that harm would arise to the character of the area and wider landscape impacts, as a result of the new signalised junction, new access, attenuation pond and built form within the northern parcel of the application site. Officers are of the view that the adverse impacts to the character of the area should be afforded **moderate weight** against the development, although this level of harm will, in time, reduce to **limited harm** as a result of on-site mitigation.

7.17.3 As set out in the analysis above, Officers consider that the development is an appropriate form of development in the Green Belt. However, if members consider that the site is not located within the Grey Belt and/or doesn't comply with clauses (a) – (d) of Paragraph 155 and therefore is inappropriate development, then regard must be had to Paragraph 153 of the NPPF which states the following:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

7.17.4 Members would therefore need to consider whether there are very special circumstances which outweigh the harm to the Green Belt and any other identified harm.

7.18 Tilted Balance

7.18.1 The Council can only demonstrate a 1.7-year housing land supply. As a result, the policies that are most important for determining the application are deemed to be 'out of date' and the tilted balance at Paragraph 11 of the NPPF applies which sets out that decisions should apply a presumption in favour of sustainable development and for decision-taking this means:

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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

7.18.2 In respect of d) i. the NPPF sets out that the policies referred to (that protect areas or assets of particular importance) include, but not limited to those relating to land designated as Green Belt, irreplaceable habitats, designated heritage assets, areas at risk of flooding. However, officer's judgement is that the site is Grey Belt and no other strong reason for refusing the development can be put forward on the basis of the planning assessment.

7.18.3 In relation to d) ii, it is necessary for the decision maker to take account of the material planning considerations to the case, and balance any adverse impacts of the development against the benefits identified. The table below provides an overview of the benefits and adverse impacts identified.

Benefit	Weight in support		Adverse impact	Weight against
Housing provision	Very Significant		Impact on landscape character and streetscene of Oxhey Lane	**Moderate*** *Reducing to **Limited** after 15 years once mitigation measures become well-established and development becomes assimilated within the landscape.
Affordable housing provision	Very Significant			

Self / Custom build housing	Significant		
Housing with care	Significant		
Compliance with Golden Rules	Significant		
Economic benefits	Moderate		
Children's Home	Moderate		
Public Open Space	Moderate		
Sustainable Transport Initiatives	Moderate		

7.18.4 As demonstrated by the above table, there is a package of very substantial public benefits which if an alternative view is reached on the Grey Belt judgement, the benefits would also collectively comprise 'very special circumstances' in favour of granting planning permission.

7.18.5 Having regard to the tilted balance, any adverse impacts of the development are **significantly and demonstrably outweighed by the benefits identified**.

7.18.6 Whilst recognising the conflict with Policy 5(f) of HCC's Local Transport Plan 2018 whereby HCC will only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals, it has been found that overwhelming benefits flow from the development. In this instance a new access on an A-road is required to unlock the development. HCC officers have considered that the access and highway impacts do not have a severe impact and that the access can be designed safely and presented conditions and obligations which are to be secured.

7.18.7 Whilst recognising the overwhelming feeling locally regarding the development and the change this will bring to the site and immediate locality, Officers must give due consideration to the presumption in favour of sustainable development, especially against the background of the Council's housing supply.

7.18.8 Accordingly, in accordance with Paragraph 11 of the NPPF, the application is recommended for approval on the basis that any adverse impacts are outweighed significantly and demonstrably by the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land and providing affordable homes.

8 Recommendation

8.1 That the application be delegated to the Head of Regulatory Services to **GRANT OUTLINE PLANNING PERMISSION 25/1020/OUT** subject to:

1) **The completion of a Section 106 Agreement to secure the Heads of Terms set out in section 7.15.**

2) **The planning conditions set out at section 8.2 below.**

And,

3) **The ability to make any minor amendments to the Heads of Terms and planning conditions in consultation with the Chair of the Planning Committee.**

8.2 Conditions:

C1 Reserved Matters – Details - TRDC

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

C2 Time Limit – Reserved Matters Submission - TRDC

Any application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C3 Time Limit – Commencement - TRDC

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is later.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C4 Parameter Plan - TRDC

The details of the reserved matters submitted pursuant to this permission shall be carried out in general accordance with the Parameter Plan P24-2204_DE_003_C_10.

Reason: In the interests of the visual amenities of the Green Belt and locality in accordance with Policies CP1, CP2, CP3, CP4, CP6, CP7, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM11, DM12 and DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

Pre-commencement conditions:

C5 Standard Highway Condition - HCC Highways

A) The development hereby permitted shall not begin until full details (in the form of scaled plans and written specifications) have been submitted to and approved in writing by the Local Planning Authority in respect of the following physical works on the application site:

i. internal roads and footways;
ii. internal cycleways;
iii. foul and surface water drainage;
iv. visibility splays;
v. access including sight-lines layout;
vi. parking provision in accordance with the local planning authority's adopted standards;
vii. loading areas;
viii. turning areas.

B) Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

C6 Construction Management Plan - HCC Highways

No development shall commence until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan / Statement shall include details of:

a. Construction vehicle numbers, type, routing;
b. Access arrangements to the site;
c. Traffic management requirements;
d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
e. Siting and details of wheel washing facilities;
f. Cleaning of site entrances, site tracks and the adjacent public highway;
g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
h. Provision of sufficient on-site parking prior to commencement of construction activities;
i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
k. Phasing Plan.

Reason: This is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

C7 Construction Ecological Management Plan - Herts Ecology

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Assessment by Ecology Solutions (March 2026).
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'.
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;

7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent.

The CEMP shall also include details of the mitigation proposed in the March 2026 Ecological Assessment for protected species, including breeding bird mitigation if required following the completed breeding bird surveys, and Great Crested Newts Non-Licensed Method Statement.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C8 Badger survey – Herts Ecology

No development shall take place (including demolition, ground works, vegetation clearance) until a badger survey, no earlier than two months prior to the commencement of the development, is carried out. This survey shall determine whether any new badger setts have been excavated onsite, and within 30m of the site. The results of this survey shall be submitted to the Local Planning Authority for approval prior to the commencement of the development

Reason: This is a pre-commencement condition to protect ecology on this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C9 Breeding Bird Survey – Herts Ecology

A) No development shall commence until a final breeding bird survey / updated set of breeding bird surveys has been undertaken by a suitably qualified and experienced ecologist. A written report shall be produced by the ecologist and submitted to the Local Planning Authority summarising the survey results and setting out appropriate mitigation measures.

B) Any application for approval of Reserved Matters submitted pursuant to part (a) shall demonstrate how the findings and recommendations of the breeding bird survey report have been addressed by the Reserved Matters application.

Reason: This is a pre-commencement condition to protect ecology on this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C10 Species Enhancement Plan – Herts Ecology

Prior to the commencement of development a Biodiversity Species Enhancement Strategy / Plan for Protected and Priority Species by an appropriately experienced ecologist shall be submitted to and Approved in writing by the Local Planning Authority. The Strategy/ Plan should include the incorporation of permanent integral bat roosting, integral Swift Bricks within buildings and hedgehog homes and highways. Swift Bricks should be of a universal design, with bat roosting features and universal Swift Bricks being Integrated, built “into” rather than “onto” buildings. Features should be installed in a ratio of one for every two buildings.

The scheme/ plan shall include, but not be limited to, the following details:

a) Purpose and conservation objectives for the proposed enhancement measure
b) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
c) Detailed designs to achieve stated objectives;
d) Materials and construction to ensure long lifespan of the feature/measure
e) Proposed Locations shown by suitable maps and plans and where appropriate the elevations and orientation of the features or measures to be installed or undertaken
f) When the features or measures will be installed within the construction, occupation, or phase of the development,
g) Persons responsible for implementing the enhancement measures
h) Details of initial aftercare and long-term maintenance (where relevant)

Thereafter, the biodiversity enhancement measures shall be carried out and maintained for their designed purpose in accordance with the approved details including timescales and shall be retained as such thereafter.

Reason: This is a pre-commencement condition to protect and enhance ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C11 Site Waste Management Plan – Herts Minerals and Waste Planning Policy Team
No development shall take place until a Site Waste Management Plan (SWMP) for the site been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

C12 Contamination - Environmental Health
Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

A preliminary risk assessment which has identified:
• all previous uses
• potential contaminants associated with those uses
• a conceptual model of the site indicating sources, pathways and receptors
• potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and

arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: This is a pre-commencement condition to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors of Policy CP1 of the Core Strategy (adopted October 2011) and to meet the requirements of Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C13 Temporary Drainage - LLFA

Development shall not commence until details and a method statement for interim and temporary drainage measures during the construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.

Reason: This is a pre-commencement condition to prevent flooding and pollution offsite in accordance with the NPPF and to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C14 Archaeology - Herts Archaeology

A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

a) The programme and methodology of site investigation and recording
b) The programme and methodology of site investigation and recording as required by the evaluation
c) The programme for post investigation assessment
d) Provision to be made for analysis of the site investigation and recording
e) Provision to be made for publication and dissemination of the analysis and records of the site investigation
f) Provision to be made for archive deposition of the analysis and records of the site investigation
g) Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: This is a pre-commencement condition to define, in advance of any development commencing, the details of evaluation/mitigation necessary to protect

any archaeological remains present within the development site. The significance of heritage assets with archaeological interest can be harmed/destroyed by development. This is in accordance with NPPF guidance, Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C15 Cycle Parking – TRDC

Prior to the first commencement of the development hereby permitted, a scheme for the parking of cycles (including Beryl bike on-site station) including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied, or brought into use, and thereafter retained for this purpose.

Reason: This is a pre-commencement condition to ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes in accordance with the NPPF (2024) and Policy CP10 of the Core Strategy (adopted October 2011).

Prior to / or in conjunction with Reserved Matters Application(s):

C16 Surface Water Drainage Scheme - LLFA

Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted FRA and or Drainage Strategy (Oxhey Lane, Carpenders Park, Land at Carpenders Park Farm Flood Risk and Drainage Strategy, Ref 2403160-ACE-XX-XX-RP-C-0301 revision B, dated 31 October 2025 by Ardent Consulting Engineers), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development.

The scheme shall address the following matters:

a) Demonstrate how interception for the first 5mm of any storm event will be managed within the site in line with the National Standards (2025)
b) Surface water runoff rates will be attenuated to 1.3 l/s or an alternative rate as agreed with Thames Water up to a limit of 5.7 l/s/ha of developed area in the northern catchment discharging to Thames Water Surface Water Sewer and 5.7 l/s/ha of developed area in the southern catchment discharging to the Main River. If the impermeable areas created are less than the values stated above, then the discharge rates will be recalculated and resubmitted to the Local Planning Authority for approval.
c) Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change). Areas draining into the formal drainage scheme will us an appropriate CV value. The storage calculations will clearly demonstrate how 10% urban creep has been included (via a drainage catchment drawing and associated table which match the supporting calculations of the conveyance network).
d) Detailed designs, supporting modelling calculations and drawings of the drainage conveyance network in the:
    - 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
    - 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding

outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

e) The design of the attenuation / detention basin will include appropriate freeboard allowances.
f) Drawings to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
g) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above prevailing ground level, whichever is the more precautionary.
h) Details of how all surface water management features, swales and / or bioretention areas adjacent to the roads, permeable paving and basins will to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development and to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

Above Slab level:

C17 On-Site Landscape Management Plan - TRDC

Prior to above ground works, a Landscape Management Plan including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas on the site, shall be submitted to and approved in writing by the Local Planning Authority.

The Landscape Management Plan shall also include, as minimum:

- Planting plan;
- Details of Information Packs for residents informing them on sensitive use;
- Details of fencing;
- Information boards to sensitive areas

The landscape areas shall thereafter be managed in accordance with the approved Landscape Management Plan.

Reason: This is a pre-commencement condition to enable on-site management to prevent the deterioration in the health of trees and to meet the requirements of Policies CP1 and CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C18 Off-Site Highway Improvements – HCC Highways

No on-site works above slab level of the development shall commence until a detailed scheme for off-site highway improvement works as indicated below have been submitted to and approved in writing by the Local Planning Authority. The highway improvement works include:

- Accessibility improvements as indicated in the applicant's Walking and Cycling Appraisal Improvements drawing supplied within the applicant's "Sustainable Transport Improvements" note dated 7 November 2025 and replicated in Figure 1 of the applicant's Summary of Sustainable Transport Improvements document (January 2026) comprising of:
- Resurfacing and footway widening on Oxhey Lane south of the existing care home.
- Installation of a controlled signalised crossing (to be delivered as part of the site access works) at Oxhey Lane / Carpenders Avenue.
- Resurfacing of footway on south side of Carpenders Avenue up to the junction with Foxleys.
- Installation of tactile paving at: Carpenders Avenue / Foxleys junction Foxleys / The Mead junction Delta Gain / Gibbs Couch junction Gibbs Couch near Carpenders Park Overground station

The offsite highway improvement works referred to within this condition shall be completed in accordance with the approved details and prior to the first occupation of the development hereby permitted.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

Prior to first use:

C19 Drainage Scheme Maintenance and Management - LLFA

The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

a) a timetable for its implementation.
b) details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
c) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C20 Drainage Scheme Verification Report - LLFA

Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings

plus photographs of excavations (including soil profiles/horizons), and any installation of any surface water drainage structures and control mechanisms. It shall also include CCTV survey and topographic survey where appropriate.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C21 Surface Water Network - Thames Water

The development shall not be occupied until confirmation is provided that either:

1) All necessary upgrades to the surface water network to accommodate additional flows from the development have been completed if required; or
2) A phasing plan for development and infrastructure, which may if appropriate include a temporary solution, agreed with Thames Water and the Local Planning Authority, is in place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule.

Reason: Network reinforcement is likely to be required to support the proposed development. These upgrades are essential to avoid the risk of sewer flooding and pollution incidents with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C22 Sewage Treatment Upgrades – Thames Water

No development shall be occupied until confirmation has been provided that either:-

1. All sewage works upgrades required to accommodate the additional flows from the development have been completed; or
2. A development and infrastructure phasing plan, which may if appropriate include a temporary solution, has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C23 Access – HCC Highways

Prior to the first occupation of the development hereby permitted the accesses shall be completed and thereafter retained as indicated on drawing numbers ITL200107-GA-007 revision B and ITL200107-GA-002 revision E, in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

C24 Visibility Splays – HCC Highways

Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved drawing number ITL200107-GA-002 Rev E. The splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C25 Travel Plan – Residential – HCC Highways

At least 3 months prior to the first occupation of the approved development a detailed Residential Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained in therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011)

C26 Travel Plan – Care home – HCC Highways

At least 3 months prior to the first occupation/use of the approved development a detailed Travel Plan for the care home shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained in therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C27 Contamination – Verification Report - Environmental Health

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C28 Fire Hydrants - Herts Fire & Rescue Service

Prior to the first occupation of any part of the development hereby permitted, a detailed plan and specification for the installation of fire hydrants serving the development shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied prior to the provision of operational fire hydrants in accordance with the approved plan and specification.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

C29 Lighting Design Strategy - Bats - Hertfordshire Ecology
Prior to the first occupation of any part of the development, a lighting design strategy for bats shall be submitted to and approved in writing by the Local Planning Authority. This should accurately identify the features/areas of interest, describe levels of illumination prior to, during, and post development, and should be shown in suitable contour plans and charts so that it can be clearly demonstrated that that lit areas will not compromise existing use. Proposed lighting should accord with best practice (Bats and artificial lighting in the UK, (BCT & ILP) and maintained accordingly. No further external lighting should be added unless agreed with the Local Planning Authority. These proposals should also be accompanied by a statement by an ecologist on how it achieves these goals.

Reason: In the interests of biodiversity and to meet the requirements of Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

Other:

C30 Reporting of Unexpected Contamination - Environmental Health
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 12, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

C31 Sustainability and Energy Statement - TRDC
A detailed Sustainability and Energy Statement shall be submitted with the Reserved Matters application in accordance with the energy saving and renewable energy measures detailed within the Sustainability and Energy Statement prepared by Bluesky Unlimited (25 March 2025).

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

Informatives:

I1 Standard Advice: With regard to implementing this permission, the applicant is advised as follows: All relevant planning conditions must be discharged prior to the commencement of

work. Requests to discharge conditions must be made by formal application which includes a fee.

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

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

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

{\b (a)} Making a Non-Material Amendment
{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/homeenergy-efficiency-sustainable-living#Greening%20your%20home.

I2 **Hours of Work:** 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.

I3 **Positive & Proactive:** The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.

I4 **Biodiversity Net Gain (BNG):** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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 (Phase Plans).

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.

I5 **Site Notice Removal:** The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.

I6 **Flood Risk Activity Permit:**

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work

I7 **Water Resources:**

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Residential development

The supply of water in the area is under serious water stress (as identified in our report: Water stressed areas – 2021 classification). All residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within the Building Regulations &c. (Amendment) Regulations 2015. This standard or higher may already be a requirement of the local planning authority.

Commercial/Industrial developments

We recommend that all new non-residential developments of 1000sqm gross floor area or more (i.e. 'major' developments) should achieve the BREEAM 'excellent' standard for water consumption (category 'WAT 01'), or equivalent. This standard may already be a requirement of the local planning authority.

Signing up for flood warning

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit https://www.gov.uk/sign-up-for-flood-warnings. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding

To get help during a flood, visit https://www.gov.uk/help-during-flood

For advice on what do after a flood, visit https://www.gov.uk/after-flood provisions of the Highway Act 1980:

I8 **HCC Highways:**

Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

Storage of materials: 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 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

Debris and deposits on the highway: 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.

Avoidance of surface water discharge onto the highway: 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.

Works within the highway (sections 38 and 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Sections 38, and 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements including areas of adoption which likely arise in respect to the bell-mouth of the new access road. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

Roads to remain private: The applicant is advised that all new roads associated with this development, will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road, and the developer should put in place permanent arrangements for long-term maintenance.

Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction

Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

Travel Plan (TP): TPs, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI May 2014) Evaluation and Support payment for each travel plan would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plans including any engagement that may be needed. Further information is available via the County Council's website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by emailing travelplans@hertfordshire.gov.uk

I11 **Ecology:** In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

I12 **Ecology:** If great crested newts, or evidence of them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

I13 **Ecology:** To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

I14 **S106 Agreement:** The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.

9 Appendix 1 – Consultee Responses

9.1	Active Travel England	No objection

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here:
https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes

ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

9.2	Affinity Water	No objection

Water quality
We have reviewed the planning application documents and we can confirm that the site is not located within an Environment Agency defined groundwater Source Protection Zone (SPZ) or close to our abstractions.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency
Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit Water efficiency credits (affinitywater.co.uk).

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9.3	Environment Agency	No objection

The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding We have produced a series of standard comments for LPAs and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by case consultation with us. This proposed development falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at Flood risk assessments: applying for planning permission - GOV.UK.

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

Informative
Please include the below informative for any permission granted.

Flood Risk Activity Permit
The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work

Advice to Local Planning Authority
The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support Local Planning Authorities and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc.

The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Sequential Test

What is the sequential test, and does it apply to this application?

In accordance with the National Planning Policy Framework (paragraph 174), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories, or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test and:
- the proposed development is consistent with the use for which the site was allocated; and there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

Who undertakes the sequential test?

It is for you, as the Local Planning Authority, to determine an appropriate area of search and to decide whether the sequential test has been passed, with reference to the information you hold on land availability. You may also ask the applicant to identify any other 'reasonably available' sites which are on the open market and to check on the current status of identified sites to determine if they can be considered 'reasonably available'.

Further guidance on the area of search can be found in paragraphs 027-030 of the Planning Practice Guidance here.

What is our role in the sequential test?

We can advise on the relative flood risk between the proposed site and any alternative sites identified - although your strategic flood risk assessment should allow you to do this yourself in most cases. We won't advise on whether alternative sites are reasonably available or whether they would be suitable for the proposed development. We also won't advise on whether there are sustainable development objectives that mean steering the development to any alternative

sites would be inappropriate. Further guidance on how to apply the sequential test to site specific applications can be found in the planning practice guidance here.

Insurance eligibility
New homes built in flood risk areas after 1 January 2009 are not covered by the Flood Re-insurance scheme and may not be eligible for home insurance. We advise contacting an insurance provider to discuss whether your development would qualify for insurance.

Flood Risk Management Scheme Funding eligibility
New properties and buildings converted to housings within areas of flood risk after 1 January 2012 will not be counted towards the outcome measures of any proposed future flood alleviation scheme. This is to avoid inappropriate development in flood risk areas.

Further information can be found at
https://www.gov.uk/government/publications/calculate-grant-in-aid-funding-flood-risk-management-authorities

Flood mitigation
Although we have no objections to the proposed development, the developer may wish to include measures to mitigate the impact of more extreme future flood events. Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at https://www.gov.uk/government/publications/prepare-your-property-for-flooding.

Advice to applicant

Water Resources
Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Residential developments
The supply of water in the area is under serious water stress (as identified in our report: Water stressed areas – 2021 classification). All residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within the Building Regulations &c. (Amendment) Regulations 2015. This standard or higher may already be a requirement of the local planning authority.

Commercial/Industrial developments
We recommend that all new non-residential developments of 1000sqm gross floor area or more (i.e. 'major' developments) should achieve the BREEAM 'excellent' standard for water consumption (category 'WAT 01'), or equivalent. This standard may already be a requirement of the local planning authority.

Signing up for flood warnings
The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit https://www.gov.uk/sign-up-for-flood-warnings. It's a free service that provides warnings

of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding

To get help during a flood, visit https://www.gov.uk/help-during-flood

For advice on what do after a flood, visit https://www.gov.uk/after-flood

Final comments
Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

9.4	Herts Constabulary	No objection

I am pleased to see that it is the intention to build this development to the police minimum security standard, Secured by Design as detailed in the Design and Access statement (6.47-6.51 page 53). I look forward to working with the architects and developer to achieve this.

9.5	Herts Fire & Rescue	No objection

I have looked at the access for a fire appliance and as such HFRS are satisfied with the proposed access arrangements at this time.

9.6	Herts and West Essex ICB (NHS)	No objection, subject to contributions

Please accept this letter as the HWE ICB's position on primary healthcare capacity and need arising from this planning application and the health financial contribution sought if TRDC is minded to grant planning permission.

The HWE ICB became a statutory body on 1 July 2022 and is the health commissioner responsible for delivering joined up health and social health care to a population of c1.5m. in Hertfordshire and west Essex.

The HWE ICB works in partnership with health providers, local authorities, and other organisations to:

- improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area. tackle the inequalities which affect people's physical and mental health, such as their ability to get the health services they need, and the quality of those services help tackle health and wider inequalities.
- get the most out of local health and care services and make sure that they are good value for money.
- help the NHS support social and economic development in Hertfordshire and west Essex.
- A strategic aim of the NHS HWE ICB is the improvement of primary, community and mental health care outside of hospitals. To achieve this, the NHS commissions a number of services from general practices in addition to their "core" activity. On the ground this means more joined up care, for example, primary and community healthcare hubs with

co-ordinated multidisciplinary professionals/ teams. Therefore, a doctors' general practitioners' surgery may also include an ancillary pharmacy and ancillary facilities for treatments provided by general practitioners, nurses and other healthcare professionals to provide care to residents.

Primary Care Networks (PCNs)
Within the HWE ICB there are 35 PCNs across the 14 localities, each covering a population of between circa 27,000 and 68,000 patients. PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services to ensure an integrated approach to patient care.

Patients are at liberty to choose which GP practice to register with, providing they live within the practice boundary. However, most patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons: walking distance, quickest journey time, accessibility by public transport, parking provision.

Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained, the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances.

The HWE ICB keeps up to date PCN patient lists and closely monitors the current and future capacity of GP surgeries against Local Plan allocations/ housing trajectories.

The HWE ICB also ranks PCNs using existing premises data and known development data. This will identify and rank hotspots across the PCN patch where there is a need to explore projects to increase capacity, for example, by either re-configuring, extending or relocating GP practices to provide sufficient space to increase resources and clinical services to keep patient lists open.

Assessment of impact on existing Healthcare Provision
The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in and around the vicinity of Carpenders Park and South Oxhey. This scheme is expected to deliver 256 homes, which based on an average occupancy of 2.4 will create circa **614.4 new patients.**

These new residents will impact on several practices and PCNs. It is difficult to analyse capacity on PCN level as there is little geographical alignment as most practices belong to different PCNs. Therefore, capacity analysis on surgery and settlement level would be more appropriate:

				Settlement level		
Surgery Name	Settlement/ Area	PCN	Number of patients capacity/ constraint relative to 18 per m2	Number of patients capacity/ constraint	Total NIA capacity/ shortfall	Capital impact of existing capacity/ shortfall
South Oxhey Surgery	South Oxhey/ Carpenders Park	MVPS	-1,840	-5,397	-300	£2,098,697
Pathfinder		MVPS	-1,487			
The Consulting Rooms		Alliance	-974			
Attenborough Surgery (Carpenders Park)		Attenborough	-1,095			

*For the purposes of capacity assessment, we have adopted an alternative calculation to the NHS England "Principles of Best Practice" (referred to below) based on 18 patients per m2, which has regard to national GMS space guidelines but also considers opportunities for economies of scale.

This table demonstrates that all surgeries are at capacity and their ability to accept additional patients is limited. The closest practice to the proposed development is Attenborough Surgery branch in Carpenders Park. Even though a small extension was built in 2019, they are still high in terms of patients per m2. The nearby Pathfinder and South Oxhey Surgery are based in the NHS Property Services owned South Oxhey Clinic, which is a 1970s single storey building. Both practices are operating at capacity as can be seen from the table above. There have been several initiatives in the past 15-20 years to incorporate South Oxhey Clinic in the wider South Oxhey regeneration plan, in partnership with HCC and TRDC. Unfortunately, these initiatives have not been fruitful. Therefore, the need for a contemporary health facility in the locality remains.

In light of the above, it is evident that the existing provision would not be able to accommodate the additional patient numbers arising from this development, and indeed potential future housing growth in and around the vicinity of Carpenders Park and South Oxhey.

Cost calculation of additional primary care healthcare services arising from the development proposal

The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the health impacts from this development has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in Carpenders Park and South Oxhey, or other development proposals in the area.

The proposed development would deliver 256 dwellings, which based on an average occupancy of 2.4 occupants per dwelling will create circa **614.4 new patient registrations.**

614.4 new patient registrations/2000 = 0.3072 of a GP *GP based on ratio of 2,000 patients per 1 GP and 199m2 as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development"

0.3072 x 199 m2 = 61.1328m2 of additional space required
61.1328m2 x £7,000* per m2 = £427,929.60(*Build cost; includes fit out and fees)
£427,929.60 / 256 = £1,671.60 per dwelling (rounded up to £1,672 per dwelling)

Total GMS monies requested: 256 x dwellings x £1,672 per dwelling = £428,032 (indexed from the date of the planning permission**)**

The HWE ICB requests that the financial contribution that the HWE ICB is seeking, to mitigate the health impacts from this development is secured through a planning obligation attached to any grant of planning permission.

A trigger point of payment on occupancy of the 100th Dwelling is requested. Please note, the developer contribution figure referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

If planning permission is granted, the HWE ICB propose to focus Section 106 monies on additional primary care premises capacity in South Oxhey and/or Carpenders Park or any other provision serving the development.

In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

The HWE ICB requests that the financial contribution that the HWE ICB is seeking, to mitigate the health impacts from this development is secured through a planning obligation attached to any grant of planning permission.

A trigger point of payment on occupancy of the 100th Dwelling is requested. Please note, the developer contribution figure referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

If planning permission is granted, the HWE ICB propose to focus Section 106 monies on additional primary care premises capacity in South Oxhey and/or Carpenders Park or any other provision serving the development.

i. ***Necessary to make the development acceptable in planning terms***. The provision of community facilities including health is a material planning consideration. As explained above, a financial contribution has been sought to mitigate the primary health service impacts arising from this development, by creating additional primary care premises capacity
ii. ***Directly related to the development.*** The new residents of the development will have an additional impact upon local health services. The financial contribution will be used towards additional facilities in the vicinity of the development. As such the contribution will be used for the benefit of the new residents.
iii. ***Fairly and reasonably related in scale and kind to the development.*** The above financial contribution has been calculated based on 256 new dwellings and 614.4 new patients, to mitigate the primary health service impacts arising from this development.

With regards to the HWE ICB's own governance and scrutiny processes, please note:

All projects are subject to Full Business Case approval by the HWE ICB and NHS England.

A project identified and costed in response to the planning application may not meet the objectives of current strategies or could have significantly increased in cost, especially if there has been any significant time lapse from the date of the response to the date of implementation of the planning consent.

Subject to securing the healthcare developer contribution secured, as set out above, to mitigate the health service impacts arising from this development, the HWE ICB does not raise an objection to the proposed development.

2nd Consultation Response

Thank you for forwarding the applicant's Health Note dated November 2025, submitted in response to the Hertfordshire and West Essex Integrated Care Board's (HWE ICB) formal consultation response of 10 October 2025.

Having reviewed the Health Note carefully, the HWE ICB remains of the firm view that the conclusions reached in our original consultation response are sound and that the applicant's evidence does not justify the removal or reduction of the requested primary healthcare contribution.

A central flaw in the applicant's Health Note is its reliance on GP-to-patient ratios, workforce composition, multi-disciplinary teams and patient satisfaction data as proxies for infrastructure capacity.

The HWE ICB's assessment is premises-led, not workforce-led. This reflects NHS England policy and commissioning practice. The key planning question is whether the existing physical estate has sufficient clinical and non-clinical space to safely and sustainably accommodate population growth arising from the development.

Workforce flexibilities, additional roles and new models of care do not remove the requirement for:
• consulting and treatment rooms
• appropriate circulation and waiting space
• infection control compliance
• staff accommodation and support areas

The Health Note does not demonstrate that this additional space exists within the practices serving Carpenders Park and South Oxhey. The applicant places weight on the fact that local GP practices are currently accepting new patients. This should not be interpreted as evidence of surplus capacity.

GP practices are not permitted to close their lists without approval, even where they are operating under significant space constraints. Continued acceptance of patients reflects system pressures and statutory obligations, not an absence of infrastructure limitations. It would be inappropriate in planning terms to rely on list status alone as an indicator of capacity. Additionally, considering that there are other significant developments planned in the vicinity, it is likely that any capacity that there is, will be exhausted by the time this development completes, and new residents move in. The suggestion that the proposed housing with care element will materially reduce demand on primary care services is not supported by NHS commissioning experience.

Residents of housing with care schemes remain registered NHS patients and continue to access GP services, often at a higher rate due to age, frailty and long-term conditions. While on-site support may assist with wellbeing and care coordination, it does not remove the need for consultation space, clinical rooms or supporting facilities within the primary care estate.
Accordingly, the population arising from this element of the scheme must be included in any assessment of healthcare impact. The applicant challenges the ICB's use of the NHS England "Premises Principles of Best Practice" and associated build cost assumptions.

The ICB confirms that:

• The methodology applied is consistent with NHS England guidance and widely used across the NHS for planning mitigation associated with residential development.
• The cost per square metre reflects current healthcare construction costs, including clinical fit-out and professional fees, and is subject to change over time (last updated in July 2024).
• The contribution sought relates solely to mitigating the impact of this development and does not address existing deficits or historic under-investment.
For completeness, the ICB reiterates that the requested contribution meets all three tests under

Regulation 122 of the CIL Regulations:
• Necessary to mitigate the impact of the additional population on primary care premises;
• Directly related to the development, with funding to be used for facilities serving the new residents;
• Fairly and reasonably related in scale and kind, based on the quantum of development proposed.

For the reasons set out above, the applicant's Health Note dated November 2025 does not provide evidence that existing primary care premises can accommodate the development without mitigation. The HWE ICB therefore maintains its position as set out in the consultation response dated 10 October 2025. Should Three Rivers District Council be minded to grant planning permission, the requested healthcare contribution should be secured through a Section 106 planning obligation.

9.7	HCC Herts Archaeology	No objection, subject to conditions

1st Consultation Response

At this time we do not have enough information about the proposed development or the impact it will have on overarching site. The Design & Access Statement (March 2025) and Heritage Statement (March 2025) submitted with the application does not offer a sufficient assessment of the direct, below ground impact the proposed development will have on the historic environment, only focusing on the above ground heritage assets.

Given that the proposed development site should be regarded as having the potential to contain heritage assets with archaeological interest (NPPF para 207), we believe a Desk Based Assessment, at a minimum, should be produced by an appropriately experienced and recognised heritage and archaeology practice.

We, therefore, advise that an Archaeological Desk Based Assessment and Geophysical Survey be undertaken, in order to provide sufficient information about the significance of heritage assets that may be affected by the development. This work should be carried out prior to determination of the application.

The results of these assessments would determine whether any further archaeological work would be deemed necessary, either prior to the determination of the application, or following planning consent, should such consent be granted.

2nd Consultation Response

As requested, the applicant has submitted a desk-based assessment, produced by HCUK, which considers below ground impact the proposed development will have on the historic environment.

We largely agree with the conclusions made within the desk-based assessment, however, we do still believe there is archaeological potential on the site. Due to concerns raised by the applicant in regards to access onto the site we recommend that the geophysical survey previously advised to be carried out prior to determination can be secured via condition, along with an archaeological evaluation via trial trenching targeting its results.

Therefore, I believe that given the size and scope of the proposed development, it should be regarded as having the potential to have an impact on heritage assets of archaeological interest, and I recommend that the following provisions be made, should you be minded to grant consent:

1. A geophysical survey of the development area, prior to any development commencing;

2. the archaeological field evaluation of the proposed development area, via trial trenching, prior to development commencing;

3. such appropriate mitigation measures indicated as necessary by that evaluation.

These may include:
a. the preservation of any remains in situ, if warranted,
b. appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of results,
c. archaeological monitoring of the groundworks of the development (also including a contingency for the preservation or further investigation of any remains then encountered),
d. such other provisions as may be necessary to protect the archaeological interests of the site;

4. the analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results;

5. such other provisions as may be necessary to protect the archaeological interests of the site;

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 16 (para. 218, etc.) of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording

5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

I hope that you will be able to accommodate the above recommendations.

Please do not hesitate to contact me should you require any further information or clarification.

9.8	HCC Herts Footpath Section	No response received (dealt with via HCC Highways Comments)

9.9	HCC Herts Growth and Infrastructure Unit (Adult Care Services)	No objection, contributions requested

I am writing to Three Rivers District Council to set out Hertfordshire County Council's position in relation to the above-named site.

It is our understanding that the site is being proposed for 60 units of market housing with care with associated communal facilities, although it is unclear from the Planning Needs Assessment whether the proposal will include the availability of CQC registered care onsite should a resident require it. Although the importance of onsite care is mentioned throughout the document, the proposed scheme states that the provision of care 'will be flexible and adaptable as required, with support available 24 hours a day, should this be necessary'.

<u>Policy Position</u>
The county council's current policy for older people's housing is to seek the provision of Housing with care at 65 units per 1,000 head of population aged over 75, Nursing Care at 45 units per 1,000 head of population aged over 75 and Residential Care at 20 per 1,000 head of population aged over 75.

These figures reflect the county council's policy to support a general increased provision of specialist housing. This also echoes the national government position which seeks to emphasise the key importance of the provision of housing for older people, as well as the findings of the Older Persons Housing Taskforce.

A report published on the 26 November 2024 by The Older Persons Housing Taskforce stresses the need for age-friendly and dementia friendly housing to be built to ensure that older people can live with dignity, independence, and wellbeing in their later years.

- The county council seek to reduce the reliance on residential care in most instances with a strategy of reducing this provision and steering it towards housing with care which is suitable for both low, medium and high levels of care. This type of housing ensures that the most appropriate and enabling environment is provided, allowing residents to stay within their own homes throughout their lifetime, including those who develop dementia, whilst also allowing general needs housing to be released back into the market. As such, the county council are particularly supportive of additional provision of this type where there is an established need for it and where it accords with the definition set out in the Planning Practice Guidance:

  Extra care housing or housing-with-care: This usually consists of purpose built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.

- The county council are also supportive of the provision of very specialist accommodation such as nursing and dementia care.

Need

The county council have undertaken an assessment of need for all types of accommodation in each local authority and based on an expected population growth in those aged over 75 of 13,512 people by 2042, have identified a future need of 857 units of housing with care (188 to be affordable), 284 nursing care beds and a surplus of 202 residential care beds. On this basis alone, the county council would support either housing with care or nursing care at this development, however these figures are dependent on the delivery of other similar schemes that may come forward sooner.

While this provides a mathematical assessment of need based on certain assumptions other real-world evidence such as vacancy rates, waiting lists and rate of sales/lettings can also indicate demand (or lack of) for specialist housing for older people and should be a consideration for the council. Equally, a mathematical surplus does not suggest that the existing provision should be automatically reduced. Evidence of vacancy rates and sales/letting rates may often be a sign of the age and/or quality of accommodation and should be a consideration for the council.

Other Considerations

- To ensure that specialist housing schemes meet the definitions set out within the PPG, particularly in relation to on-site care and support, the county council would encourage the LPA to secure provision through an appropriate planning obligation or condition. The county council have drafted template S106 wording for this purpose.
- The county council would encourage the LPA to ensure that any provision of specialist accommodation includes an element of affordable housing or offsite contribution. With any off-site contribution to be used towards alternative affordable specialist housing schemes.
- The county council would like the right of first refusal to be exercised through an option to take transfer of the land to enable the delivery of nursing care.

- The county council look more favourably on accommodation in sustainable locations and those that provide a range of facilities on site. It should have access (ideally within 500m) to public transport links and community facilities such as a GP surgery and shops. It would also benefit from providing a range of social and communal facilities, to ensure delivery of a high standard of accommodation. A full list of facilities and recommendations can be found in the county council's Service Provision and Placemaking Guide.
- To ensure, wherever possible, that communities are suitable for a range of ages, larger strategic developments should seek to include an element of specialist housing for older people. The county council would also encourage a range of typologies, built form and tenures at a more local level and would broadly support any diversification of supply particularly where there is an identified need and where very specialist accommodation is included
- The council should encourage the redeployment of any surplus stock to other tenures or levels of care in the first instance.
- The county council would also encourage the council to seek as much development to be built to M4(2) standards as possible, as well as seeking an element of M4(3), to ensure accommodation is better equipped to respond to changing needs. Although it is recognised that the provision of both affordable housing and M4(2)/M4(3) compliance have ramifications to a site's viability

The county council in principle supports this application but would like certainty on the onsite provision of CQC registered care and suggest that this is secured through an appropriate planning obligation or condition.

9.10	HCC Herts Growth and Infrastructure Unit	No objection subject to obligations.

I am writing in respect of planning obligations sought towards non-transport services to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information to date for the development of 256 dwellings, 1 x 4 bed childrens home and 60 housing with care units we would seek financial contributions towards the following projects

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	38	20
3	50	28
4+	8	5
Total	96	53

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	33	18
2	37	20
3	0	0
4+	0	0
Total	70	38

Trajectory						
Year	2025	2026	2027	2028	2029	2030
Units	0	86	86	85	0	0

PLEASE NOTE: The above development mix is based on a policy compliant mix discussed with the planning officer and the tenure details provided within the application form. If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought.

Secondary Education Contribution towards the delivery of a new secondary school at Carpender's Park and/or provision serving the development (£1,942,832 (which includes land costs of £38,442) index linked to BCIS 1Q2024).

Special Educational Needs and Disabilities (SEND) Contribution towards the delivery of new Severe Learning Difficulty (SLD) special school places (WEST) and/or provision serving the development (£362,609 index linked to BCIS 1Q2024).

Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£26,033 index linked to BCIS 1Q2024)

Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): “fairly and reasonably relates in scale and kind to the development”.

Outline applications will require the ability for an applicant to recalculate contributions at the point of a reserved matters application and as such a calculation Table will be provided as part of the S106 drafting process. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to amend the dwelling mix at a later stage and the financial contribution to be calculated accordingly.

Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

Justification The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021 and is available via the following link: Planning obligations and developer infrastructure contributions | Hertfordshire County Council In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms. Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states “No payment of money or other consideration can be positively required when granting planning permission.” The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) (Directly related to the development. The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.

(iii) Fairly and reasonably related in scale and kind to the development. The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).

2nd Consultation Response

Thank you for your notification regarding the new information submitted by the applicant for the proposed development at Land to the east of Oxhey Lane.

I note that the applicant does not agree the secondary school contribution is necessary due to the forecasted decline in population growth and surplus secondary school places showed in their report submitted.
As mentioned in my email of 16 September, I explained:

“While financial contributions are being sought for its provision, this does not necessarily mean the school will be delivered in the near term, particularly given the time in which yield is projected to arise from new development in need of mitigation. Changing demographics, such as the drop in birth rates, will affect the demand for new school provision; however, this will need to be balanced with the projected yield from existing permissions and new growth.”

Changing demographics could affect the demand for secondary provision, but this must be considered alongside projected growth from existing permissions, windfall applications, and the emerging Local Plan, all of which contribute to future demand. The County Council has a statutory duty to ensure sufficient school places are available both now and in the future. Therefore, where local capacity is considered insufficient at the time of assessment, planning obligations will be sought to mitigate the impact of development. In this case, when assessing this application, it is our view that additional capacity will be required to accommodate the pupils anticipated to arise from the scheme.

I note that some analyses have been undertaken in the Education Note recently submitted by the applicant. In paragraphs 2.9 - 2.11 and Table 2.3, the surplus/deficit column appears to reflect total capacity across all year groups, the majority of the capacity is within the upper year groups of one individual school and exacerbated by capacity within the sixth forms.

Further capacity may also appear available due to temporary expansions which have been made available through over-allocation. This capacity therefore may not permanently be available at schools in this position.

When assessing the impact of new development, however, our standard approach is to calculate the yield at the year of entry rather than distributing it evenly across all year groups. This method is applied to assess school capacity across the county.

For reference, I’ve included links to Our Guide to Developer Infrastructure Contributions which provides an overview of the planning obligations we may seek from an individual planning application. They can be viewed here –

- Guide to Developer Infrastructure Contributions

- Technical Appendix 3 - Education (Mainstream Schools)

These documents set out the requirements and technical considerations we apply when identifying the need for appropriate mitigation in response to new development. Furthermore, a small surplus shown in forecasts is not necessarily indicative of excess capacity but rather reflects a prudent planning margin. As explained earlier, the secondary yield for this application is not expected to peak until beyond the forecast period. Therefore, current forecasts provide only a partial picture and should not be used as the sole reference point when assessing long-term educational need. For the current year of entry all schools within the area are full to capacity. Our position remains as outlined in my previous response. I must emphasise that the timing of mitigation measures must align with when the peak pupil yield is expected to materialise, which could be several years after the development is completed. Based on the information provided, the peak yield is anticipated to occur beyond both the development completion timeframe and the short-term school forecast for primary and secondary provision.

Finally, as mentioned in my email of 16 September, any S106 agreement will include a refund clause, allowing applicants to request the return of contributions if they are not used to deliver appropriate mitigation within 10 years, should circumstances change. I hope the details outlined above provide clarity on the County Council's position. Please let me know if you have any questions.

9.11	HCC Herts Ecology	Objection.

Thank you for consulting this office on the above application.

Overall Recommendation:

Insufficient information to advise determination of the application.

The planning officer should either:
1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.
Summary of Advice:

• In line with the recommendations of the ecology report GCN (eDNA), breeding bird surveys and a third bat activity are required prior to determination. If these have been undertaken the results should be provided.
• No trees with roosting features should be removed without further assessment for bats.
• BNG - Insufficient information.
• Condition 1 – CEMP.
• Condition 2 – Pre-commencement badger survey.
• Condition 3 – Species Enhancement Plan.

Comments:
The site mostly comprises other neutral grassland surrounding by scrub habitat and mature trees and there is an area of deciduous woodland (Merry Hill managed by the Woodland Trust) adjacent to the eastern boundary. The site is of ecological value in its entirety and boundary features are of particular value for wildlife.

An Ecological Assessment has been submitted in support of the application (Ecology Solutions, 14/03/2025). However, there is currently insufficient information on protected species and Biodiversity Net Gain to advise determination of the application.

Protected Species:

Great crested newts:
The report notes four ponds present within 500m of the site (not separated by barriers to dispersal), the closest of which is 10m from the western site boundary. The site has suitable terrestrial habitat for newts.

It has been recommended in the ecology report that eDNA samples should be taken from all 4 ponds to determine GCN presence/absence. Great crested newts and their habitats are fully protected under national and international law. Sufficient information on the status of GCN is therefore required prior to determination to ensure the LPA can consider the impact of the proposal on this species and discharge their legal obligations under the Conservation of Habitats and Species Regulations 2019 (as amended).

Consequently, I advise that the eDNA surveys recommended in the ecology report should be undertaken prior to determination. If GCN are confirmed to be present, then further surveys to determine population sizes may be required, and a license sought from Natural England.

The results of the eDNA survey should be submitted to the LPA for approval prior to determination.

Bats:
Roosting Bats:
There are no structures onsite.

Section 4.3 of the Ecological Assessment states that 34 trees on-site were recorded as having potential roost features, 2 of which were suitable for multiple bats / maternity roosts (one of these showed staining and is likely to be a roost). If direct or indirect impacts are likely then trees categorised as PRF-M should be subject to further survey.

The EA also refers to an oak tree with severed branches, fissures, large gaps, holes and splits and two dead oak trees with multiple woodpecker holes and split branches but has only assessed these as PRF-I. The full details of the GLTA assessment have not been submitted.

The EA states that only 3 trees without PRFs will be removed. The Arb report states that only 2 monoliths will be removed.
Under no circumstance should any tree identified to possess roosting features (PRF-M or PRF-I) be removed without further assessment.

Foraging and Commuting Bats:
The habitats onsite were deemed to be of high suitability for foraging and commuting bats. The results of bat activity surveys in 2024 have been provided with a third survey recommended for spring 2025. Confirmation that this survey has been completed and the results and assessment of impacts should be provided to the LPA. A lighting strategy is likely to be required.

Breeding Birds
The trees, woodland and scrub habitat within the site offer good nesting and foraging opportunities for a variety of bird species. Most of this habitat will be retained however an approach to vegetation clearance in respect of nesting birds should be included within a Construction Ecological Management Plan. The site also contains areas of unmanaged grassland suitable for ground nesting bird species. Breeding bird surveys have been recommended but no details / survey results have been provided. These will be required prior to determination.

Badgers:
No evidence of badgers was found during the PEA, however habitats appropriate for sett building were present. A pre-commencement badger survey has been recommended to determine

whether any new badger setts have been excavated onsite, or within 30m of the site

Reptiles: The site was deemed to be suitable for reptiles with habitats such as scrub, vegetated strips, rough grassland, and hedgerows present. Presence/absence surveys have been completed and no reptiles were found. However, reptiles are mobile species and given the suitable habitat both on and adjacent the site a precautionary approach to vegetation clearance should be included within a Construction Ecological Management Plan.

Condition 1 - A Construction Environmental Management Plan (CEMP)
Prior to commencement of works (including any site clearance) details of precautionary measures to safeguard reptiles, amphibians, badgers, hedgehogs and nesting birds, as well as details of the protection of retained habitat (e.g. hedgerows and trees) should be submitted to and approved by the LPA. I advise these are secured by a Condition requiring these as method statements within a Construction Ecological Management Plan.

“No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Assessment by Ecology Solutions (Sept 2024).
2. Risk assessment of potentially damaging construction activities.
3. Identification of ‘biodiversity protection zones’
4. A set of method statements outlining practical measures (both physical measures and sensitive
working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent
person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason
To ensure sensible working practices which protect ecology on and adjacent to this site.

Condition 2 – Pre-commencement badger survey.

No development shall take place (including demolition, ground works, vegetation clearance) until a badger survey, no earlier than two months prior to the commencement of the development, is carried out. This survey shall determine whether any new badger setts have been excavated onsite, and within 30m of the site. The results of this survey shall be submitted to the LPA for approval.

Condition 3 – Species Enhancement Plan

The NPPF (2024) section 187d states that planning decisions should enhance the natural and local environment by incorporating features which support priority or threatened species such as

swifts, bats and hedgehogs. Consequently, I advise that a Biodiversity Species Enhancement Plan for Protected and Priority Species demonstrating how these are included in the development should be secured by Condition such as the following or similar.

Prior to the commencement of development A Biodiversity Species Enhancement Strategy /Plan for Protected and Priority Species by an appropriately experienced ecologist shall be submitted to and Approved in writing by the LPA The Strategy/ Plan should include the incorporation of permanent integral bat roosting, integral Swift Bricks within buildings and hedgehog homes and highways. Swift Bricks should be of a universal design, with bat roosting features and universal Swift Bricks being Integrated, built "into" rather than "onto" buildings. Features should be installed in a ratio of one for every two buildings.

The scheme/ plan shall include, but not be limited to, the following details:
a) Purpose and conservation objectives for the proposed enhancement measures
b) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
c) Detailed designs to achieve stated objectives;
d) Materials and construction to ensure long lifespan of the feature/measure
e) Proposed Locations shown by suitable maps and plans and where appropriate the elevations and orientation of the features or measures to be installed or undertaken
f) When the features or measures will be installed within the construction, occupation, or phase of the development,
g) Persons responsible for implementing the enhancement measures
h) Details of initial aftercare and long-term maintenance (where relevant)

Thereafter, the biodiversity enhancement measures shall be carried out and maintained for their designed purpose in accordance with the approved details including timescales and shall be retained as such thereafter.

Biodiversity Net Gain
A Biodiversity Net Gain Assessment report has been submitted which states that baseline habitat units stand at 128.36 Area Habitat Biodiversity Units (AHUs). Ecologically valuable baseline habitats comprise moderate condition other neutral grassland, moderate condition blackthorn scrub, good condition lowland mixed deciduous woodland 47 good condition trees, and modified grassland.

Of the 47 trees on-site, the report states 22 are very large, 14 large and 11 medium sized. All ancient and veteran trees must be recorded within the biodiversity metric tool and marked as an irreplaceable habitat.
Detailed descriptions of these trees have not been provided. The tree survey for the site - Appendix 2 of the Tree Report for the site ACD reference PRI24711ts (referenced in the Arboricultural Impact Assessment) does not appear to have been submitted.

The conclusion of the BNG Assessment report shows that the proposed development would result in a net loss of -43.61 AHUs (-33.97%) whilst the in Section 4.2.3 a loss of -44.53 (-36.38%) is stated. However, the Statutory Metric Calculation Tool spreadsheet has not been submitted and therefore it is not possible to assess or comment on these claims or the baseline assessment.

Additionally, although habitat maps are included in the report, they do not include a scale bar. A completed Metric spreadsheet and baseline habitat plan to an identifiable scale are part minimum mandatory requirements for BNG required prior to determination.

<u>BNG Minimum Information Requirements</u>

Where the development would be subject to the biodiversity gain condition, the application must be accompanied by minimum information
• confirmation that the applicant believes that planning permission, if granted, the development

would be subject to the biodiversity gain condition;
• the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
• where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
• the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
• a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation')
• a description of any irreplaceable habitat
• plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

Applicants should be aware that local planning authorities may request further information relating to biodiversity net gain as part of the planning application.

2nd Consultation Response

Protected species

1. **Great Crested Newt**

The council previously advised that the eDNA surveys recommended in the Amended Ecology Report should be undertaken prior to determination. If Great Crested Newts (GCN) are confirmed to be present, then further surveys to determine population sizes may be required, and a license sought from Natural England. The results of the eDNA survey should be submitted to the LPA for approval prior to determination.

The Amended Ecology Assessment (ref) reported an environmental DNA (eDNA) survey for GCN was attempted on 3 July of 4 ponds. Three of the ponds were found to be completely dry at the time of the visit, therefore eDNA sampling was not possible.

The attempted survey date fell **outside the accepted GCN eDNA survey window**, which runs from **15 April to 30 June**. Whilst eDNA from GCN typically persists in water for several weeks after breeding activity and therefore 3 days is unlikely to affect the result of the wet pond, this could have a bearing on the other dry ponds.
The report includes a Habitat Suitability Assessment taken of one of the ponds in 2019, as excellent. There is an absence of Habitat Suitability Assessment data for 3 of the ponds.

Planning Implications
Despite three of the ponds being dry at the time of survey, Natural England's standing advice requires local planning authorities to consider the potential presence of GCN wherever suitable breeding or terrestrial habitat is present within or near a development site. Suitable aquatic habitat that is temporarily dry can still form part of a GCN breeding network, and its condition must therefore be considered within the planning process.

Recommended Next Steps
Provide Habitat Suitability Index (HSI) Assessment survey results for ponds 1, 3 and 4. Since HSI assessments can be completed even when ponds lack water, this approach provides an evidence-based evaluation of the pond's potential to support breeding GCN.

Either Complete Traditional Presence/Absence Surveys for ponds 1, 3 and 4 in the appropriate Season or adopt a precautionary approach:

If ponds are found to be wet, undertake an eDNA or traditional survey methods during the next suitable survey season (mid-March to June). Where development programming does

not permit waiting until the next survey window, it may be appropriate to apply precautionary mitigation measures based on habitat suitability and known regional GCN distribution, where survey constraints are genuine and documented.

Conclusion
The inability to complete the eDNA survey was due to (a) the absence of water in the pond. This prevented collection of valid eDNA evidence, and the planning process must therefore rely on alternative assessment methods and/or precautionary approaches until suitable survey conditions return.

2. Breeding birds

As per the councils previous planning report, the trees, woodland and scrub habitat within the site offer good nesting and foraging opportunities for a variety of bird species. Most of this habitat will be retained, however, an approach to vegetation clearance in respect of nesting birds should be included within a Construction Ecological Management Plan.

The Amended Ecology Report reports the site to contain 'areas of unmanaged grassland suitable for ground nesting bird species. It is also noted that records of such species, including Skylark, were returned by the data search and are thus potentially present within the area'.

Skylark is a Priority Species (NERC Act S41) and operates best in open landscapes, as such a breeding bird survey is required to inform the mitigation, as the loss of its habitat.

Although the submitted ecology report provides an estimated territory density and proposes off-site compensation, the absence of breeding bird surveys means the application is not supported by adequate ecological information. As skylark is a Section 41 Priority Species, the Local Planning Authority must have baseline survey data to assess impacts and the feasibility and proportionality of mitigation before determining the application. It is therefore not appropriate to defer skylark surveys or the justification for off-site compensation to Reserved Matters.

The applicant must submit breeding bird surveys, a quantified impact assessment, and an outline compensation strategy informed by the survey results prior to determination. Loss of habitat for Priority species requires clear demonstration of a like-for-like and better compensation strategy.

3. Bats

Foraging and Commuting Bats:
The habitats onsite were deemed to be of high suitability for foraging and commuting bats. The results of bat activity surveys in 2024 have been provided. The survey missed the early season walkover visit. As per the councils previous planning report (ref), confirmation is required that a third survey was undertaken in spring 2025. A lighting strategy is likely to be required.

Two Night Walkover Surveys (NWS) were undertaken in August and October 2024 and a further two in August and September 2025, complimented with static deployment in August, September and October 2025.

The additional surveys in 2025 were not undertaken during the early season to detect maternity roost activity, needed to inform appropriate mitigation.

Roosting bats:
A Ground Level Tree Assessment identified a number of Potential Roost Features (PRFs) within trees on site. These have been categorised using the updated objective PRF

classification system, which distinguishes between features suitable for multiple bats (PRF-M) and those suitable only for individual bats (PRF-I).

There are no structures onsite. The Ecological Assessment states that 32 trees on-site were recorded as having potential roost features, 3 of which were suitable for multiple bats / maternity roosts. The report states that 3 trees are to be removed, one of which has PFR-I but none have PRF-M.

Three notable trees were found with PRF-M. Under no circumstance should any tree identified to possess roosting features (PRF-M or PRF-I) be removed without further assessment.

Trees with PRF-M:
Further survey is required to determine presence/absence of a maternity roost and to inform mitigation and licensing if required, if they are to be lost.

Trees with PRF-I:
The updated guidance states that tree features suitable for individual bats no longer receive additional survey effort. Instead, if trees with PRF-I are to be lost, appropriate compensation must be secured, such as bat boxes to maintain ecological function. 1-2 boxes to be provided per tree lost, in diverse orientations and to include monitoring.

A lighting strategy should be provided, to protect potential roosting and commuting habitat, irrespective of whether any of the tree with PRF-M or PRF-I are lost.

Conclusion:
Because NBW surveys (Aug–Oct) fall outside peak maternity detection periods, they cannot be used to rule out maternity use in PRF-M trees and additional surveys are therefore mandatory, even if the trees are retained.

- PRF-M features:
    - Further survey required to assess potential maternity use, either as a Bat Aerial Inspection and/or Emergence Survey Condition of the trees or early season NWS.
    - Mitigation/licensing may be needed depending on findings.
    - Lighting controls essential to avoid roost disturbance.
- PRF-I features:
    - No further survey required under current guidance.
    - Compensation (e.g., bat boxes) is mandatory for any lost trees, to maintain ecological function.
    - Lighting strategy must still protect potential roosting and commuting habitat.

BNG- Pre Determination
Minimum BNG information pre- determination:

1. Biodiversity Net Gain Assessment

An Amended BNG Assessment report has been submitted, which states that baseline total of 119.91habitat units are present pre-development. Forty-seven individual trees are present within the site. Of these, ten are considered as meeting the criteria for veteran trees, which are irreplaceable habitat. No veteran trees are to be lost as part of the proposals.

The Amended Ecology Report reports a loss of -33.97% of Area Biodiversity Habitat Units from pre- to post-development, however, the BNG Assessment reports a loss of -36.37%. -36.37% reflects the score within the submitted Statutory Biodiversity Metric.

The Amended BNG Assessment report is based on the Landscape Master Plan P24-2420-EN-08 (Appendix 1). The plan in Appendix 1 differs from the Outline Amended Master Plan submitted with the application (P24-2420-EN-08D), notably with respect to the number and location of parcels of woodland and the location/area of the orchard in the north of the site.

The Amended BNG Assessment report states the biodiversity units required to satisfy trading rules total 51.36 habitat units, however, the submitted Biodiversity Statutory Metric says 55.6 units are required.

Amendment of the BNG Assessment report is required to the submitted landscape plan and to the metric. As such, the BNG Assessment report is not credible.

Woodland
The report notes the woodland has been classified as “Priority Habitat Inventory: Deciduous Woodland”, and is therefore recognised as a Priority Habitat under Section 41 of the NERC Act (2006). Priority Habitats are treated as high distinctiveness habitats, meaning Loss must be compensated “like-for-like” under the metric and that Development must avoid impacts first, then minimise, then compensate only as a last resort.

The Amended Ecology Report states that woodland present to the southeast of the site is priority deciduous woodland, a habitat of Principle Importance under Section 41 of the NERC Act 2006. This habitat is to be **retained in its entirety** and the proposed built form is to be offset from this habitat by a minimum of 15m to ensure no conflicts with RPAs." However, the Amended BNG Report states that "Woodland will be largely retained within the development with **a small section removed** to facilitate the establishment of a woodland footpath."

The Amended Ecology Report fails to assess the loss of this habitat and mitigate/ compensate through the mitigation hierarchy. The report must justify why it cannot be avoided. It is recommended that the footpath resulting in habitat loss is re-aligned to avoid the woodland, or otherwise its loss must be justified through the mitigation hierarchy.

2. <u>Biodiversity Statutory Metric (BSM)</u>

Previous objections have been satisfied: Statutory Metric Calculation Tool spreadsheet has been submitted; all ancient and veteran trees have been recorded within the biodiversity metric tool and marked as an irreplaceable habitat; and a scale bar has been included on the maps.

However, the report and metric fails to provide how no net loss and 10% net gain will be achieved. No deliverable strategy has been provided. Where off-site units are to be provided, they must be included in the metric for outline planning applications.

The report provides pre-development, post-development biodiversity values and given on-site proposals are insufficient, the number of off-site units required. However, off-site units must be added to the metric.

If relying on off-site BNG, the application must include:

- The **location** of off-site land,
- The **units** generated,
- Habitat types, target condition, area (ha),
- Spatial/strategic multipliers,

- Evidence that off-site delivery can be secured for **30 years**,
- Usually through a draft **Section 106** or Conservation Covenant.

In applying the mitigation hierarchy, in accordance with the CIRIA, CIEEM and IEMA principles of good practice to achieve Biodiversity Net Gain, avoidance of the loss of Priority Habitat woodland should be first considered, such as realignment of the footpath, before considering offsetting.

The following are required prior to approval:

- Evidence of off-site options (location, units, legal mechanism)
- Only if necessary, justification for statutory credits and accurate shortfall figures
- Confirmation that trading rules will be satisfied through the revised proposals
- An outline but credible BNG delivery strategy

The following can be provided as Reserved Matters / Condition:

- Management Plans (30-year Habitat Management and Monitoring Plan)
- Detailed design of habitat creation (e.g., planting mixes, fencing details)
- Phasing and implementation details
- A finalised Biodiversity Gain Plan - after permission but before commencement

It is concluded to reject the application **on the grounds that the BNG calculations are not credible** and not in accordance with the Principles of BNG, and therefore the proposal fails to demonstrate deliverable net gain.

The applicant must explicitly state whether the development will be subject to the biodiversity gain condition.

Conditions:

Condition 1 - A Construction Environmental Management Plan (CEMP)
Prior to commencement of works (including any site clearance) details of precautionary measures to safeguard reptiles, amphibians, badgers, hedgehogs and nesting birds, as well as details of the protection of retained habitat (e.g. hedgerows and trees) should be submitted to and approved by the LPA. I advise these are secured by a Condition requiring these as method statements within a Construction Ecological Management Plan.
“No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Assessment by Ecology Solutions (Sept 2024).
2. Risk assessment of potentially damaging construction activities.
3. Identification of ‘biodiversity protection zones’
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;

7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
10. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
11. Reason
12. To ensure sensible working practices which protect ecology on and adjacent to this site.

Condition 2 – Pre-commencement badger survey.
No development shall take place (including demolition, ground works, vegetation clearance) until a badger survey, no earlier than two months prior to the commencement of the development, is carried out. This survey shall determine whether any new badger setts have been excavated onsite, and within 30m of the site. The results of this survey shall be submitted to the LPA for approval.

Condition 3 – Species Enhancement Plan
The NPPF (2024) section 187d states that planning decisions should enhance the natural and local environment by incorporating features which support priority or threatened species such as swifts, bats and hedgehogs. Consequently, I advise that a Biodiversity Species Enhancement Plan for Protected and Priority Species demonstrating how these are included in the development should be secured by Condition such as the following or similar.

Prior to the commencement of development A Biodiversity Species Enhancement Strategy /Plan for Protected and Priority Species by an appropriately experienced ecologist shall be submitted to and approved in writing by the LPA The Strategy/ Plan should include the incorporation of permanent integral bat roosting, integral Swift Bricks within buildings and hedgehog homes and highways. Swift Bricks should be of a universal design, with bat roosting features and universal Swift Bricks being Integrated, built "into" rather than "onto" buildings. Features should be installed in a ratio of one for every two buildings.

The scheme/ plan shall include, but not be limited to, the following details:

a) Purpose and conservation objectives for the proposed enhancement measures
b) Description, design or specification of the type of feature(s) or measure(s) to be undertaken;
c) Detailed designs to achieve stated objectives;
d) Materials and construction to ensure long lifespan of the feature/measure
e) Proposed Locations shown by suitable maps and plans and where appropriate the elevations and orientation of the features or measures to be installed or undertaken.
f) When the features or measures will be installed within the construction, occupation, or phase of the development,
g) Persons responsible for implementing the enhancement measures
h) Details of initial aftercare and long-term maintenance (where relevant)
Thereafter, the biodiversity enhancement measures shall be carried out and maintained for their designed purpose in accordance with the approved details including timescales and shall be retained as such thereafter.

Condition 4 – Biodiversity Net Gain Plan
No development shall commence until an Overall Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority (LPA).
The plan shall:

- Demonstrate delivery of a minimum 10% biodiversity net gain across the whole development.
- Present habitat condition assessments, baseline units and post-intervention units.

- Identify on-site components, delivery mechanisms, timescales, monitoring, and responsibilities.
- Be consistent with the approved BNG Metric and BNG Report.
- Include a 30-year monitoring and management plan.

Development shall be carried out in accordance with the approved plan.

Reason: The BNG Metric and BNG Report identify the requirement to secure a minimum 10% biodiversity net gain. A condition is required to ensure the approved metric is translated into a deliverable, enforceable plan covering habitat creation, enhancement, monitoring and reporting.

Condition 5 – Biodiversity Management Plan
Prior to commencement, a detailed 30year Habitat Management and Monitoring Plan (HMMP) must be submitted and approved. It must include:

- Management prescriptions for all created/enhanced habitats (new native species hedgerow, 12 replacement ash trees).
- Monitoring schedule (minimum years 1, 5, 10, 20, 30).
- Success criteria aligned with the statutory metric.
- Remedial actions if targets are not met.
- A mechanism for securing delivery (condition, S106, or conservation covenant).

Reason: To comply with the Environment Act 2021 and BS42020 clauses 8.5 and 11.1–11.2, ensuring BNG is deliverable, measurable and legally secured for 30 years.

Reason: To ensure mitigation and enhancement measures are implemented to a professional standard (BS42020 clauses 5.2, 6.3, 11.1)

9.12	HCC Herts Highways	Objection
1st Consultation Response		

Recommendation
Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons: REASONS AND COMMENTS Objections are raised against approval of this application for the following reasons:

i. No audit has been provided on the quality of cycling and walking routes in the vicinity of the proposed development. The sustainability of the proposal has therefore not been properly evaluated. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7 and 8 of Hertfordshire's Local Transport Plan, 2018.

ii. The lack of bus services in the vicinity of the site has not been addressed. This further questions the sustainability of the proposal. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7, 8 and 9 of Hertfordshire's Local Transport Plan, 2018.

iii. Trip generation, distribution and assignments provided in the TA are not acceptable. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

iv. No safety audit has been provided in respect to the two proposed new accesses. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

v. No assessment has been made on the impact of the development on street trees. This is considered contrary to paragraph 118 of the NPPF which requires a vision-

led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

vi. The TA does not provide a gradient profile for the proposed new road onto the A4008. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

vii. Visibility splays from the junction are not provided in the TA. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

viii. The proposed access onto the A4008 is considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018.

Background

The application is for outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters). A Transport Assessment (TA) has been provided to support the application. As noted in the TA, HCC provided pre-application comments to the applicant earlier this year. These comments included the recommendation that "a scope for the TA is agreed with the highway authority prior to its preparation as part of its pre-application process". This was not however taken up by the applicant and no scope for the TA was agreed. It is noted that the TA includes an "Illustrative Masterplan" for the site. No commentary is provided on this. This would be a matter for consideration as reserved matters post any approval of the current Outline application.

Policy

Relevant policy considerations include the NPPF and HCC's Local Transport Plan (LTP) 4 (2018). LTP 4 Policy 1 (Transport User Hierarchy) considers that "To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- Opportunities to reduce travel demand and the need to travel
- Vulnerable road user needs (such as pedestrians and cyclists)
- Passenger transport user needs
- Powered two-wheeler (mopeds and motorbikes) user needs
- Other motor vehicle user needs.

LTP 4 Policy 5 (Development Management) states that:

'The county council will to work with development promoters and the district and borough councils to:

a) Ensure the location and design of proposals reflect the LTP Transport User Hierarchy and encourage movement by sustainable transport modes and reduced travel demand.

b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards.

c) Consider the adoption of access roads and internal road layouts where they comply with the appropriate adoption requirements and will offer demonstrable utility to the wider public. Where internal roads are not adopted the county council will expect suitable private management arrangements to be in place.

d) Secure developer mitigation measures to limit the impacts of development on the transport network, and resist development where the residual cumulative impact of development is considered to be severe.

e) Require a travel plan for developments according to the requirements of 'Hertfordshire's Travel Plan Guidance'.

f) Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals.
g) Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users.
h) Ensure new developments provide facilities for charging plug-in and other Ultra Low Emission vehicles, as well as shared mobility solutions such as car clubs.

HCC LTP Policy 6 seeks to address accessibility. Policies 7 and 8 address walking and cycling respectively with policy 8 seeking a step change in cycling. Policy 9 seeks to promote and support bus services to encourage reduced car use.

Hertfordshire's Place and Movement Planning & Design Guidance was formally adopted in 2024 as a supporting document for HCC's Local Transport Plan.

Site
Oxhey Lane (A4008) is considered to be a P2/M2 road under P&MPDG, albeit this is queried by the applicant in the TA. It is categorised as a Main Distributor Road. It has street lighting and a 40mph speed limit. The TA states that "northbound 85th percentile speeds range from 34.4mph to 40.0mph, and southbound between 34.6mph and 41.3mph" with southbound and northbound 85th percentile speeds of 37-38 mph at the Automatic Traffic Counter (ATC 1) situated just south of Carpenders Avenue.

A public right of way – footpath Bushey 025 – starts opposite Carpenders Avenue in Oxhey Lane and provides a link to Merry Hill. Separate comments will be provided by HCC's Rights of Way team. Section 3.8 of the TA details casualty data in the area for the last five years one involving a cyclist. Two serious and two slight injury incidents are noted. Two incidents involving injury took place in Carpenders Avenue, and two in Oxhey Lane.

The TA states that "The two serious PIAs were both caused by driver error. One of these involved a speeding vehicle travelling east on Carpenders Avenue over the brow of a hill, and crashed into a vehicle heading west as they did not react in time due to irresponsible speeds. The other serious PIA occurred when a driver failed to look properly when pulling out of Carpenders Avenue onto Oxhey Lane, resulting in sudden braking of a motorcyclist and a collision." The TA further notes that "there does not appear to be any existing highway safety concern close to the site, that the proposed development traffic would be exacerbating".

The site is about 1km from Carpenders Park railway station which has shops including a supermarket and pharmacy in its vicinity. Buses currently route via Carpenders Park railway station as indicated below.

Carpenders Avenue which links the site to the railway station is identified as a Key Walking Route in the LCWIP for this area.

Sustainability
Table 3.3 and Image 3.5 sets out the location of local facilities including a post office and food store at 800 metres. The applicant however appears not to have carried out a formal audit of the quality of local routes for cycling and walking in the vicinity of the site. This is a standard requirement for larger developments of this size. There are various methodologies for such an audit. HCC would not seek to be prescriptive in this respect. HCC's P&MPDG states "An example of good practice is the Active Travel Zone methodology developed by TfL."

The TA does reference the LCWIP identification of Carpenders Avenue as a key walking route with a suggestion of this being a potential planning obligation. It does not however provide any information on what it regards as necessary interventions in this respect. As noted below any such obligations need to be considered as Strand 1 obligations (HCC Guidance on Planning Obligation refers).

In respect to public transport, the TA notes that Carpenders Park railway station is about 1km from the site. It also notes that "the nearest bus stop is circa 700m." HCC's P&MPDG states an expectation all occupied parts of development should be within 400m walking distance of a bus stop or transport hub by public walking route". The TA does not address this shortfall in bus accessibility.

In summary, the TA is considered inadequate in assessing the sustainability of the site. It does not provide a formal audit of the quality of cycling and walking routes in the vicinity of the site. The TA also notes excessive distances to access bus services but offers no possible interventions to address this. This is considered contrary to paragraph 118 of the NPPF which states a requirement for a "vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored." It is also contrary to Policies 1, 5, 6, 7, 8 and 9 of HCC's Local Transport Plan 2018. An objection is raised in this respect.

To assist the applicant in their consideration of the bus stop accessibility HCC's bus service team has noted a possible way of addressing bus service provision related to the proposed development. This might be useful for the applicant to consider. They have suggested a service to complement Service 328 from South Oxhey to Watford, extending it to the new site. The new service could operate from the site via A4008 and B4542 down to Prestwick Road, then via a variation of the current 328 into Watford. There could be an option of extending this up to Watford Junction. This is offered as one possible solution for the applicant to consider. Alternative proposals are welcomed and will be considered by our public transport team.

Access
A vehicular access is proposed directly onto the A4008. As noted above Policy 5(f) of HCC's Local Transport Plan 2018 states that HCC as HA will "Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals". In this respect the proposal was considered by HCC's Strategic Transport Infrastructure Board (STIB) on 5 March 2025. The view of STIB was that on the basis that this site does not have Local Plan designation it should not be deemed to have special circumstances at the current time.

The TA states that "this policy must be taken in the context of the NPPF, whereby developments should be assessed against the four key tests as noted above." Paragraph 2.4.1 of the TA states that "The NPPF identifies four key transport tests which can be summarised as follows:" This includes "Will the site layout comply with design guidance?". In this respect, Hertfordshire's Place and Movement, Planning & Design Guidance, 2024, clearly references policy 5(f).

The TA does not set out any special circumstances. An objection is therefore raised as the applicant has failed to demonstrate special circumstances; the application for an access onto the A4008 is therefore considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018.

In addition to the above, an emergency service access into the site from Oxhey Lane is proposed to the south of the existing care home.

No road safety audit (or Designer's Response) has been provided. This is contrary to advice provided at pre-application stage and contrary to HCC's P&MPDG. This is a necessary requirement. For this site, the TA also notes departures from standards in respect to intervisibility, which raises specific safety concerns.

The pre-application comments also drew especial attention to the need to consider whether any street trees would be affected by the applicant's proposal. This appears not to have been addressed in the TA. HCC's street tree strategy is located here: https://www.hertfordshire.gov.uk/media-library/documents/highways/plans-and-strategies/highway-tr ee-strategy-and-guidance-document.pdf

Visibility splays from the proposed new junction are also not provided in the TA.

The gradient profile of the proposed new road onto the A4008 has not been provided.

Modelling of the proposed new junction arrangement is provided in the TA. The methodology for the trip generation, distribution and assignment for the proposed site was not agreed with HCC. The methodology used in the TA is not considered acceptable for the reasons stated below. The modelling is therefore regarded as premature.

It is noted that Hertfordshire's Fire Service have provided separate comments on the proposed accesses and have not raised any issues at this stage.

Trip generation, distribution and assignment

The TA does not use the national standard trip data-base, TRICS, to provide a predicted number of trips by car. The TA justifies this by stating that "the site is unique in that it is not within the Greater London boundary, yet it has access to a regular London Overground service linking it to key destinations within Central London and Watford. There are very few sites within TRICS database with similar characteristics, and therefore a representative level of multi-modal trip rates may not be obtained from any multi-modal TRICS outputs."

It is not accepted that the site's location c.1km from a London Overground station "but not in London" makes this a unique site. Neither is it accepted that there are no TRICS sites with similar characteristics. It is noted that the railway line in question became a London Overground station in 2007 and prior to that offered a service to the capital like many other railway lines radiating out from London, which is still its function. The TA does not state why the change of this line from a "Silverlink" service" to a "London Overground" service makes the applicant's site "unique" or excludes an exercise in identifying sites with similar characteristics. As noted, HCC as highway authority encouraged the applicant to engage with it on the scoping of the TA prior to its preparation. This was not pursued by the applicant.

The TA goes further in its claim for the unique status of this site stating (in paragraph 6.4.1 that "the excellent public transport connections are of a different character to sites outside Greater London" requiring "bespoke multi-modal trip rates for this site." The suggestion of "excellent public transport connections" is not though established in the TA. The railway station at 1km from the site entrance is in excess of 800 metres, a distance often defined as the distance for a "Walkable Neighbourhood". Bus services are currently not available within the 400 metres detailed in HCC's P&MPDG. It is difficult to see how the applicant considers the site to have "excellent public transport connections". Reference to "excellent public transport" is often aligned to a PTAL rating of 6. If the applicant is making this specific claim, evidence should be provided to support this.

The "unique" status of this site claimed by the applicant is not considered as an acceptable basis for not deriving multi-modal trip rates from the industry standards TRICS database.

For noting, the trip generation set out in the TA pursues a route whereby total trips are derived from TRICS sites and then applying a TEMPro for modal split and trip purpose data. The view of HCC as highway authority does not accept a departure from the standard process of establishing vehicular trips directly from TRICS on the basis of proximity of a London Overground station. Further, the use of 2011 Census Journey is still considered to offer the best means of considering Journey to Work data, once account is taken of developments since 2011 and planned developments. The basis for dependence on what the TA terms "bespoke" multi-modal trip rates is not accepted.

The applicant should provide trip generation figures based on a methodology agreed with HCC as highway authority. The applicant might wish to validate this against their TEMPro and National Travel Survey approach.

Paragraphs 7.55 – 7.59 and Table 7.3 indicate the basis for trip distribution proposed by the applicant. This should be validated against traffic counts available showing trip distribution for traffic entering and leaving Carpenders Avenue which provides a hyper-local view of likely trip distribution.

Travel Plan
A Framework travel plan has been submitted as part of the planning application. This has been assessed by HCC's travel plan team. Initial comments are provided below. At this stage the framework travel plan is not considered acceptable.

The team notes that there is no mention within the Travel Plan or Transport Assessment of improvements to bus accessibility – either infrastructure or services. The closest bus stop is 700m away (according to the Travel Plan) which is over the recommended accessibility criteria that we use. Discussions with our Integrated Passenger Transport Unit should take place to ascertain suitable measures to improve bus accessibility and attractiveness at the site. Without improvement, Travel Plan targets may not be achieved. Whilst there is a rail station within walking/cycling distance this only provides access to destinations accessible via the rail network.

This Travel Plan is good in some areas, although will require more detail and clarity before we can approve, in particular in relation to duration of the residential Travel Plan, management structure for the residential Travel Plan and any other on-site Travel Plans, and greater clarity over targets, monitoring frequency, methods and plan review.

Individual Full Travel Plans will need to be produced for the residential element and also for the housing with care. No. of beds is not given for the children's home but that will require a Travel Plan Statement if it has between 30-50 beds and a Full Travel Plan if over this.

Detailed comments on the draft framework travel plan follows:
Travel Plan Management

- Travel Plan Co-Ordinators will be required for each Travel Plan. Contact details of the Travel Plan Co-Ordinator and that of a secondary contact in case of personnel changes should be made available to HCC on appointment. Time allocated to role and frequency on site should be given once known.
- A residential Travel Plan is expected to be in place until 5 years post full occupation, 5 years from first occupation for C2 land uses.
- Detail should be given as to the management structure – eg land use specific Travel Plans with their co-ordinators and a site-wide Travel Plan Co-Ordinator with overall responsibility for delivery of Framework Plan, and a mechanism for these individuals to liaise with each other and relevant stakeholders – eg a forum/steering group where site-wide issues can be discussed.
- We require a statement of management commitment from a suitable member of senior management - this demonstrates commitment to the robust implementation of the Travel Plan. This should be provided prior to occupation of the site. Measures
- These are generally appropriate and should be further tailored to the land use in question when individual Travel Plans are prepared.
- We require provision of residential travel vouchers (see paragraph 4.14-4.15 p13 of our Travel Plan Guidance (see www.hertfordshire.gov.uk/travelplans) to the value of £50 per flat, £100 per house (index-linked to RPI from May 2014). These ideally should be redeemable against multiple sustainable modes to maximise uptake (public transport and cycle equipment is mentioned in the Travel Plan but not walking equipment). Vouchers towards bus services should be discussed with our Integrated Passenger Transport Unit. We would also expect discounts to be made available as measures within the C2 land uses in any individual Travel Plans for those uses (eg Cycle to Work scheme, season ticket loans).

- Promotion of our Intalink website for bus information (https://www.intalink.org.uk/), our cycling webpages (https://www.hertfordshire.gov.uk/services/health-in-herts/keep-active/hertfordshire-cycling.aspx), and Hertfordshire Health Walks (https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-management/hertfordshire-health-walks/hertfordshire-health-walks.aspx) should be included.

Targets, monitoring and action plan
The vision for trip reductions from the site (5.1.2) only applies to trips associated with local schools and commuting, whilst the target that is given later within the same section (5.1.4, 5.2.8 and 5.2.11) - a 10% reduction does not specify particular trips. Modal shift proposed is on a par with what we would require - we require a min 10-15% mode shift (percentage change) for a Travel Plan in place for 5 years. However targets and measures should apply to all trips. We acknowledge that there is greater potential for mode shift in certain trip types than others given opportunities at the site – this is true of all sites.

Text about monitoring frequency is muddled with some paragraphs appearing to suggest annual monitoring, others alternate year monitoring and from different start points. The Action Plan is clearer, but only suggests traffic survey in alternate years, questionnaires annually for 5 years, and a monitoring report in years 1,3, and 5. We will accept the suggestion of monitoring starting at 50% occupation, but do require annual TRICS SAM standard monitoring and questionnaire surveys for a site of this scale. We often find that questionnaires to not achieve a high response rate.

Traffic counts if done as well provide a more adequate level of data on which to review the measures and targets. Review of the Travel Plan will be required annually.

HCC will seek Support and Evaluation fees of £6,000 index linked by RPI to May 2014 for both travel plans, i.e. a total index linked figure of £12,000.

Planning obligation
Planning obligation in respect to travel plans are noted above.

Three Rivers District Council has adopted a CIL. Any additional planning obligations would therefore need to be Strand 1 obligations. This could potentially include measures to address the quality of local walking and cycling routes including measures along the “Key Walking Route” and bus service improvements. None of these issues have yet been evaluated by the applicant.

Conclusion
Objections are raised against approval of this application for the following reasons:

i. No audit has been provided on the quality of cycling and walking routes in the vicinity of the proposed development. The sustainability of the proposal has therefore not been properly evaluated. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7 and 8 of Hertfordshire’s Local Transport Plan, 2018.
ii. The lack of bus services in the vicinity of the site has not been addressed. This further questions the sustainability of the proposal. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7, 8 and 9 of Hertfordshire’s Local Transport Plan, 2018.
iii. Trip generation, distribution and assignments provided in the TA are not acceptable. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
iv. No safety audit (or Designer's Response) has been provided in respect to the two proposed new accesses. This is considered contrary to paragraph 118 of the NPPF

which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

v. No assessment has been made on the impact of the development on street trees. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

vi. The TA does not provide a gradient profile for the proposed new road onto the A4008. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

vii. Visibility splays from the junction are not provided in the TA. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

viii. The proposed access onto the A4008 is considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018.

HCC as highway authority recommends that the planning application is not approved for the reasons detailed above.

2nd Consultation Response

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

REASONS AND COMMENTS

HCC highway comments were provided on 6 August 2025. It was recommended that planning permission be refused. The reasons were summarised as follows:

i. No audit has been provided on the quality of cycling and walking routes in the vicinity of the proposed development. The sustainability of the proposal has therefore not been properly evaluated. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7 and 8 of Hertfordshire's Local Transport Plan, 2018.

ii. The lack of bus services in the vicinity of the site has not been addressed. This further questions the sustainability of the proposal. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7, 8 and 9 of Hertfordshire's Local Transport Plan, 2018.

iii. Trip generation, distribution and assignments provided in the TA are not acceptable. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

iv. No safety audit (or Designer's Response) has been provided in respect to the two proposed new accesses. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

v. No assessment has been made on the impact of the development on street trees. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

vi. The TA does not provide a gradient profile for the proposed new road onto the A4008. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

vii. Visibility splays from the junction are not provided in the TA. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.

viii. The proposed access onto the A4008 is considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018."

A "Response to HCC Comments" dated 9 September 2025 has now been received. This is referred to as the "Response document" below. Comments are provided below on each point raised.

i. Audit of walking and cycling routes

The Response document notes that the TA provided "an overview of the walking and cycling routes between the site and local facilities" and now provides in Appendix B "a more detailed walking and cycling audit."

The audit examines three routes:

Route 1 – To St. Meryl School & Little hearts pre-school
Route 2 – To bus stops on By The Wood
Route 3 – To Carpenders Park station and South Oxhey local centre

The results of the audit suggest potential improvements which include:

- Installation of tactile paving at uncontrolled crossing points along Carpenders Avenue, Foxleys, The Mead and Gibbs Couch.
- Footway widening into existing grass verges on Oxhey Lane to ensure that the footways are wide enough to walk two side-by-side.
- Resurface existing footways on Oxhey Lane and Carpenders Avenue to improve accessibility and comfort.

The Response document however refers to making a contribution to "support necessary active travel improvements through a Section 106 contribution". This is not accepted. If potential improvements identified in the audit are considered "necessary" to support the development they should be secured against any planning approval as a "Strand 1 obligation" by way of an appropriate planning condition.

The applicant states that it would welcome the opportunity to discuss improvements with HCC. This appears to be a useful way forward. HCC would welcome a meeting with the applicant and the LPA.

ii. Lack of bus services

The TA claimed a unique status for this site stating (in paragraph 6.4.1) that "the excellent public transport connections are of a different character to sites outside Greater London". HCC comments noted that the nearest train station was is in excess of 800 metres from the site. It was also noted that there are no bus services available within 400 metres (contrary to Part 1, Chapter 5, paragraph 7.9 of Hertfordshire's Place & Movement Planning Design Guidance). Specifically, the train station is approximately 1050 metres from the proposed entrance to the site and the nearest bus stops are at about 700 metres away. HCC highway comments therefore challenged the applicant's consideration of the site as having "excellent public transport connections".

In respect to bus services, the Response document states that "It is acknowledged that there are opportunities to uplift the level of bus accessibility in the local area, and that a service to complement the existing number 328 service may be beneficial for future residents of the site".

HCC's public transport team propose a new service - to complement Service 328 - from South Oxhey to Watford, and extending it to the new site. This new service would operate from the site via A4008 and B4542 down to Prestwick Road, then via a variation of the current 328 route into Watford. There would be the option of extending this up to Watford Junction. An hourly service should be achievable with two vehicles, at an estimated annual cost of £350k.

HCC is therefore seeking an index-linked Strand 1 financial contribution of £350k per annum for a period of five years totalling £1,750k. This would need to secured by a Section 106 agreement.

In addition, provision would be required for new bus stop infrastructure. HCC's public transport team has identified a need for a pair of new stops outside the site to support the potential new service and future proof the site. These would serve both new residents and the nearby care home. They suggest a location between the islands along Oxhey Lane to facilitate safe crossing. It would be useful if the applicant could look at their potential placement by way of a plan. They note the infrastructure that would be sited at each bus stop as follows:

1. **Carpenders Park, Oxhey Lane, Carpenders Avenue**
    - Kassel kerb
    - Bench (*Gladstones*)
    - RTI bus stop pole with RTI screen (*Journeo*)
    - Bus cage
2. **Carpenders Park, Oxhey Lane, opp Carpenders Avenue**
    - Kassel kerb
    - Bench (*Gladstones*)
    - RTI bus stop pole with RTI screen (*Journeo*)
    - Bus cage

To address accessibility, minor improvements are also recommended at the two existing bus stops below:

1. **Carpenders Park, By the Wood, Upper Hitch (21803900)**
    - Kassel kerb required.
2. **Carpenders Park, By the Wood, opposite Upper Hitch (21802940)**
    - Kassel kerb required.

HCC would also seek to secure the bus stop infrastructure proposals detailed above by way of planning condition.

iii. Trip impact assessment

The TA stated that "Multi-modal trip rates have not been directly obtained from the industry standard
TRICS database. This is because the site is unique in that it is not within the Greater London boundary, yet it has access to a regular London Overground service linking it to key destinations within Central London and Watford. There are very few sites within TRICS database with similar characteristics, and therefore a representative level of multi-modal trip rates may not be obtained from any multi-modal TRICS outputs." And further noted "the excellent public transport connections."

This was refuted in HCC's comments dated 6 August 2025, which stated that:

"The TA goes further in its claim for the unique status of this site stating (in paragraph 6.4.1) that "the excellent public transport connections are of a different character to sites outside Greater London requiring bespoke multi-modal trip rates for this site." The suggestion of "excellent public transport connections" is not though established in the TA. The railway station at 1km from the site entrance is in excess of 800 metres, a distance often defined as the distance for a "Walkable Neighbourhood".

Bus services are currently not available within the 400 metres detailed in HCC's P&MPDG. It is difficult to see how the applicant considers the site to have "excellent public transport connections".

Reference to “excellent public transport” is often aligned to a PTAL rating of 6. If the applicant is making this specific claim, evidence should be provided to support this.”

The Response document does not seek to support the previously stated “excellent public transport” by means of an established assessment methodology. As noted in previous HCC comments the site would not be considered by HCC to have excellent public transport connectivity. Rather, there is a need to consider necessary public transport improvements as detailed under "Bus services" above.

In respect to trip impact assessment, paragraph 4.1.7 of the Response document states that “the multi-modal TRICS data in Table 4.1 has been used to assess the level of trips arising from the proposed development.” Paragraph 4.1.5 of the Response document notes that the TRICS assessment has been updated due to an update being available from TRICS. The residential sites chosen in the updated list are detailed in Appendix D of the Response document. This lists 22 sites all at “Edge of Town” locations. “Edge of Town” appears to be an appropriate location indicator. For the Housing with care and childrens’ home, Table 4.5 in the Response document reproduces Table 6.8 in the TA. Table 4.6 of the Response document shows the total peak hour vehicle flow based on the TRICS assessment.

The Distribution and Assignment detailed in the TA was also questioned by HCC. A simpler “hyper-local” assessment of trip distribution was suggested by HCC to act as - at least – a comparator to the figures derived in the TA. This has been presented in paragraph 4.2.4 of the Response documents and shows fairly close correlation to the previous distribution – reproduced in paragraph 4.2.3 of the Response document. Paragraph 4.2.7 notes that the “distribution of development traffic has been updated to reflect these changes and has been subsequently fed into an updated set of operational assessments.”

The revised trip matrices have been applied to the LINSIG model used in the initial assessment. The
outputs are summarised in Table 4.9 (without vision) and Table 4.10 (with vision).

The results of the modelling show that all arms operate within capacity – well below a “Degree of Saturation” of 90% which would signify that the junction was nearing capacity. The results of the modelling are considered acceptable.

iv. Safety audit
The Response document provides a Stage 1 road safety audit and a Designer’s Response. Ten “Problems” are identified. HCC’s road safety team have been requested to review the documentation. It is expected that their examination will be completed shortly. Further comments will
then be provided.

v. Trees
The Response documents states “HCC identified a mature oak tree to the north of the proposed site access location. This is identified as T1 in the Tree Protection Plan provided by ACD Environmental
Ltd along with the Root Protection Area (RPA) of the tree. The plan was submitted with the application along with an Arboricultural Impact Assessment. ACD have reviewed the site access against the access design and identified the footway would lead to 2.22% incursion into the RPA.

This is a small incursion which could be mitigated through appropriate construction methods.”

This satisfactorily addresses the issue raised by HCC highways.

vi. Gradient profile

The applicant's Response document states that "The detailed alignment of the access road is not determined at this stage as the application is in outline".

In order to determine that the access can be constructed at the intended location, the gradient of the access road into the site is considered a material consideration at Outline stage. The Response document states that: "the initial 15m of the access road has been designed with a 4% gradient in line with Design Manual for Roads and Bridges (DMRB)""and "The remainder of the access could be designed at a gradient of 6% in accordance with DMRB or 5% in accordance with HCC design guidance."

This confirms that an HCC condition for maximum gradient of 1 in 20 can be applied to the proposed main access road into the development.

vii. Visibility splays
The Response document confirms visibility splays are provided in their drawing no. ITL200107-GA-002 Rev E which has been updated plan to show the visibility splay from the proposed new access road. As noted in iv above the road safety audit team will be reviewing the documentation, including the road safety audit and Designer's response which would include visibility issues. This view should be provided shortly.

viii. Policy 5(f)
As noted in HCC comments dated 6 August, 2025, "A vehicular access is proposed directly onto the A4008. Policy 5(f) of HCC's Local Transport Plan 2018 states that HCC as HA will "Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals". In this respect the proposal was considered by HCC's Strategic Transport Infrastructure Board (STIB) on 5 March 2025. The view of STIB was that on the basis that this site does not have Local Plan designation it should not be deemed to have special circumstances at the current time."

HCC maintains its objection in this respect. It is noted that the Response document states that "…if development is acceptable in this location whether through a LP designation or a planning application that would constitute special circumstances." It is acknowledged that the LPA will need to consider policy 5(f) against this and other considerations.

Conclusion
The documentation including the road safety audit and Designer's response is to be reviewed by HCC's safety team. These will be provided as additional comments shortly.

The applicant has proposed a meeting with HCC highways and the LPA. This is welcome and should allow any outstanding matters to be addressed.

3rd Consultation Response

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reason:

REASON
The application is considered contrary to Policy 5(f) of HCC's Local Transport Plan 2018 which states that HCC as HA will "Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals".

Should the LPA be minded to grant planning permission, the following conditions, informatives and planning obligation should be secure against that approval.

CONDITIONS

1) Prior to the first occupation of the development hereby permitted the accesses shall be completed and thereafter retained as indicated on drawing numbers ITL200107-GA-007 revision B and ITL200107-GA-002 revision E, in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.

Reason: To ensure satisfactory access into the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2) Surface Water: Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3) Highway Improvements - Offsite (Design Approval) – Part A
Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing numbers and descriptives set out below have been submitted to and approved in writing by the Local Planning Authority.

Accessibility improvements as indicated in the applicant's Walking and Cycling Appraisal Improvements drawing supplied within the applicant's "Sustainable Transport Improvements" note dated 7 November 2025 and replicated in Figure 1 of the applicant's Summary of Sustainable Transport Improvements document (January 2026) comprising of:

(i) Widening to 2.0 metres and repaving of eastern footway.
(ii) Repaving of footway on south side of Carpenders Avenue.
(iii) Provision of tactile paving and any necessary amendments to dropped kerbs at locations.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements – Offsite (Implementation / Construction) – Part B
Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with policies 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

4) No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:
i) Roads, footways.
ii) Cycleways.
iii) Foul and surface water drainage.
iv) Visibility splays
v) Access arrangements
vi) Parking provision in accordance with adopted standard.
vii) Loading areas.

viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

5) Cycle Parking
Prior to the first commencement of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied, or brought into use, and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

6) Construction Management Plan
No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan
shall include details of:
a. Construction vehicle numbers, type, routing;
b. Access arrangements to the site;
c. Traffic management requirements
d. Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
e. Siting and details of wheel washing facilities;
f. Cleaning of site entrances, site tracks and the adjacent public highway;
g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
h. Provision of sufficient on-site parking prior to commencement of construction activities;
i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
k. Phasing Plan.
Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

7) Travel Plan - Residential
At least 3 months prior to the first occupation of the approved development a detailed Residential Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained in therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

8) Travel Plan – Care home

At least 3 months prior to the first occupation/use of the approved development a detailed Travel Plan for the care home shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained in therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

9) Gradient. The gradient of the new access road shall not be steeper than 1 in 20.
Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance and to ensure accessibility of the site in accordance with policies 5 and 6 of Hertfordshire's Local Transport (adopted 2018).

10) Visibility splays
Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved drawing number ITL200107-GA-002 Rev E. The splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

INFORMATIVES
HCC as Highway Authority recommends inclusion of the following Advisory Notes (AN) / highway informatives to ensure that any works are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website:
www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN2) Storage of materials: 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 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.

AN3) Storage of materials: 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 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.

AN4) Debris and deposits on the highway: 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.

AN5) Avoidance of surface water discharge onto the highway: 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.
AN6) Works within the highway (sections 38 and 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Sections 38, and 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements including areas of adoption which likely arise in respect to the bell-mouth of the new access road. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:
https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

AN7) Roads to remain private: The applicant is advised that all new roads associated with this development, will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road, and the developer should put in place permanent arrangements for long-term maintenance.

AN8) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's
website at:
https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

AN9) Travel Plan (TP): TPs, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI May 2014) Evaluation and Support payment for each travel plan would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plans including any engagement that may be needed. Further information is available via the County Council's website at:

https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by emailing travelplans@hertfordshire.gov.uk

COMMENTS
HCC provided detailed comments on 6 August and 1 October 2025.
HCC highway comments dated 1 October 2025 noted that some issues raised in its 6 August 2025 comments had been satisfactorily addressed. These included issues related to trip impact, trees and gradient of the internal access road in its approach to Oxhey Lane as noted below.

Trip generation, distribution and assignment
In respect to revisions to the applicant's analysis, HCC comments dated 1 October 2025 noted that "The results of the modelling show that all arms operate within capacity – well below a "Degree of Saturation" of 90%. The results of the modelling were considered acceptable.

Trees
HCC comments dated 1 October 2025 noted the views of the tree consultant (reported in the applicant's response document) that the tree consultants had "reviewed the site access against the access design and identified the footway would lead to 2.22% incursion into the RPA. This is a small incursion which could be mitigated through appropriate construction methods."

This satisfactorily addressed the query raised by HCC highways.

Gradient of the internal access road
HCC comments dated 1 October 2025 noted that the applicant's Response document states that: "the initial 15m of the access road has been designed with a 4% gradient in line with Design Manual for Roads and Bridges (DMRB)""and "The remainder of the access could be designed at a gradient of 6% in accordance with DMRB or 5% in accordance with HCC design guidance." This confirmed that an HCC condition for maximum gradient of 1 in 20 can be applied to the proposed main access road into the development.

OUTSTANDING ISSUES

Outstanding issues identified in HCC's highway comments dated 1 October 2025 included agreement of a bus service provision as a necessary "Strand 1" planning obligation, an HCC review of the submitted road safety audit and designer's response, and agreement of necessary "Strand 1" planning obligations from the walking and cycling audit.
A new document has now been submitted by the applicant. This is entitled "Summary of Sustainable Transport Improvements Ref: PH/RW/ITL200107-010 TN" and is dated 13 January 2026.

Bus service provision
The applicant's transport assessment sought to present the site as having excellent public transport connectivity. HCC comments dated 6 August 2025 challenged this view stating that "Carpenders Park railway station is about 1km from the site. It also noted that "the nearest bus stop is circa 700m." HCC's Place and Movement Planning and Design Guidance 2024 (P&MPDG) states an expectation that all occupied parts of development should be within 400m walking distance of a bus stop or transport hub by public walking route".

Discussions between the applicant and HCC have concluded that the following financial provision, based on a possible "328A" bus service provision will be as follows:
• Year 1 - £153,389.67
• Year 2 - £153,389.67
• Year 3 - £153,389.67
• Year 4 - £76,694.84
• Year 5 - £76,694.84

This results in a total of £613,558.69 over a five-year period. These payments will be index-linked from the date of the provision of the estimate (December 2025) against the Confederation of Passenger Transport's (CPT) Cost Monitoring report in respect to overall costs for buses per km. for English shires. These contributions will need to be secured by way of a Section 106 agreement.

An additional requirement is the need to secure a bus stop in the vicinity of the site in Oxhey Lane, noting that it is not intended for a bus to enter the site. The usual preference for this would be to secure the provision of a bus stop as a planning condition. Noting however that the direction of the new bus service is yet to be finally decided it is accepted that a financial contribution would be the best approach to securing this bus stop. The agreed Strand 1 financial contribution for this bus stop is as follows:
Kassel Kerbing £8k
Shelter £15k
RTI Screen £15k

Total £38,000 to be index-linked by SPONs to the date of the estimate (December, 2025). This contribution will need to be secured by way of a Section 106 agreement.

Accessibility Improvements The applicant carried out a walking and cycling audit along three routes. Measures to address deficiencies identified by the audit have been identified and presented in the applicant's Walking and Cycling Appraisal Improvements drawing ITL200107 supplied within the applicant's "Sustainable Transport Improvements" note dated 7 November 2025.

The recommended improvements are accepted and should be secured by way of the recommended condition above.

Previous HCC highway comments referenced existing bus stops at "By The Wood". It is noted that, subject to the obligations identified in these comments, works at these bus stops would not be considered necessary for the development.

Safety audit
The applicant arranged for an independent road safety audit to be carried out on their access proposals. The road safety audit and designer's response have been reviewed by HCC's road safety team.

Ten "problems" were identified in the road safety audit. The HCC review of the road safety audit accepted the designer's response for all ten "problems" identified. The issue of inter-visibility at the main access junction was also reviewed and the designer's response was considered acceptable. The review also added an additional two areas of concern. It is noted that many of these issues will be a matter of further scrutiny at detailed design stage which will be the subject of a further (Stage 2) road safety audit and designer's response. In respect to the second issue identified by HCC;s safety team the applicant notes (in their 13 January 2026 Summary of Sustainable Transport Improvements document that "This Problem is noted. However, the vehicle tracking is of simultaneous refuse vehicles which is an unlikely event. However, the kerbline within the site can be amended at detailed design stage to accommodate swept path".

OTHER MATTERS

Travel Plan
A framework travel plan was provided with the application. As noted in HCC comments dated 6 August 2025 the framework travel plan was not considered acceptable. Separate travel plans will be required for the residential and care home uses. A Section 106 planning agreement is required to ensure the submission of acceptable travel plans and to provide necessary support and evaluation contributions.

HCC will seek Support and Evaluation payment of £6,000 index linked by RPI to May 2014 for both travel plans, i.e. a total index linked figure of £12,000.

Rights of Way
Any comments on rights of way issues will be provided separately by the HCC Rights of Way team.

Section 106 agreement
HCC seeks the following to be secured by way of a Section 106 agreement.

(i) Travel Plan
Two support and evaluation payments of £6,000 index linked by RPI to May 2014 are sought for the two travel plans required for the proposed development, i.e. a total index linked figure of £12,000.

(ii) Bus service improvements
A total of £613,558.69 is sought over a five-year period as detailed above to provide a bus service to access the site. These payments will be index-linked from the date of the provision of the estimate (December 2025) against the Confederation of Passenger Transport's (CPT) Cost Monitoring report in respect to overall costs for buses per km. for English shires.

(iii) Bus stop
A total £38,000 is sought for a new bus stop in the vicinity of the site to be index-linked by SPONs to the date of the estimate (December, 2025).

Access
HCC comments dated 6 August 2025 noted that Policy 5(f) of HCC's Local Transport Plan 2018 states that HCC as HA will "Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals". In this respect the proposal was considered by HCC's Strategic Transport Infrastructure Board (STIB) on 5 March 2025.

The view of STIB was that on the basis that this site does not have Local Plan designation it should not be deemed to have special circumstances at the current time.
HCC comments dated 6 August 2025 stated an objection to the application as it was considered contrary to Policy 5(f) of HCC's Local Transport Plan, 2018. This objection remains.

Conclusion
As noted above HCC maintains its objection to the application based on policy 5(f) of its Local Transport Plan, 2018. Should the LPA be minded to approve the application, recommended planning conditions, informatives and Section 106 provisions are provided above.

9.13	HCC Herts Waste and Minerals	No objection subject to conditions

Minerals
In relation to minerals, the site falls entirely/partially within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002 –2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. Whilst the site falls within the Sand and Gravel Belt, British Geological Survey (BGS) data does not identify any potential superficial sand/gravel deposits beneath the application site. Given the lack of deposits beneath the site, the Minerals Planning Authority does not have any mineral sterilisation concerns.

Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development. The National Planning Policy for Waste (October 2014) sets out the following: 'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

The supporting documents to this application make no reference to the adopted Waste Core Strategy and Development Management Policies DPD (2012). The policies in the adopted DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). The Executive Summary of the Sustainability and Energy Statement notes that a SWMP will be prepared prior to commencement of the project. The county council welcomes this commitment.

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

<u>Project and People</u>

- Identification of the client
- Identification of the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

Estimating Waste

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes_
- Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)

Space for Later Recordings

- Space for the recording of actual figures against the estimated figures
- Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to
- Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates.

As a SWMP has not been produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

Condition:
No development shall take place until a Site Waste Management Plan (SWMP) for the site been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)

9.14	HCC Healthy Places	No objection

We are pleased to see that you have carried out a rapid HIA for the above proposal. The Health Impact Assessment has been quality assessed using the WHIASU Quality Assurance Review Framework (2017). The findings are detailed in this section. They have been broken down into four headings:

1. Clarifications required; 2. Strengths; 3. Weaknesses; and 4. Revisions required

Clarifications required

1. Who was involved in the scoping of the HIA?

2. Strengths

- The HIA report acknowledges the positive, negative, and neutral impacts of the proposed development and provides clear recommendations to reduce negative impacts. The report has confirmed that the recommendations will be implemented by planning condition and s106 planning obligations.
- The type of HIA is appropriate and proportionate to the scale and nature of the proposed development.
- The HIA refers to HCC's Health Impact Assessment Position Statement.
- The HIA considers the wider determinants of human health and refers to other technical evidence reports and statements submitted with the planning application which relate to identifying the impacts on the wider determinants of health.
- The HIA includes a description of the proposed development and information on the surrounding area. This includes access to existing services and amenities from the site, including schools, shops and public transport.
- The WHIASU methodology has been used to carry out the HIA.
- The WHO definition of health has been used in the HIA.
- The HIA has considered the health of the existing population of the surrounding areas and has identified vulnerable groups using the checklist provided.
- The report refers to a range of data sources to inform the assessment.
- The HIA report references National Planning Policy Framework, National Planning Practice Guidance, Health and Social Care Act 2012, Three Rivers Local Plan, and the Hertfordshire Health and wellbeing Strategy.
- The report includes a section which provides a local health profile for Three Rivers.
- The HIA considers the construction and operational impacts from the proposed scheme.
- The HIA considers monitoring the set of health recommendations.
- Report is clearly structured with subheadings.
- The HIA report includes assumptions and limitations

Weaknesses

- The Three Rivers District Council Health and Wellbeing Strategy and Three Rivers Climate Change Strategy has not been referenced in the HIA

The points included under 'weaknesses' have been included in our feedback for your consideration, which you may wish to address to improve the overall quality of the HIA report. Thank you again for consulting HCC Public Health on your HIA for this proposal. We are pleased with the outcome of this report and that recommendations will be implemented through planning conditions and s106 agreements.

9.15	HCC Water Officer	No objection subject to condition / obligation

Hertfordshire Fire and Rescue service (hydrants only) will require a condition for the provision and installation of fire hydrants, at no cost to the county council, or fire and rescue service.

This is to ensure there are adequate water supplies available for use in an emergency, at all times.

9.16	HCC Lead Local Flood Authority	Objection

Thank you for your consultation on the above site, received on 26 June 2025, for an outline planning application. We have reviewed the application as submitted and wish to make the following comments.

It is understood that the outline application is seeking planning permission for access only, with all other concerns to be dealt with at the reserved matters stage. The proposed development is mixed-use to include the provision of up to 256 new homes, some sheltered accommodation and a children's home.

We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy relating to:

- The development is at risk of fluvial flooding from a Main river and also surface water flooding generated from runoff from land.
- Potential increase in flood risk as a result of the development and its proposed drainage scheme.
- We advise that you as Local Planning Authority, ensure that this application passes the Sequential Test. A Sequential Test for this application has been submitted and is stated to 'pass'. However, we do not believe that the sequential test has been adequately completed.
- The development is not in accordance with NPPF, PPG, National Standards for Sustainable Drainage Systems (June 2025) or Three Rivers local policies including Policy DM8 – Flood Risk and Water Resources and Policy DM9 – Contamination and Pollution Control.

Reason To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development. We will consider reviewing this objection if the LLFA concerns are adequately addressed. A summary of concerns has been indicated below, however, ALL concerns to be addressed have been detailed in a separate checklist document which should be reviewed alongside this letter.

1) The FRA and drainage strategy are in direct contravention with the new National Standards for Sustainable Drainage (June 2025) as no measures are in place to ensure the minimum 5mm of rainfall interception is achieved and source control measures are not duly considered.
2) The FRA also does not adequately meet the water quantity, quality, biodiversity and amenity requirements. The drainage strategy proposed relies upon a traditional 'pipe to pond' scenario, with no SuDS management train indicated on the drainage strategy.
3) There is a significant surface water flow path running through the site. The illustrative masterplan indicates that buildings will be located in this surface water flow path. The existing extents of flooding for both present day and climate change scenarios should be presented in context with the site's boundary. As this flow path is likely generated from land within the site's boundary, this flow path would not be present postdevelopment as it is assumed that rainfall and surface water will be captured and formalised within the provided surface drainage infrastructure. The applicant should address this and confirm evidence for mitigation within the proposals.
4) A Sequential Test has been undertaken by the applicant for which the applicant believes to 'pass'. However, we do not consider that the sequential test has been properly applied, and further consideration is required.
5) There are concerns that the FRA has not adequately addressed all source of flood risk including but not limited to the Hartsbourne Stream Flood Storage Area, reservoir, sewer, groundwater and historic flooding.
6) The drainage location hierarchy has not been followed. Infiltration as a source of surface water disposal has been discounted without undertaking any infiltration testing. In addition, rainwater harvesting has not been fully considered.
7) The southern part of the site is proposed to discharge to Hartsbourne Stream (main river) however there is no evidence of agreed access provided. The northern part of the site is

proposed to discharge to a surface water sewer on Carpenders Avenue but no agreement in principle from Thames Water has been provided.

8) Emergency vehicular access lies outside of Flood Zones 2 and 3, but within an area of low surface water flood risk. Access to wider health and welfare facilities should be addressed.
9) Some simulations have used FSR rainfall rather than FEH13/FEH22 data. CV values of 0.75 have been used. We require a CV value of 1 to be used.
10) Modelling calculations have only been provided for the critical 1% AEP plus 40% climate change. Drainage calculations for all storm durations and return periods (e.g. 100%, 50%, 3.33% plus 35% climate change, 0.1% AEP) must be provided. Freeboard levels have not been considered and the FRA's calculated QBAR has not been met based on the simulations provided, thus proposals currently exceed greenfield rates and would therefore increase flood risk off-site. It is also uncertain if 10% urban creep has been applied to the simulations.
11) Causeway Flow calculations have applied an additional 20m3 /ha of storage to each storage structure. This should be set to 0m3 /ha.
12) Current attenuation calculations are considered to be underestimates and thus it is not confirmed if the site can accommodate the actual required storage.
13) Greenfield discharge rates within the submitted documents are inconsistent and are believed to be too high. These should be reviewed and clarified. Greenfield volume calculations have not been undertaken or evidenced.
14) The FRA does not consider which adoption authorities could adopt each SuDS feature

Informative
For further advice on what we expect to be contained within the FRA and/ or a Drainage Strategy to support a planning application, please refer to the Validation List and Profroma on our surface water drainage webpage :
https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx

this link also includes HCC's Flood Risk Management policies on SuDS in Hertfordshire. We do expect the Validation List to be submitted to the Local Planning Authority and LLFA to show you have provided all information and the Proforma to the LLFA to summarise the details of the proposed development.

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

Please note if, you the Local Planning Authority review the application and decide to grant planning permission, notify the us (the Lead Local Flood Authority), by email at FRMConsultations@hertfordshire.gov.uk.

2nd Consultation Response

Thank you for your consultation on the above site, we have reviewed the application as submitted and wish to make the following comments.

The applicant has provided an updated Flood Risk Assessment (FRA) and Drainage Strategy. This is to account for the local flood risk issues and surface water drainage at this location. Following a review of the submitted documents, the details are in accordance with NPPF and Three Rivers Local Plan policies within the LLFA remit.

We would like to highlight that the Environment Agency should comment on the development proposals to build within the fluvial flood zone of the flood storage area to the south of the site. Whilst the applicant has demonstrated that the development would be outside the 1% AEP flood depth, the flood depth provided for the 0.1% AEP (i.e. 1% AEP plus climate change if no other

information is available) would encroach onto the development parcel. We highly recommend that a condition is placed to ensure that the sequential approach be applied to all source of flooding. The pluvial (surface water flow path) originates within the boundary of this application and will be incorporated within the positive drainage scheme.

You should also be aware that this application's surface water flow discharge location (for the southern part of the site) will require a permit from the Environment Agency to cross the formal flood defence scheme storage area. The applicant should consult the Environment Agency at a very early stage to get their opinion on this.

The applicant has suggested that they do not have to use a CV value of 1 for the impermeable areas in storage calculations. As all the impermeable areas are 100% impermeable then this is not an overestimate. They have undertaken a drainage modelling scenario to show that the storage using a CV value of 1 is possible with the current masterplan. It is expected that a CV value of 1 is used in the detailed design.

We have no objection subject to conditions being attached to any consent if this application is approved, and the Applicant is in agreement with pre-commencement conditions. We suggest the following wording. If the following conditions are not included, the development would be contrary to NPPF and Three Rivers Local Plan policies and we would object until such time that the details below are submitted for review.

Condition 1: Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted FRA and or Drainage Strategy (Oxhey Lane, Carpenders Park, Land at Carpenders Park Farm Flood Risk and Drainage Strategy, Ref 2403160-ACE-XX-XX-RP-C-0301 revision B, dated 31 October 2025 by Ardent Consulting Engineers), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

a) Demonstrate how interception for the first 5mm of any storm event will be managed within the site in line with the National Standards (2025)
b) Surface water runoff rates will be attenuated to 1.3 l/s for 1ha of impermeable areas in the northern catchment discharging to Thames Water Surface Water Sewer and 26 l/s for 2.5ha of impermeable area in the southern catchment discharging to the Main River. If the impermeable areas created are less than the values stated above, then the discharge rates will be recalculated and resubmitted to the Local Planning Authority for approval.

c) Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change). All impermeable areas in this calculation will use a CV value of 1, any permeable areas draining into the formal drainage scheme will us an appropriate CV value. The storage calculations will clearly demonstrate how 10% urban creep has been included (via a drainage catchment drawing and associated table which match the supporting calculations of the conveyance network).

d) Detailed designs, supporting modelling calculations and drawings of the drainage conveyance network in the:

- 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
- 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or

electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

e) The design of the attenuation / detention basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances.
f) Drawings to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
g) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary
h) Details of how all surface water management features, swales and / or bioretention areas adjacent to the roads, permeable paving and basins will to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Condition 2: Development shall not commence until details and a method statement for interim and temporary drainage measures during the construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

Condition 3: Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme to ensure that all permanent Surface water Drainage features are adequately protected from construction runoff, shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

Condition 4: The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
a) a timetable for its implementation.
b) details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
c) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Local Plan Policies of Three Rivers District Council.

Condition 5: Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), and any installation of any surface water drainage structures and control mechanisms. It shall also include CCTV survey and topographic survey where appropriate.
Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Local Plan Policies of Three Rivers District Council.

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

Please note if, you the Local Planning Authority review the application and decide to grant planning permission, notify the us (the Lead Local Flood Authority), by email at FRMConsultations@hertfordshire.gov.uk.

9.17	National Grid	No response received to date

9.18	Natural England	No response received to date

9.19	Sport England	No objection

Thank you for consulting Sport England on the above application.

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website: https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 104 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/

If the proposal involves the provision of additional housing, then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in

accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities

PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing

Sport England's Active Design Guidance: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

9.20	Transport For London	No objection

Thank you for consulting Transport for London (TfL) on the above planning applications. The site is approximately 1050 metres east from Carpenders Park Overground Station.

We would encourage the local planning authority to secure S106 or S278 contributions towards improvements to the existing walking/cycling route to and from Carpenders Park Overground Station and the site. I hope that these comments are helpful and will be taken into account when the section 106 Heads of Terms are drawn up and the applications are determined.

9.21	Thames Water	No objection, subject to conditions

Waste Comments:
Waste Comments: Following initial investigations, Thames Water has identified an inability of the existing SEWAGE TREATMENT WORKS infrastructure to accommodate the needs of this development proposal. As such Thames Water request the following condition be added to any planning permission.

"No development shall be occupied until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason – Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents."

Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

Thames Water has identified that the existing SURFACE WATER network does not have sufficient capacity to support the proposed development. As such, we request that the following condition be attached to any planning permission granted:

The development shall not be occupied until confirmation is provided that either:

1. All necessary upgrades to the surface water network to accommodate additional flows from the development have been completed; or
2. A phasing plan for development and infrastructure, agreed with Thames Water and the Local Planning Authority, is in place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule.

   Reason: Network reinforcement is likely to be required to support the proposed development. These upgrades are essential to avoid the risk of sewer flooding and pollution incidents.

If the Local Planning Authority considers this condition inappropriate or is unable to include it in the decision notice, it is essential to consult with Thames Water's Development Planning Department at Devcon.team@thameswater.co.uk before determining the application.

Please note where network modelling is required, Thames Water will need confirmation of outline planning permission, a development phasing plan, and evidence of land ownership to be submitted to devcon.team@thameswater.co.uk. Modelling can take 9-12 months to complete and will not commence until these have been provided.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Thames Water would advise that with regard to the FOUL WATER network capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments:
Water Comments: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

9.22	The Ramblers Association	No objection

I have recently been sent a copy of the above Planning Application via the Ramblers, an organisation for which I am District Footpath Secretary for Watford and Three Rivers.

Having examined the documents involved, principally the geographical plans, I am pleased to see that the proponents are fully aware of the existence of Public Footpath 13, which continues eastward over the boundary into Bushey to join up with Merry Hill Road, and as such is a very important and well used Right of Way. And I note from the 'Illustrative Landscape Masterplan' that it is"...to be retained along existing alignment" (note 4).

So, on behalf of The Ramblers, I have no objection to this proposal. If for any reason there is any change of plan regarding this Right of Way, it would be in everyone's interest that we discuss it at the earliest opportunity.

9.23	TRDC Conservation Officer	No objection

The application is for Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters).

An EIA screening request was submitted under reference 25/0021/EIA and a decision was issued on 27th January 2025, which stated that impacts on nearby heritage assets would be assessed at application stage.

The site contains a series of open fields and a Public Right of Way Footpath Bushey 13 and 025 which runs northeast to southwest across the northern part of the site. The site is on the boundary of two neighbouring districts, London Borough of Harrow and Hertsmere Borough Council. There are no designated heritage assets or locally listed heritage assets within the Site. There are several heritage assets in the wider area.

A Heritage Impact Assessment (HIA) has been submitted with the application. This has identified several heritage assets within the study area and found that no heritage assets were affected by the proposals due to a lack of visible or experiential connection. The HIA has provided an assessment of significance of the heritage assets below, including an assessment of the contribution that their settings make, demonstrating that the Site has a neutral impact on their significance:

A) Front Lodge to Oxhey Grange (List Entry Number: 1174337) 850 metres northwest of the site.
B) Oxhey Grange (List Entry Number: 1101593) 700 metres northwest of the site.
C) Grim's Ditch: Scheduled Monument section extending 1500yds (1370m) NE from Oxhey Lane' (List Entry Number: 1002044) 850 metres southeast of the site.
D) Grims Dyke Grade II Registered Park and Garden (List Entry Number: 1001254) 850 metres southeast of the site. E. Grimsdyke, Grade II* Listed Building (List Entry Number: 1079676), 1.14km southeast of the site.

In relation to A and B, Oxhey Grange and the related front Lodge, the Site is over 700m away s and there is no indication of a historic and/or functional link between them with the main setting of Oxhey Grange being within its private ground to the southwest, and to a lesser extent in open space to the east of Oxhey Lane. In addition, it does not appear that currently there are views between them and the Site. Based on this, the Site does not contribute to the significance of these heritage assets. Development as shown on the submitted illustrative plans, which would be set well to the south of the northern site boundary at height of 2-3 storeys would have a neutral impact on the significance of these assets.

Assets C to E are all located close together. Based on the lack of apparent historic relationship, relatively long distance and lack of visibility between these assets and the Site, the Site currently has a neutral impact on their significance. Development as indicated in the illustrative plans is

likely to have a neutral impact on their significance. Assets C to E are all located partly or fully within Brookshill Drive and Grimsdyke Estate Conservation Area. External views to the north in the general direction of the Site are highlighted in the adopted Conservation Area Appraisal and Management Strategy. Due to the distances involved of approximately 2 kilometres, and related lack of visual connection as well as lack of apparent historic or functional connection it is considered unlikely that the proposal would have an impact on this Conservation Area. However, these assets are all in the London Borough of Harrow and it is recommended that a formal consultation is made to LB Harrow in relation to the application.

One asset in the wider study area that has not been individually assessed in the submission is 'Barn About 30 Metres North of Merry Hill Farmhouse' (List Entry Number: 1346914), which is a late seventeenth or early eighteen century timber framed barn. Tithe maps indicate land within the same ownership was in or adjacent to the Site, which indicates a historic, functional link. However, the related farmhouse has been demolished and is now surrounded by modern development, the Site no longer contributes to the significance of the barn, so no harmful impact has been identified. This listed building is in Hertsmere District, under Hertsmere Borough Council.

There are four Conservation Areas in Hertsmere District to the northeast of the Site: Bushey High Street Conservation Area, Melbourne Road Bushey Conservation Area, The Lake Conservation Area and Bushey Heath Conservation Area. In relation to Bushey High Street and Melbourne Road Bushey Conservation Area, views southwards in the direction of the Site are highlighted in the adopted Conservation Area Appraisal. In relation to the Lake Conservation Area and Bushey Heath Conservation Area, no relevant viewpoints are highlighted in the Design Guidance. Due to the distances involved of approximately 2 kilometres, and related lack of visual connection as well as lack of apparent historic or functional connection it is considered unlikely that the proposal would have an impact on these Conservation Areas, but it is recommended that formal consultation is made to Hertsmere BC in relation to the application.

Other heritage assets are shown in the HIA map but were similarly discounted for the distance from the Site and/or due to their relatively localised settings such as the Grade II listed 'London Coal Duty Marker On County Boundary Immediately Northwest of Burnt Oak Farm' and Grade II 'Stable In The Grounds of Melodies' both over 800 metres to the south of the site.

There is no objection to the proposal based on the submitted information, but it is recommended that consultation is made to the relevant neighbouring authorities. This response has been made regarding Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework 2024, the relevant chapter is 16 'Conserving and Enhancing the Historic Environment'.

9.24	TRDC Environmental Health	No response received to date

9.25	TRDC Environmental Protection	Advisory comments

This development will require significant additional resources to implement and sustain scheduled collections of recycling, residual waste, food and garden waste. These cannot be absorbed within the exiting route structure so will require capital investment and ongoing revenue provision.

9.26	TRDC Housing Officer	No objection

Policy CP4 of the Adopted Core Strategy requires that 45% of new housing should be provided as Affordable Housing, unless it can be clearly demonstrated through financial evidence that this

is not viable. As a guide, the tenure split should be approximately 70% rented (of which 70% should be social rent and 30% affordable rent) and 30% affordable home ownership.

The Local Housing Market Assessment (2024) outlines the recommended proportions for housing mix in development proposals submitted to Three Rivers District Council. These proposals should generally aim for a mix of 19% 1-bed units, 39% 2-bed units, 30% 3-bed units, and 13% 4-bed units.

However, the identified need for affordable housing, based on the current housing register and the family composition of customers in temporary accommodation provided by the Council, suggests the following updated preferred mix: 20% 1-bed units, 45% 2-bed units, 30% 3-bed units, and 5% 4+ bed units. The primary need is for 2-bed, 4-person units, as there is a significant demand for family-sized accommodation to ensure families in temporary housing are offered permanent, suitable properties in a timely manner.

I can confirm that Housing Services would generally support this application as the proposed 50% affordable housing, comprising 70% social rent and 30% shared ownership, on the basis that the size of dwellings provided fulfils our current requirements.

9.27	TRDC Tree and Landscape Officer	Advisory comments

The site is within Metropolitan Green Belt and there is a Right of Way (Footpath 013 Watford Rural) runs northeast / southwest across along the northern boundary of the site. The site comprises of a series of undulating fields of former pasture, bound and sub-divided by dense hedgerows of predominantly Blackthorn, with numerous notable/veteran, Oak and Ash trees both within the hedges and in-field. The tree's ages have not been estimated, but the stem girths have been calculated.

Whilst the stem girths, and possibly the ages, of many of the trees may not accord with the girths/ages outlined in some veteran tree assessment tools, many of them have multiple features associated with veteran trees, such as extensive decay, hollowing, deadwood in the crown, habitat spaces, major storm damage and Fungi.

However, there is no definitive veteran tree assessment criteria, and the National Planning Policy Framework does not specify the use of any particular assessment tool, but simply advises:

'Ancient or veteran tree: A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Very few trees of any species reach the ancient lifestage'

And that;
‘development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (70) and a suitable compensation strategy exists;

70 For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.’

Of the three criteria for veteran trees referenced by the NPPF (age, size and condition) arguably the most important aspect is tree condition, as the exceptional biodiversity that make these trees irreplaceable habitat stems from the features they acquire over time. The unique diversity of wildlife associated with veteran trees is closely linked, not only to the trees, but also the wildlife's interaction with the hedgerow and grassland habitats.

The outline plans indicate that there will be little direct impacts on notable / veteran trees on-site, with no trees needing to be felled or pruned. Although tree T1, close to the proposed entrance to the site, may be under threat from the need to create suitable visibility splays, and construct an access road and footpaths of a specification that Highways would agree to adopt. Some sections of existing hedgerow would also need to be removed and some development is proposed to take place within the root protection areas of retained trees.

The potential for indirect impacts on trees, and hedgerows, and the deterioration of irreplaceable habitats over the longer term are significant. The proposal to site up to 256 new dwellings in grassland, in close proximity to large numbers of notable / veteran trees and mature hedgerows would result in a significant increase in the residential population close to these irreplaceable habitats.

As the trees move into their veteran phase of life, their ecological value will only increase, and the wildlife associated with them (such as bats, fungi and invertebrates) which is also reliant on the grassland and hedgerow habitats. As a result, the loss of grassland and degradation of the hedgerow will be harmful to biodiversity associated with the notable/veteran trees.

This increase in population would inevitably lead to additional recreational pressures on the trees and hedgerows, such as the compaction of soils around root zones; erosion and widening of footpaths through green space areas; and the disturbance of wildlife, through activities such as dog walking. The increased population will also increase recreational pressure on existing, publicly accessible green space, in particular Merryhill Wood, which borders the site to the east.

Other unintentional impacts of an increased population would be additional localised air and water pollution from vehicle movements; the use of pesticides in gardens and allotment areas; and anti-social behaviour issues. This may include vandalism and fly-tipping, which would contribute towards the deterioration of these irreplaceable trees and habitat.

Placing development close to notable / veteran trees and incorporating them into more formal green spaces will also increase the level of risk should a tree fail. This could be detrimental to these ecologically important trees if overzealous safety works to fell or heavily prune them is undertaken to address perceived safety concerns.

Despite the cessation of grazing, the combination of grassland, hedgerow and large numbers notable/veteran trees, creates a visually attractive, high quality pastoral landscape. Although the majority trees and hedgerow would be retained, the development of the grassland areas would lead to a significant loss of openness, and result in urban sprawl, and encroachment into the wider countryside. This would be harmful to landscape of the local area, and development in close proximity to the significant trees and hedgerows on the site would lead to their degradation over time.

9.28	TRDC Leisure Officer	Advisory comments (condition suggested)

After full consideration of all of the documents and information relating to the above planning application, Leisure Development Officers would recommend the following, in the submission of the planning application to Three Rivers DC.

These comments are given to help the development achieve the aims of Three Rivers District Council's Local and in accordance with the National Planning Policy Framework:

- Achieving Sustainable Development
- Promoting Healthy Communities
- Health and Wellbeing

Officers would recommend the location of the proposed play area be reconsidered due to:

1. Lack of natural surveillance in this area, resulting in potential anti-social behaviour
2. Distance from the majority of proposed properties
3. The proposed site for the play area is on a slope. Consideration must be taken for the safety and accessibility issues for existing residents of Carpenders Park and new residents.

Consideration of play provision that incorporates all ages e.g. SK8 park, scooter park, parkour and play area.

Outdoor leisure equipment must conform to the following standards:

i. Playground Equipment & Surfacing – BS EN 1176 & 1177
ii. MUGA's (Multi Use Games Areas) – BS EN 15312 – Free Access Multi Sports
iii. Skate Parks – BS EN 14974 – Roller Sports Equipment
iv. Outdoor Fitness Equipment – BS EN 16630
v. Parkour Equipment – BS EN 16899

4. New play spaces should be located with regard to areas of deficiency (and designed following the same principles as if they were being implemented by the local authority)
5. Particular attention should be given to DDA compliant access to any leisure areas including pathways, seating and equipment as per the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland).
6. Provision of sustainable active travel to support an active lifestyle, such as being bike friendly.
7. Where leisure provision is made by the developers, design advice must be sought from Three Rivers Leisure team which must include DDA compliant access, details of installation, quality details of all materials used, adherence to RoSPA recommendations such as gates and fences etc and RoSPA inspection of installed pieces of equipment.
8. Please consider vehicle access for maintenance of any leisure areas.
9. Operator signs for any leisure areas will need to be included for reporting of maintenance or reparation issues.
10. A full Risk assessment of any leisure equipment should be considered.
11. A RoSPA report or assessment should take place of any proposed play and/or leisure equipment.
12. Provision for the on-going maintenance of any leisure facilities should be detailed, particularly if it the developer plans to formally hand over to the leisure facility to the Parish Council or Three Rivers District Council. This must include DDA compliancy certification as per the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland)., details of installation, quality details of all materials used with the relevant certification, detailed maintenance guides for each piece of equipment, RoSPA inspection of installed pieces of equipment, adherence to RoSPA recommendations such as gates and fences etc.
13. Officers would recommend that guidance on leisure facility planning (eg: Play England or Sport England) is sought from the relevant bodies and adhered to.

Therefore, A pre-commencement condition is therefore requested which requires

It is **requested that the following condition is imposed** which is based on:

(a) ***No development shall commence until the play area document designs have been submitted to and approved in writing by the Local Planning Authority after consultation with Three Rivers District Council's Leisure Team in addition to ongoing maintenance schedules and a programme of implementation.***

Three Rivers District Council's Leisure team can provide examples of acceptable completed documents and contractor's specifications to the applicant to assist with meeting the requirements of the above condition.

9.29	TRDC Planning Policy / Local Plans	Advisory comments

The proposal relates to the development of up to 256 residential dwellings, housing with care, a children's home and associated works. The application site is located wholly within the Metropolitan Green Belt.

The application site has not been allocated as a housing site by the Site Allocations Local Development Document (2014) and as such is not currently identified as part of the District's housing supply. The site should therefore be considered as a windfall site. Policy CP2 of the adopted Core Strategy (adopted 2011) states that applications for windfall sites will be considered on a case by case basis having regard to:

i. the location of the proposed development, taking into account the Spatial Strategy
ii. the sustainability of the development and its contribution to meeting local housing needs
iii. infrastructure requirements and the impact on the delivery of allocated housing sites
iv. monitoring information relating to housing supply and the Three Rivers housing target.

The Spatial Strategy states that new development will be directed towards previously developed land in the urban area of the Principal Town (Rickmansworth) which is identified as one of the most sustainable locations in the District. The site is not within a defined settlement (although adjoins the eastern boundary of the Secondary Centre of Carpenders Park) and is not previously developed land. The development would result in the net gain of up to 256 new dwellings. The Council cannot currently demonstrate a five-year supply of housing land as required by the NPPF and currently has a 1.7-year housing land supply. The delivery of up to 256 dwellings would make a significant and positive contribution to much needed housing provision within the District. Additionally, there has been an undersupply of affordable housing within the District throughout the plan period and as such there is a pressing need for the delivery of affordable housing. The submitted planning statement sets out that up to 50% of the dwellings would be affordable housing, which would make a significant and positive contribution to the affordable housing need within the District.

The application site is located in the Metropolitan Green Belt. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 further sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless certain exceptions apply. Paragraph 154 of the NPPF sets out the following exceptions to inappropriate development in the Green Belt:

a) buildings for agriculture and forestry;
b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) 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;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

i. mineral extraction;
ii. engineering operations;
iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Additionally, paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

a.) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b.) There is a demonstrable unmet need for the type of development proposed;

c.) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

d.) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157

Policy CP11 of the Core Strategy states that 'there will be general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it'.

Policy CP3 of the Core Strategy states that the Council will require housing proposals to take into account the range of housing needs, in terms of size and type of dwellings as identified by the Strategic Housing Market Assessment (SHMA). The most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1-bed	**2-bed**	**3-bed**	**4+ bed**
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%

Social / Affordable Rented Housing	20%	32%	35%	12%

It must be noted that Policy CP3 recognises that a proposed housing mix may need to be adjusted for specific schemes to take account of market information and specific site factors; where adjustment to the proportions is sought, applications should explain how relevant factors have contributed to the mix of housing proposed.

Policy CP4 of the Core Strategy requires 45% of all new housing to be provided as Affordable Housing, unless it can be clearly demonstrated with financial evidence that this is not viable. Policy CP4 sets out that the Council will "as a guide, seek 70% of the affordable housing provided to be social rented and 30% to be intermediate".

Policy CP3 of the Core Strategy states that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs. The Local Housing Needs Assessment (LNHA) considers the need for older persons accommodation within a C2 Use Class. The LHNA expresses the need under two scenarios. The first scenario is based on the Housing Learning & Information Network's (SHOP@) modelling assumptions. The second scenario is an Enhanced Extra Care scenario which aligns with Hertfordshire County Council's Strategy to more strongly develop the provision of specialist housing, particularly for extra care (assisted living), as an alternative to providing care home bedspace (which is expected to reduce future needs for residential care accommodation). The proposal would contribute to meeting this need.

The Local Housing Needs Assessment (LHNA) also considers the need for children's home spaces typically within a C2 Use Class and estimates a notable need for 24 spaces over the period 2024 – 2041. The proposal would contribute to meeting this need.

The site adjoins a small section of a Local Wildlife Site to the south. Policy DM6 of the Development Management Policies Local Development Document sets out that:

"Development that would affect a Site of Special Scientific Interest, Local Nature Reserve, Local Wildlife Site or protected species under UK or European law, or identified as being in need of conservation by the UK Biodiversity Action Plan or the Hertfordshire Biodiversity Action Plan , will not be permitted where there is an adverse impact on the ecological, geological or biodiversity interests of the site, unless it can be demonstrated that:

i) The need for the development would outweigh the need to safeguard the biodiversity of the site, and where alternative wildlife habitat provision can be made in order to maintain local biodiversity; and

ii) Adverse effects can be satisfactorily minimised through mitigation and compensation measures to maintain the level of biodiversity in the area.

9.30	TRDC Transport and Parking	No response received to date

9.31	WBC Environmental Health (Commercial)	No objection

Air Quality:
I have reviewed the information supplied and the conclusions.

11.3 Air quality conditions for future residents of the proposed development have been shown to be acceptable, with concentrations well below the air quality objectives throughout the site.

11.4 The assessment has demonstrated that the emissions from the additional traffic generated by the proposed development will have a negligible impact on air quality conditions at all existing receptors along the local road network.

11.5 The overall operational air quality effects of the proposed development are judged to be 'not significant'.

Based on the information supplied we are satisfied that there is no need for further conditions relating to air quality from the operations stage of the development. The TRDC Environmental Health Team would normally review the construction controls proposed.

Contamination:

Based on the scale of the development, the standard contaminated land condition is recommended on this and any subsequent applications for the site.

1. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
i) A preliminary risk assessment which has identified:
• all previous uses
• potential contaminants associated with those uses
• a conceptual model of the site indicating sources, pathways and receptors
• potentially unacceptable risks arising from contamination at the site.
ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

3.In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the

Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9.32	Watford Rural Parish	Objection

Watford Rural Parish Council has reviewed the above application and submits this formal objection on behalf of residents in Carpenders Park Ward, who will be directly and significantly affected by the development. This application is unacceptable in principle and practice, conflicting with local and national planning policy and placing an unsustainable burden on local infrastructure.

1. **Inappropriate Development in the Green Belt**

The application site lies entirely within the Metropolitan Green Belt. Under the National Planning Policy Framework (NPPF 137–151), inappropriate development in the Green Belt is harmful by definition and should not be approved except in very special circumstances. This proposal fails to demonstrate such circumstances. The development would:

- Cause substantial harm to openness through built form, lighting, and urbanising infrastructure
- Represent urban sprawl, eroding the strategic gap between Carpenders Park and surrounding settlements
- Be premature, as the site is not allocated for development in the adopted or emerging Local Plan The application is therefore fundamentally contrary to Green Belt policy.

2. Highways Safety, Parking Pressure, and Congestion

The proposed access onto Oxhey Lane presents significant safety risks, especially near existing bends and junctions. The Transport Assessment fails to account for:

- Traffic impacts on Little Oxhey Lane, Prestwick Road, and through to Watford
- Inadequate visibility at the proposed access junction
- Lack of protected facilities for cyclists and pedestrians, especially near schools

Moreover, the proposal worsens an existing local transport challenge:

- Carpenders Park train station has insufficient parking provision, leading to overspill into surrounding residential streets such as Delta Gain and Little Oxhey Lane.
- These roads already suffer from congestion, obstructed driveways, and road safety issues, particularly at school times.
- Introducing 256 additional homes will significantly intensify vehicle movements and parking demand near the station.

The proposal is therefore unsafe, unsustainable, and contrary to Policy CP10 and DM13.

3. Landscape and Visual Harm

The submitted LVIA (Landscape and Visual Impact Assessment) admits to adverse effects from key viewpoints, particularly from Oxhey Lane and Attenborough Fields.

- The area serves as a green buffer separating Carpenders Park from Watford.
- The proposed development would significantly urbanise this rural edge, introducing built form inconsistent with the open landscape character.
- The Parameter Plan shows dense blocks with limited vegetative screening. The proposal is visually and environmentally harmful, contrary to Policy CP12 and NPPF 174.

4. **Ecology and Biodiversity Impact**

Despite submitted assessments, the application poses risks to local biodiversity:

- Loss of semi-improved grassland, hedgerows, and mature trees used by nesting birds and foraging bats
- Biodiversity Net Gain calculations rely on off-site mitigation with no delivery mechanism or binding legal commitment
- No comprehensive habitat creation or long-term management plan This undermines NPPF 180 and Local Plan Policy DM6, which require demonstrable **gains for biodiversity**

5. **Flood Risk and Inadequate Drainage Strategy**

The Flood Risk Assessment (FRA) and Drainage Strategy raise several concerns:

- Sloping topography increases surface water runoff potential toward lower-lying land
- Reliance on infiltration basins and attenuation ponds lacks viability testing
- No clear commitment to Sustainable Drainage Systems (SuDS) beyond indicative proposals.

The development risks increasing flood vulnerability downstream and is non-compliant with Policy DM9 and NPPF 167.

6. **Heritage and Local Character Impact**

The Heritage Statement provides insufficient consideration of:

- Impacts on the setting of Oxhey Grange and historic landscape views
- Visual and character harm to Carpenders Park's semi-rural fringe.

There is no design evidence that respects the local identity, pattern, or scale of development in Carpenders Park. This is contrary to Policy DM1 and NPPF 130.

7. **Infrastructure Pressure – Schools, Health and Services**

The application significantly underestimates the pressure this development will place on local services and infrastructure:

Education

- The only local school, St Meryl Primary, has limited capacity (240 pupils) and is already near full.
- There is no secondary school in Carpenders Park; local children rely on facilities in Bushey and South Oxhey, many of which are oversubscribed.
- The development would increase pressure for places, without contributing school expansion.

Healthcare

- Attenborough Surgery, the sole GP practice in Carpenders Park, already operates at near capacity.
- No evidence is provided of additional provision or coordination with NHS services to absorb the increased population. Public Transport and Parking

- As noted in Section 2, Carpenders Park Station lacks adequate parking, causing spillover and obstruction on surrounding streets.
- Increased commuter population will exacerbate this issue. Other Services
- The application provides no analysis of:
- Utility capacity (water, sewerage, electricity)
- Play space, parks, or community infrastructure
- Waste and recycling capacity for increased households

Conclusion: The scale of the proposal is incompatible with the current and planned capacity of local services. It is contrary to Policy DM1 and CP2 and places an unsustainable burden on infrastructure.

8. **Summary and Recommendation**

Watford Rural Parish Council urges Three Rivers District Council to refuse planning application 25/1020/OUT on the following material grounds:

1. Inappropriate Green Belt development with no very special circumstances
2. Unsafe and unsustainable highway access, and station-related parking pressures
3. Adverse landscape and visual impacts on Carpenders Park's rural edge
4. Unacceptable biodiversity losses and mitigation shortfalls
5. Inadequate drainage and flood risk strategy
6. Harm to heritage setting and local character
7. Overdevelopment incompatible with local infrastructure capacity

This site is not allocated in any adopted plan and should not be brought forward in isolation, absent coordinated strategic planning and infrastructure investment.

Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions, and you should satisfy yourselves on any facts before reaching your decision.

9.33	Woodland Trust	Objection

Please find a summary of the Woodland Trust's comments below, followed by further detail and advice. Our comments are based on a review of the information provided in the planning application. We are an evidence-led organisation, using our policy and planning expertise to assess impacts of development on ancient woodland and veteran trees.

Summary The Trust objects to this application, in its current form, due to the deterioration of multiple veteran trees Details on the trees of concern are outlined in the table below, including the tree numbers provided within the arboricultural information submitted as part of this application.

Tree No.	Species	Categorisation	Impact
T21, T23, T26, T27	Common Oak	Veteran	Deterioration due to: - encroachment on the root system and rooting environment - significant development surrounding the tree
T41, T64, T66	Common Oak	Veteran	Deterioration due to encroachment on the root system and rooting environment
T53	Common Oak	Veteran	Deterioration due to significant development surrounding the tree; potential encroachment on the root system and rooting environment
T68	Common Oak	Veteran	Potential deterioration due to encroachment on the root system and rooting environment

Veteran trees are irreplaceable habitats and should be protected from loss, deterioration or harm. Natural England and Forestry Commission have identified impacts of development on ancient and veteran trees within their standing advice (see Annex). This guidance should be considered Government's position with regards to development impacting ancient or veteran trees. The applicant should ensure that the proposed works will not result in any detrimental impact on veteran trees in line with paragraph 193(c) of the National Planning Policy Framework (NPPF) and Natural England's standing advice.

Impact on Veteran Trees Ten veteran trees have been identified within the Tree Survey. The development would introduce a considerable number of new dwellings and associated infrastructure in close proximity to nine of these trees and significantly alter the landscape they sit within. Whilst BS 5837 guidelines state that trees should have a root protection area of 12 times the stem diameter (capped at 15m), they also recognise the additional care and attention required to ensure the long-term retention of veteran trees. Paragraph 5.2.4 of the guidelines states, "particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development" and that "adequate space should be allowed for their long-term physical retention and future maintenance". Natural England and Forestry Commission's standing advice states: "For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area. Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone." Works Proposed Within Root Protection Areas (RPAs) Various forms of work are proposed within the RPAs of veteran trees, and we anticipate adverse impacts occurring to the affected trees during both the construction and occupational phases of the development. None of the veteran trees on site appear to have been given root protection areas calculated at 15 times the stem diameter. The impacts discussed below relate to works proposed within the 12x stem diameter RPA. If given 15x RPAs, there would be additional impacts to veteran trees across the site. For example, it is likely that an access road and drainage pipes would be within T21's RPA if calculated at 15 times the stem diameter, and a footpath and tree protection fencing would be within the 15x RPA of T68.

Built Infrastructure An access road is proposed partially within the RPA of T26. The plans also appear to show an area of hardstanding partially within the RPAs of T26 and T27. The surface water and foul water sewer pipes go through the RPA of T26, and the foul water rising main drainage pipe appears to be within the RPA of T23. These works have the potential to result in root severance and damage, soil compaction, disturbance within the rooting environment impacting existing soil structure and condition, soil contamination, and loss of available rooting area resulting in reduced water and nutrient availability for the trees. Cumulatively, these impacts are likely to affect the overall, and future, vitality of these trees and result in their long-term deterioration. We note that a 'no-dig' solution is proposed for the access road within T26's RPA. We would refer the applicant to sub-clause 7.4 (Permanent hard surfacing within the RPA) of the BS 5837:2012 which states that "This subclause does not apply to veteran trees, where it is recommended that no construction, including the installation of new hard surfacing, occurs within the RPA". It is not appropriate to undertake construction work or propose new hardstanding within the RPA of a veteran tree. This is contrary to NPPF 193(c), Natural England and Forestry Commission standing advice, and BS guidelines. All veteran trees on site should be afforded an un-encroached buffer zone in line with Natural England and Forestry Commission's standing advice, and no development works should be undertaken within this area.

Footpaths Footpaths are shown within the 12x RPAs of T23, T26, T27, T41, T64 and T66. Siting footpaths in close proximity to these trees will increase the human activity in their vicinity, which will in turn increase the need to manage the trees for safety reasons. Veteran trees typically feature significant deadwood habitat of great value for biodiversity, e.g. retained deadwood in the crown, broken or fractured branches, trunk cavities and wounds. As they age, the trees will inevitably shed limbs and branches, presenting a risk to their surroundings. As such, the health

and safety risks associated with these trees will change and result in a requirement for more intensive management. This will lead to a loss of habitat from sanitisation of such trees through removal of deadwood, as well as the potential for consequential decline or need for removal. Increased footfall will likely also impact the root systems and rooting environment around the trees, for example by reducing soil porosity and affecting water, oxygen, and nutrient delivery capability.

We note the plans label the footpath positions as indicative and state: “Will be aligned outside the RPAs of trees identified for retention. Where realignment not feasible then a 'nodig' surface solution will be utilised.”. For veteran trees, we advise that ‘no-dig’ solutions are not appropriate and should not be considered - any works within the root protection areas of veteran trees is likely to affect their long-term vitality and future retention. All footpaths should be repositioned outside of the RPAs of the veteran trees on site to ensure the trees have adequate space within the development for future movement and growth, to protect the tree roots and rooting environment, and to reduce the risk of intensified management.

Tree Protection Fencing Tree protection fencing is shown within the 12x RPAs of T21, T23, T26, T27, T41, T64 and T66. This should be repositioned outside of the 15 times RPA buffer of all veteran trees to ensure they are afforded construction exclusion zones of an appropriate size, and to prevent adverse impacts such as ground compaction from vehicles or stockpiles occurring during construction.

Landscape Change The site currently consists of open grassland fields. The introduction of significant amounts of hardstanding has the potential to affect the quality and quantity of ground and surface water across the site and result in adverse hydrological impacts on the veteran trees. It may also result in the contamination/pollution of the rooting environment of the trees, for example from surface water run-off from roads. The applicant should demonstrate there will be no adverse hydrological impacts to any veteran trees on site as a result of the development.

Significant Development Surrounding Trees NE/FC standing advice is clear that 15 times the tree’s diameter is the minimum buffer that should be afforded to veteran trees. Given the site context, we consider there are multiple veteran trees that will require larger buffers and additional mitigation measures to ensure they are not subject to deterioration as a result of the development. The proximity of built infrastructure will increase for all veteran trees on site, however there are some of particular concern. T23 will be closely bounded by housing with care to the west, and an access road and residential development to the east. T26 and T27 both have residential development proposed to the east and west and are closely bounded by a footpath on the eastern side. T26 also has an access road to the north. T21 and T53 both have substantial blocks of residential development to the north and south of them. The development will lead to a substantial change in the immediate environment of these trees, and they will become far more vulnerable within the landscape as a result. In addition to issues already discussed (soil compaction, root damage, intensified management etc.) we are concerned about the increased risk of accidental damage and vandalism to the trees. In the case of these trees, it is unlikely that the minimum veteran tree buffer will be sufficient to prevent adverse impacts occurring to the trees. We would advise that T21, T23, T26, T27, and T53 should be afforded larger buffer zones, and additional mitigation measures should be considered to prevent the long-term deterioration of these trees. Examples of measures which may be appropriate in this situation include knee-high fencing around the buffer zone to prevent access; signage explaining the ecological importance and increased vulnerabilities of veteran trees; and a specific veteran tree management plan being included in the LEMP (ideally done by a specialist e.g. VET-cert arborist).

Planning Policy The National Planning Policy Framework, paragraph 193, states: “When determining planning applications, local planning authorities should apply the following principles:- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons70 and a suitable compensation strategy exists;” Footnote 70 defines

exceptional reasons as follows: “For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.” There is no wholly exceptional reason for the development in this location and as such this development in its current form does not comply with national planning policy.

Conclusion Veteran trees are irreplaceable habitats and must be protected from loss, deterioration or harm. The Woodland Trust objects to this application on the basis of deterioration of multiple veteran trees. The applicant must demonstrate that all veteran trees on site will be appropriately protected from detrimental impact and harm in line with paragraph 193 of the NPPF. The applicant should provide un-encroached buffer zones for all veteran trees on site. If the minimum veteran tree buffer of 15x RPA is proposed, the applicant should provide clear evidence to demonstrate this will provide effective mitigation from anticipated impacts.

9.34	Place Services (Landscape Architect)	Objection

This review is based on a desktop study with a site visit of the above-referenced application and its submitted documents. Site visit carried out on the 28/10/2025. Our Landscape comments are as follows:

Site Context
The site is situated on the eastern edge of Carpenders Park, immediately to the east of the A4008 Oxhey Lane. It comprises three grassland fields, separated by two hedgerows. The northern boundary is defined by a treeline, whilst the southern boundary is currently open to the field parcel to the south. However, mature trees and scrub vegetation follow the course of Hartsbourne Stream, which provides enclosure to the Site.

The eastern boundary adjoins Merry Hill Woodland, and the western boundary is lined with trees and hedgerow, beyond which lies the existing settlement of Carpenders Park. A historic tree line runs north–south through the centre of the site. Adjacent to the western boundary is the three storey high Carpenders Park Care Home. There are several notable feature trees within the site, including veteran specimens located along the northern boundary.

A Public Rights of Way (Footpath Watford Rural 013) runs east–west across the northern part of the site, providing a connection between Carpenders Park and Merry Hill Wood. The site’s topography varies significantly. The northern field features a steep incline from west to east, rising from 83.71 metres to 104.23 metres. The remaining fields exhibit a gentler slope from north to south. The highest point on the Site is located in the northeast at 104.23 metres, while the lowest point lies in the southwest at 77.61 metres. The elevated areas of the site offer long-distance views towards the west and south. The are no statutory or non-statutory landscape protection designations within the site.

The surrounding landscape to the north, east and south of the site is of rural character. It features a high density of landscape features including woodland, golf course, riparian vegetation and trees, set within a layered field pattern and rolling topography.

The site is located within National Character Area (NCA) 111: Northern Thames Basin, and The Hertfordshire Landscape Character Assessment (2005) ‘Bushey Hill Pastures’ Landscape Character Area (LCA). Key characteristics of the LCA include:

• strong rising slopes up towards Merry Hill
• extensive grazing and equestrian activity
• considerable new planting
• surprisingly rural and panoramic views to the west

• parkland areas at Haydon Hill
• golf courses
• strong containment by urban settlement although generally visually well screened

Rarity and distinctiveness is described as:

"The area is relatively unusual in the county. The main distinctive quality is the maintenance of rural and pastoral character within a wider urban context."

The 'Strategy and Guidelines for Managing Change' relevant to the development include:

• expand the network of new tree planting to the west of the A4008 to soften the surrounding residential areas
• maintain and enhance public access to and over the entire area
• ensure that the distinctive long-distance views are framed and not lost by emerging woodland areas

The site is also identified as parcel CFS69 within the Three Rivers District Council Landscape Sensitivity Assessment. The document identifies parcel CFS69 as having a 'Medium High' sensitivity for residential use. Amongst the key sensitive elements are:

• the undulating landforms,
• landscape features
• strong perceptual quality,
• views from the public footpath running through the centre of the site towards natural features to the north east and urban landscape towards the south west,
• views into the site from South Oxhey and footpaths.

Planning Context
The site lies within the Green Belt, and any proposed development must have regard to current green belt policies, specifically Policy CP11 of the Core Strategy (October 2011) and Policy DM2 of the Development Management Policies Local Development Document (2013). In landscape terms, the following policies are also relevant:

Development Management Policies Local Development Document (2013)
- DM7: Landscape character

Core Strategy (October 2011)
- CP1: Overarching Policy on Sustainable Development
- CP9: Green Infrastructure
- CP12: Design of Development
- Core Strategy Strategic Objective: S1, S9, S12

The site forms part of allocation parcels CFS69 and CFS69a, both of which were deemed undevelopable in the Strategic Housing & Employment Land Availability Assessment (SHELAA) 2023, primarily due to the very high level of harm to the Green Belt.

Review of the proposal/submitted information

Landscape and Visual Impact Assessment
A Landscape & Visual Impact Assessment (LVIA) has been submitted with the outline application. While the assessment includes a detailed assessment of the visual effects from the identify visual receptors alongside tables, the assessment of the effects on landscape receptors is somehow lost within the report as no summary table for landscape receptors is included.

Landscape impact

We concur with the high magnitude of change on landscape character ("Introduction of major new elements into the landscape or some major change to the scale, landform, landcover or pattern of the landscape", as described in the LVIA methodology), giving a significant landscape effect of major adverse.

We have identified discrepancies between our judgements and the LVIA regarding the sensitivity and magnitude of change for landscape receptors.

The LVIA assigns medium sensitivity to the site's topography. However, given that steep topography is a defining characteristic of this Landscape Character Area (LCA), we consider this to be an underestimation. While the LVIA states that changes to the landform will be minor, the proposal lacks sufficient supporting detail. No existing or proposed contour plans or cross-sections have been provided to illustrate the impact of the new access track, residential development, and attenuation area across the steepest slopes. In reality, the residential development will be situated on sloping ground, requiring cut and fill operations and regrading to accommodate roads, driveways, and private gardens with usable gradients. We consider the site's topography to be of high sensitivity, and the magnitude of change to be medium, resulting in a major adverse significance of effect.

Therefore, we do not agree with the LVIA's conclusion that the overall effect on topography would be minor adverse. We also disagree with the LVIA's assessment of the site's hedgerows as having low value and low sensitivity. These features are recorded in historic mapping, have a positive and meaningful contribution to the wider green infrastructure and biodiversity, and provide important screening benefits. Although the fragmentation of these green corridors may be localised, it is not negligible. Contrary to the LVIA's judgment, we consider the magnitude of change to be low (minor loss), resulting in a minor adverse effect.

Paragraph 5.26 says that the site lacks rare or unique landscape features. We disagree and refer to the LCA's description of rarity and distinctiveness:

"The area is relatively unusual in the county. The main distinctive quality is the maintenance of rural and pastoral character within a wider urban context."

In addition, the Site contains several feature trees, including veterans, and retains historic landscape structure through its hedgerows. While the Site may not be designated as a 'valued landscape' under the National Planning Policy Framework (NPPF), it clearly contains elements of value. It reflects the character of the Bushey Hill Pastures LCA and functions as a transitional space between Carpenders Park and Merry Hill. We strongly disagree with the LVIA's assertion that the Site represents an unremarkable settlement edge. The northern part of the Site, in particular, exhibits high sensitivity due to its topography, views, perceptual quality, recreational use, and transitional function, and should be protected from development and enhanced through appropriate management.

Generally, the LVIA portrays the Site as having a strong relationship with the built edge of the settlement to the west and says it is well-contained by vegetation. However, it fails to adequately consider the Site's relationship with the wider undeveloped character of Merry Hill and the surrounding landscape to the north and south. This omission weakens the assessment of landscape impact.

Visual impact

The LVIA appears to downplay the recreational value of the Site. The PRoW is well-used by the public and provides access to the countryside and Merry Hill Woodland. Development in the northern part of the Site will have a significant visual effect, as demonstrated in Viewpoints 3, 14 (a and b), 15, 16, and 17. While new planting could potentially filter views of the built form from some locations, the road and play area will remain visible. The infrastructure associated with the development - not just the buildings - will have a detrimental effect. We cannot concur with the

LVIA's assessment of effects at Year 15 of minor adverse, and we question if mitigation will reduce the adverse effects to acceptable levels.

We disagree with the negligible effects for Viewpoint 17 at Year 1. We consider the visible part of the site (northern parcel) contributes to the rural and undeveloped character of the wooded horizon line from South Oxhey.

Visual effects for Viewpoints 1 & 2 Users of PRoW Footpath 'WATFORD RURAL 013' within the Site, are assessed as major adverse at Year 1, which we agree with, but we don't agree with the moderate adverse effect at Year 15. We consider the magnitude of change will remain high for this receptor: "Major change in the view that has a substantial influence on the overall view." The new built form and access road will remain defining elements in the view.

Viewpoint 9 is misleading and does not represent the worst-case scenario for visual impact along the PRoW. Although vegetation currently screens parts of the Site, the existing care home is visible, raising concerns about the potential visibility of new development on the site, including on the higher ground.

We found the that the LVIA uses Carpenders Park care home as a precedent to justify the acceptability of the proposed development, suggesting it will be viewed within the context of existing built form. However, we consider that the assessment does not account for the influence of the site's rural character and its wider undeveloped countryside setting.

Unlike the proposed development, the care home was constructed on previously developed land. In contrast, the current proposal represents an expansion of built form into a rural landscape. This will further erode the rural character of the site and alter the character of the settlement edge of Carpenders Park. The LVIA should more fully consider these contextual differences and the resulting landscape and visual impacts.

Mitigation measures

The LVIA does not include a dedicated section outlining mitigation measures to inform development principles or a landscape strategy. Although the application is in outline form with details to be addressed at the reserved matters stage, the absence of clear mitigation proposals is concerning.

We consider that the illustrative masterplan does not adequately respond to the site's topography, landscape character, or visual sensitivity. Instead, it appears to retrofit mitigation measures to justify a predetermined layout, rather than being informed by a landscape-led design approach. This undermines the potential to minimise adverse effects and integrate the development more sensitively within its rural and visually prominent context.

The proposal

An Illustrative Landscape Masterplan and Design and Access Statement (DAS) have been submitted. In isolation, the proposals include several positive elements such as the retention of most existing vegetation, new planting to reinforce existing green corridors, community orchard and areas of public open space. However, when considered in relation to the site's topography, landscape character and visual sensitivity, the proposals appear to result from a reactive design approach. Rather than being informed by the site's constraints and opportunities, mitigation measures seem to have been retrofitted to justify a predetermined layout, primarily aimed at visual containment, with limited regard for impacts on landscape character.

Paragraph 5.19 of the LVIA acknowledges the landform, landscape features, and perceptual qualities as having high sensitivity, yet asserts that these elements will remain unaltered. This is inconsistent with the proposed development outlined in the masterplan, which includes a new access road, built form, a Locally Equipped Area for Play (LEAP), and an attenuation basin in the northwest. These interventions will alter both the perceptual experience along the Public

Rights of Way (PRoW) and the site's topography - key characteristics that contribute to its landscape value. Additionally, the introduction of vehicular access will fragment existing green corridors.

While we recognise that development within the central and southern parts of the site may be less visually dominant, the northern portion is considered inappropriate for development. As previously noted, this area exhibits the highest sensitivity in terms of both visual and character susceptibility to change.

Page 33 of the DAS includes a diagram identifying site opportunities and constraints, including key views and a proposed 15m buffer along the northeastern boundary. However, the illustrative masterplan does not appear to have adequately responded to these constraints. The main views identified in the DAS are not reflected in the layout, and the 15m buffer has been altered in the masterplan, resulting in development being positioned closer to existing vegetation than originally indicated.

Furthermore, the transition between the proposed development and the surrounding countryside is abrupt. We recommend that this interface is softened by introducing a gradual change in character from development to countryside, which would better respond to the site's boundaries and wider landscape setting.

The development is fragmenting three of the existing green corridors with the new access road. This is contrary to Policy CP9, which states:
"Development will not compromise the integrity of the Green Infrastructure network, by causing fragmentation, damage to, or isolation of Green Infrastructure assets including natural habitats and species."

The fragmentation of these corridors undermines the continuity and ecological function of the site's green infrastructure, which plays a vital role in supporting biodiversity and landscape connectivity.

Policy CP12 requires that development:
"a) Have regard to the local context and conserve or enhance the character, amenities and quality of an area."

We consider that the proposal does not demonstrate sufficient regard for the local context. The introduction of built form into this rural setting will erode the character of the settlement edge of Carpenders Park, diminishing its rural qualities and altering its landscape identity.

Policy DM7 includes:
"…b) Landscape Regions

In all landscape regions, the Council will require proposals to make a positive contribution to the surrounding landscape. Proposals that would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission. The Council will support proposals that: ……ii) Enhance public access and recreation opportunities without detriment to the landscape or wildlife."

We consider that the introduction of development and associated infrastructure does not enhance the existing recreation opportunities on site without detriment to the landscape character. The existing rural character and distinctiveness will be lost and replaced with urban character. While we acknowledge the inclusion of new pedestrian links around the site perimeter and along existing green infrastructure, some sections are positioned very close to the development edge. This proximity reduces their amenity value and limits their potential for multifunctionality.

The provision of Locally Equipped Area for Play (LEAP) although positive, is not considered to have been sensitively integrated within the development layout. Its location detached from the main residential area and positioned within a sensitive part of the site raises concerns on impact on landscape character.

To mitigate the moderate adverse effects of the proposed built form on the northern parcel from Carpenders Park, the development is offset from the western boundary by a large area of open space. The illustrative masterplan indicates that this area will include extensive new woodland planting and a large attenuation basin. For the attenuation basin to be considered usable open space it must be carefully designed to ensure year-round multifunctionality and integration with the wider landscape. Key design considerations include:

• Gentle slopes, with gradients no steeper than 1 in 4 to ensure accessibility and safety
• Naturalistic design, to reflect the surrounding landscape character
• Benching profiles, to manage health and safety risks effectively
• Omission of fencing, to maintain openness and permeability
• Inclusion of natural and incidental play elements, to support informal recreation
• Diverse planting, including trees and varied vegetation, to enhance visual amenity and ecological value

Without these design principles, the attenuation basin risks functioning solely as engineered infrastructure rather than contributing meaningfully to the site's green infrastructure and public amenity.

Summary
It is considered that the proposals do not demonstrate a clear response to the site's opportunities and constraints, nor do they reflect its valued characteristics or the surrounding local context. The site functions as a transitional edge between the urban settlement of Carpenders Park and the rural landscape of Merry Hill. This edge is not only spatial but experiential, offering a gradual shift in character, vegetation structure, and land use. The existing hedgerows, veteran trees, and open views contribute to a layered transition that should be preserved and enhanced.

The introduction of new roads, residential development, and a LEAP will result in the loss of the site's rural character, particularly as experienced along the Public Rights of Way (PRoW). While we acknowledge the biodiversity benefits of new planting and the enclosed nature of parts of the site, the overall impact of the development is considered significant and detrimental to the landscape character and the edge of Carpenders Park.

Para 3.2 of the LVIA suggests that the proposed development "could deliver a cohesive and high-quality green infrastructure network that would respect local landscape character to enhance visual amenity and promote a sense of place." However, the LVIA itself assessed the impact of the development on landscape character as major adverse. According to the LVIA methodology, this level of significance is described as:

"Substantially:
− be at variance with the character (including value) of the landscape;
− degrade or diminish the integrity of a range of characteristic features and
− elements or cause them to be lost;
− change a sense of place."

We consider that the proposal is in conflict with the following key policies:
• CP9 – due to fragmentation of green infrastructure
• CP12 – due to lack of contextual sensitivity
• DM7 – due to impact to the landscape character

The following mitigation measures should be considered by the applicant to:

• Exclusion of development from the northern parcel,
• Restoration of historic hedgerows, and enhancement of green corridors.
• Topographic-sensitive design avoiding cut-and-fill on steep slopes and use contour following paths.
• A gradual change in character from development to countryside (urban-rural transect) should be adopted to guide landscape design and development layout.
• Integration of the areas of play within the development layout.
• Multifunctional green corridors with wider buffer areas between pedestrian routes and built form, including roads.

2nd Consultation Response

This letter is in response of the recently submitted documents 13 Jan 2026.

LVIA Addendum A table for landscape effects is included in Appendix 4 of this Addendum. This is welcomed.

As clarification to paragraph 3.18, the Three Rivers District Council Landscape Sensitivity Assessment (2019) predates the publication of Natural England's Technical Guidance Note TGN 02/21. Nevertheless, the assessment was informed by 'An Approach to Landscape Sensitivity Assessment' (Natural England), which at the time represented the relevant national guidance. While the published report does not present detailed criteria and assessment of susceptibility or landscape value, these factors were fully considered and evaluated during the field survey work undertaken as part of the sensitivity assessment process, however they were not captured in the recorded outputs.

Whilst acknowledging the ACD Environmental response, the ACD Tree Survey (PRI24711ts) identified a number of trees with a 'V' under 'Life stage' column. The notes footnote does not define what V stands for, but we would assume 'V' almost certainly represents Veteran.

Landscape Impact

Using the methodology from the submitted LVIA, we considered value to be **high** and susceptibility to be **medium**, when combined it results in a high sensitivity, and with a magnitude of change of **medium**, resulting in a **major adverse** effect. We recognise that the steepest parts of the site are more susceptible than the southern parts.

A **moderate adverse effect** (locally) can be considered acceptable on the basis that the access road across the steepest slopes is designed without the need for retaining walls or significant alterations to existing gradients. The residential parcels should also be delivered in a manner that avoids the introduction of retaining structures and prevents the formation of landforms that would appear engineered or out of character with the surrounding topography. However, the construction of the proposed attenuation basin will result in discernible alterations to the existing landform, giving rise to a notable, but localised, change in topographical character.

Topography
We consider that the topography of the site is reflective of the key characteristic of Bushey Hill Pastures LCA. While not rare, it is distinctive. High value criteria as per Table 2 within the Methodology says "Rare or distinctive landscape elements and features are key components that contribute to the landscape character of the area"

Hedgerows
We recognise the overgrown condition of the existing hedgerows within the site giving a **low** value, however we still consider that their contribution to the green infrastructure and historic field pattern results in a **medium** susceptibility and a combined **medium** sensitivity. We concur with the **minor beneficial** effect predicted with the embedded mitigation within Appendix 4 from the LVIA Addendum.

Visual impact

We consider that Viewpoint 14 (a and b) will experience the greater effects as a result of the new access road. For clarification, we do not disagree with the **medium** sensitivity, but magnitude of change for this viewpoint only is considered **high**. As per our previous comments and from our professional judgement, the proposed green infrastructure while help to reduce the overall visibility of the new built development, the access road and associated infrastructure will remain visible, and the change in the rural experienced character arising from urbanising elements is considered to be "a major change in the view that has a substantial influence on the overall view". Based on the provided methodology within the LVIA, we consider that even after embedded mitigation the effects will remain **moderate adverse** for this particular viewpoint.

Visual effects for Viewpoint 1 are also judged as **moderate adverse** in the LVIA. While we note the justifications from the applicant, when reviewing the indicative layout, we find the alternative access point, marked-up on image below, more acceptable, with, potentially, a reduction of the visual effects for Viewpoints 1 and 14. Given the proposed road feeding the new dwellings, the continuation of this road connecting with Oxhey Lane is seeing as feasible. This approach will remove road network away from the public footpath and will sit closer to the care home. It is still our recommendation that the access road into the site is reconsidered.



During our site visit, we found open views along the PRoW 'BUSHEY 025' where the communications tower is visible with only limited views of the roof's care home. See photo below taken along the PRoW in between Viewpoint 9 and 7. We anticipate occasional view of the rooftops from the development within the higher points of the site from this viewpoint, based on the indicative landscape proposals. Overall, we consider that with additional embedded mitigation to the eastern boundary, effects can be reduced to **negligible.**



Visual context

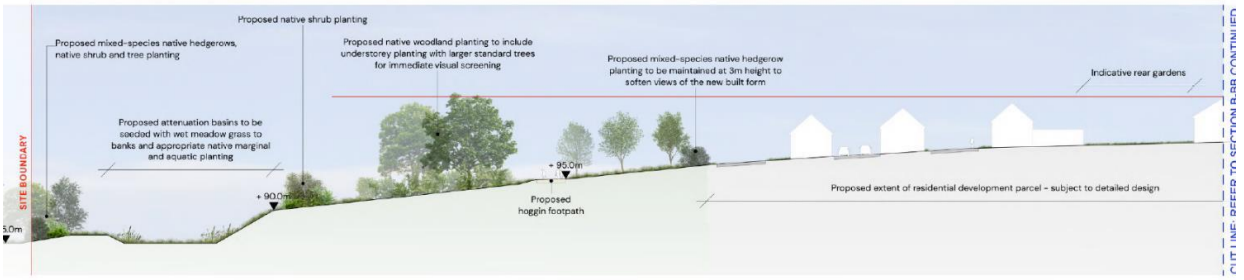
The relationship between the site and the built edge of settlement is not questioned. But we consider that the site also has a visual connection with the rural landscape with views to the south from the mid and southern site parcels, although we acknowledge these are not publicly accessible locations. The LVIA has recognised open views to the west and panoramic views southeast.

Mitigation measures

LVIAs usually include primary and secondary mitigation. On consideration, we would assume that the LVIA has been used as an iterative planning and design tool, allowing all necessary and desirable mitigation to be incorporated into the project design, and brought forward within section 3 of the LVIA, omitting specific reference to primary and secondary mitigation chapter.

The visibility of the northern parcel of the site as a result of the site's topography is mentioned throughout the LVIA. One of the key objectives of the landscape and GI proposals within section 3 of the LVIA include to "Minimise any potential adverse landscape and visual effects of the development through careful layout design of the proposed development and location of public open space and screening vegetation;" Still, development has been proposed within the higher points on site, despite this location been identified as the most visible and sensitivity part of the site, requiring substantial new native woodland planting to screen the built form. This is reflected in para 5.34 of the LVIA "…significant amount of proposed new woodland and tree planting, particularly throughout the area of open space in the northern parcel, in order to mitigate the more sensitive parcel of the Site in terms of views of new built".

In our professional judgement, effective screening would only be achieved once the woodland has reached maturity. This is illustrated in the provided Section B-BB within Appendix 2 of the LVIA Addendum (marked-up extract below), where the horizontal red line marks the highest point in relation to the proposed trees' mature height.



Site Visualisations – P24-2204 (December 2025) Site visualisations have been submitted to provide an indication of the anticipated filtering effect of the proposed planting mitigation strategy. The visuals suggest a verdant street scene, which is welcomed, noting visual for Viewpoint 3 (site western edge). To ensure the delivery and long-term establishment of street trees, these should be located within public realm rather than within private gardens – as currently outlined. We advise that this is considered carefully during the detail design stages for the full application.

Conclusion

While the relationship between the site and the built of edge of settlement is not questioned, we still consider the site functions as a transitional edge between the urban settlement of Carpenders Park and the rural landscape of Merry Hill. This edge is not only spatial but experiential, offering a gradual shift in character, vegetation structure, and land use. The existing hedgerows, trees, and open views contribute to a layered transition.

We acknowledge the biodiversity benefits of new planting and the enclosed nature of parts of the site. The introduction of new roads, residential development, and a LEAP will result in the loss of the site's rural character, particularly as experienced along the PRoW 'BUSHEY 025'.

Overall, we accept that the proposal will result in residual effects, and concurrent with the LVIA, the effects with embedded mitigation of the development on the site and immediate context (local landscape character) will be major adverse. With regards visual effects, the residual effects are limited to only a reduced number of viewpoints.

We consider that the following recommendations should still be taken forward, as they would improve the scheme and lessen notable visual impacts:

- Exclusion of development from the northern parcel, particularly in relation to the new access road. Consideration should be given to relocating the new access road closer to the existing care home development.
- Restoration of historic hedgerows through appropriate hedgerow management, and enhancement of green corridors.
- Street trees should be located within public realm rather than within private gardens.
- Ensure the 15m buffer zone is implemented, avoiding any elements that require excavation or ground compaction within this zone.
- Topographic-sensitive design avoiding cut-and-fill on steep slopes and use contour following paths.
- A gradual change in character from development to countryside (urban-rural transect) should be delivered to guide landscape design and development layout.
- Relocation of the areas of play within the development layout for better integration and passive surveillance.

- Multifunctional green corridors with wider buffer areas between pedestrian routes and built form, including roads.
- Design of the attenuation basins considering the following:
    - Gentle slopes, with gradients no steeper than 1 in 4 to ensure accessibility and safety
    - Naturalistic design, to reflect the surrounding landscape character.
    - Benching profiles, to manage health and safety risks effectively.
    - Omission of fencing, to maintain openness and permeability.
    - Inclusion of natural and incidental play elements, to support informal recreation.
    - Diverse planting, including trees and varied vegetation, to enhance visual amenity and ecological value.

Adjoining districts / boroughs

9.36	Hertsmere Borough Council	Advisory comments

I refer to your adjacent authority consultation request received on 27th June 2025 in respect of application ref. 25/1020/OUT.

It is acknowledged that the application site is located within the Green Belt. The applicant has set out within their Planning Statement that the application site comprises grey belt and in their view would not be inappropriate development by virtue of compliance with NPPF paragraphs 155 and 157.

Referring to the guidance set out within the PPG on grey belt assessments, the application site may make a strong contribution to Green Belt Purpose a) (checking the unrestricted sprawl of large built up areas). Development along Oxhey Lane is almost entirely located on the western side of the road, which acts as a physical boundary for Carpenders Park. The proposed development would be sited on the eastern side of Oxhey Lane and therefore would lack physical features to restrict and contain development on the northern, eastern, or southern boundaries.

We suggest that the resulting development could appear as an incongruous pattern of development in light of the above context.

If this view is taken by the Case Officer, consideration of the applicant's case for very special circumstances would be required. We offer no comment on this.

The above comments are made in the knowledge that they are a matter of planning judgement and that the case officer may be minded to take a different view. No other concerns are raised at this stage, subject to the Case Officer having regard to the comments made by statutory consultees and neighbours.

Therefore, Hertsmere Borough Council raises **no objections** to this application.

Three Rivers Council may therefore proceed to assess the application against their statutory development framework.

9.37	London Borough of Harrow	Objection

The Planning Policy Team recommends that the Council raise a formal objection to this proposal due to the factors detailed below:

- The Policy Team considers that parcel SO3 makes a significant contribution to purpose b and not a moderate contribution as indicated by the Three Rivers Stage 2 Green Belt assessment.

- The potential release/development of the application site will result in the expansion of intervening settlement between the former towns, along the A4008 that connects into Harrow and will significantly harm the visual and physical separation between these. Further, the application site has a sloping topography, which means development will have an adverse impact on the visual openness of the Green Belt across a wider area, including from areas within Harrow. Overall, it is considered the potential development of this site will have a significant impact on the contribution on purpose b, as it would result in physical or visual coalescence of towns and result in a reduced physical gap between them.
- Therefore, the Planning policy team do not consider that the application site meets the definition of Grey Belt included within the NPPF (2024), as it is considered the site strongly contributes the Green Belt purposes a, b of the NPPF.
- It is considered the proposed residential development on the application site would constitute inappropriate development that will be harmful to the Green Belt and that para 153 of the NPPF should apply for determining this. In line with this, the applicant would need to demonstrate very special circumstances for it to be permitted and demonstrate that the very high harm to the Green Belt and other harms is clearly outweighed by other considerations.
- Overall, the Policy team consider that the proposal should be regarded as inappropriate development and contrary to para 155 of the NPPF. This is due to factors such as the potential harm of this on the Green Belt purposes included within the NPPF and adverse impacts on the essential characteristics of the designation that are its openness and permanence.

Parking

- Concern re: potential to generate overspill, creating an impact back onto the Harrow highway network.
- Given the flow levels and the type of highway network immediately surrounding the development it is thought that the importance of containing overspill parking within the development is high.

Trip Generation

- The impact of the development's trip generation on Harrow's highway network will be minimal, given the proximity of the site from the boundary, and the barrier the strategic highway network will provide to the dissipation of trips into Harrow.
- The transport assessment has considered over bust trip right for the development which max. mises 100 vehicles during the AM peak these are two-way flows.
- No information has been provided to show how the development will impact on the junction of Oxley Lane and Uxbridge Road.
- The level of trip generation by the proposed development should highlight toward a signalised access.
- Without traffic modelling for the junction of Oxley Land and Uxbridge Road a recommendation for approval cannot be supported.

Cycle parking/usage

- The development has cycle parking facilities provided. The transport assessment highlights a number of sustainable facilities which can be used by cyclists accessing the development there is also some mention of upgrades to the to these facilities and the implementation of new facilities. Cycle parking

looks to be of a convenient nature with the majority of large residential units containing within the back garden within designated facilities.

Access

- The proposed access is not signalised and is of a give way nature there is good visibility in both directions.
- Given the flows associated with the access it is thought that there should be some level of signalised junction proposed in association with the future development.
- The bottom access which provides entry for emergency vehicles and pedestrians should show some level of Highway makeup to ensure them emergency vehicles will be able to traverse through the access an into the development without the risk of bogging or getting stuck.
- The current access arrangement and detail is not suitable for the scale of development proposed for the site.

Construction phase

- The proposed CMP/CEMP considered the impact of the construction phase of the development on the surrounding highway network.
- The document will need to mitigate the developments impact on the immediately surrounding highway network (of Which LB Harrow are not the highway authority for) and further afield.
- It should be noted that the CMP (submitted with the application) should propose that no construction routes are on Harrow roads, with the majority of the routes keeping to the strategic highway network.
- Relevant construction related vehicles also meet CLOCS safety standard, as such vulnerable highway users have a suitable level of protection from dangerous vehicles in place.

Recommendation

Without detail relating to the access arrangements and traffic modeling for the Harrow strategic highway network, a recommendation for approval cannot be supported as no robust assessment of the developments impact on the Harrow highway network can be made.

Drainage Authority:

The proposals would not be acceptable to us. However, we are not convinced it would impact Harrow in any way.

Our detailed concerns:

- Firstly, CFS would be required for loss of floodplain. They claim that positive drainage will remove the risk (paragraph 4.10) but loss of floodplain should be restored.
- Secondly, sw discharge level should be restricted to a greenfield run-off rate of 5 l/s/ha max with total discharge at 27 l/s not 45 l/s as proposed.
- Thirdly, permeable paving should be used (even in clay) for all new hardstanding and laid on 250mm gravel layer minimum.

The Consultation Protocol agreed by the Association of London Borough Planning Officers agreed on 12 June 2008 sets out the requirements for notification by the determining Local Planning Authority. The Local Planning Authority (LPA) determining the application is responsible for notifying all those properties affected by the development and carrying out publicity in the locality. The Protocol outlines that if the determining LPA decides that properties in another

London Borough are affected by the development and should be notified about it, the LPA are responsible for notification and publicity unless they agree alternative arrangements with a particular London Planning Authority.

RELEVANT POLICIES

When considering an application for planning permission or permission in principle, section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990) states that the decision-maker must have regard to the provisions of the Development Plan, so far as material to the application; whilst Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The NPPF 2023 states that its content is to be a material consideration in the determination of applications. Guidance from the document emphasises that due weight should be given to the adopted policies of the Development Plan according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The New Local Plan Proposed Submission (Regulation 19) Version (2021-2041) has now been through the required consultation stages and the LPA has considered all representations received. The New Local Plan Proposed Submission (Regulation 19) Version (2021-2041), along with all relevant supporting information, including representations received and any proposed modifications to the Plan, has been submitted to the Planning Inspectorate for Examination in Public. In general terms it is considered to have substantial weight in the determination of planning applications. Notwithstanding this, consideration of relevant New Local Plan Proposed Submission (Regulation 19) Version (2021-2041) policies and weight given are set out within this report, having regard to paragraph 49 of the NPPF 2024.

Planning Policy and Green Belt

Harrow Council objects to the development, on the grounds that the proposal is not considered to be acceptable with regard to, or comply with, the Green Belt provisions of the NPPF (2024). There are serious concerns regarding the harmful impact the development of this site will have on the openness and permanence of the Metropolitan Green Belt, as well as on the capacity of the existing infrastructure across the wider area, including within Harrow.

Site Location

The proposal is on a greenfield site in open countryside, consisting of farmland and is located outside of the built-up area of the settlement of Carpenters Park and within the existing strong Green Belt Boundary that is clearly defined by the A4008. Further, this site is located within a sensitive gap between the urban areas of Harrow, Bushey and Watford, near the areas of Hatch End and Pinner, and therefore makes a major contribution to the characteristic's openness and permanence of the Metropolitan Green Belt (para 142 of the NPPF).

Impact on the Metropolitan Green Belt

The NPPF (2024) emphasises that the determination of applications within the Green Belt should ensure substantial weight is given to any harm to this designation, including to its openness. It notes that inappropriate development, is by definition, harmful to the Green Belt and should only

be approved in very special circumstances, which will not exist unless the potential harm to the Green Belt/other harms are clearly outweighed by other considerations (Para 153).

The NPPF (para155) sets out the policy approach for determining whether development would be inappropriate within the Green Belt and introduces a new concept of Grey Belt. This paragraph notes that development of homes, commercial and other development would not be inappropriate within the Green Belt if it "utilises grey belt and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan", as well as complies with all of the criterion included within this. The glossary of the NPPF (2024) defines Grey Belt Land as "land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143".

We note the Three Rivers Stage 2 Green Belt Review (Part 2, page 349) was undertaken in 2019 and an update to this has been commissioned to ensure compliance with the NPPF (2024) and consider whether land would fall within the definition of Grey Belt, to inform their new Local Plan.

The Stage 2 Green Belt Review indicates the application site falls within Parcel SO3 South Oxey. This assessed the contribution this parcel makes to the NPPF Green Belt purposes and the potential harm of release/new development of this, to this designation. The key findings of this are.

Purpose (a): Check the unrestricted sprawl of large built-up areas. This parcel makes a significant contribution against this purpose, as it "lies on the edge of South Oxhey, which is contiguous with Greater London and forms part of the large built-up area. The A4008 and the landform provide strong distinction from the inset settlement edge and the parcel is open and uncontained therefore, development would constitute sprawl."

Purpose (b) - Prevent neighbouring towns merging into one another. This parcel makes a moderate contribution against this purpose as it "lies in the gap between Bushey and Pinner however, this is a relatively large and robust gap limiting the role of the parcel in maintaining separation."

Purpose (d) To preserve the setting and special character of historic towns. The Stage 2 Green Belt Review indicates the assessment of this purpose was not relevant, as it did not identify any historic towns that had a significant relationship with the Green Belt land and the historic aspects of a settlements setting.

Overall harm to the Green Belt:

The potential release of this will result in very high harm to the Green Belt purposes, as it would have a "significant impact on preventing urban sprawl (part a) as well as moderate impact on preventing the merging of settlements (Part b)". Further, it states it would result in a significantly weaker, less consistent Green Belt boundary than the A4008 by virtue of it representing an encroachment on the countryside (part c).The Green Belt study concluded that the parcel makes a significant contribution to purpose c, as it "is undeveloped and uncontained, with strong distinction from the inset urban edge and a relationship with the wider countryside".

While we generally agree with the findings of the Three Rivers Stage 2 Green Belt assessment of the contribution parcel SO3 makes to the NPPF purposes for this designation, Harrow considers that this parcel makes a significant contribution to purpose b and not a moderate contribution as indicated by this assessment. Based on the methodology set out in this assessment, the key reasons are that the application site is located within open countryside, outside of the existing built-up area of Carpender's Park and forms a fragile gap between Hatch End and Pinner within the urban area of Harrow, and Watford. The potential release/development of the application site will result in the expansion of the intervening settlement between the former towns, along the A4008 that connects into Harrow and will significantly harm the visual and

physical separation between these. Further, the application site has a sloping topography, which means development will have an adverse impact on the visual openness of the Green Belt across a wider area, including from areas within Harrow. Overall, it is considered the potential development of this site will have a significant impact on the contribution on purpose b, as it would result in physical or visual coalescence of towns and result in a reduced physical gap between them.

Therefore, we consider that the application site does not meet the definition of Grey Belt included within the NPPF (2024), as it is considered the site strongly contributes the Green Belt purposes a, b of the NPPF.

For this reason, it is considered the proposed residential development on the application site would constitute inappropriate development that will be harmful to the Green Belt and that para 153 of the NPPF should apply for determining this. In line with this, the applicant would need to demonstrate very special circumstances for it to be permitted and demonstrate that the very high harm to the Green Belt and other harms is clearly outweighed by other considerations.

On a separate note, were Three Rivers Council to accept the applicants' view that their site is considered Grey Belt in line with the definition included within national policy, the balance of paragraph 155 of the NPPF (2024) will apply. In line with this, the proposal for residential and supporting uses on the application site would not be regarded as inappropriate development within the Green Belt, if the applicant can demonstrate compliance with the criteria a-d of this paragraph. The 'In principle' objections in relation to these are included below:

a) *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.*

As noted above, it is considered that the potential development of the subject site will fundamentally undermine the purposes (taken together) of the remaining Green Belt because the application site will reduce the visual and physical sensitive gap, along the A4008 between the urban areas of Harrow, Bushey and Watford. It is considered to make a strong contribution to checking unrestricting sprawl of larger built area, preventing the merger of towns and encroachment of the countryside, as well as will result in a weaker Green Belt boundary. Due to this, the Three Rivers Stage 2 Green Belt review indicated the release of this site will result in very high harm to this designation.

a) *There is a demonstrable unmet need for the type of development proposed.*

This is a matter for Three Rivers Council to determine if the proposal meets this requirement.

b) *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework.*

The above sections of the NPPF seek to ensure significant development is located within locations that sustainable or can be made sustainable, in order to reduce private vehicular use, congestion and promoting the use of sustainable modes of transport for accessing local services, facilities. There are concerns in relation to whether the proposal that is of a significant scale will comply with these NPPF requirements. The key reasons are it is located on the edge of Carpender's Park that is categorised as a secondary centre that contains a limited range of facilities and services. This may result in the high reliance of private vehicular use for access day to day facilities, services. Further, it located off the A4008 and there are concerns whether this can be redesigned to be well linked/integrated to the existing built-up area of Carpender's Park. Further, the topography of the A4008 that has steep slopes may pose challenges to create safe, sustainable transport links with Carpenders Park. Harrow's Highways Authority would also address this matter.

c) *Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below*

In summary the golden rules for major housing development to include a sufficient level of affordable housing (. i.e. 15% higher than the highest existing affordable housing that is capped at 50% subject to viability), necessary improvement to local/national infrastructure, the provision of new/enhanced accessible green spaces.

The applicant planning statement indicates that the proposal will deliver 50% affordable housing (70% social rented housing and the remainder shared ownership) and new/enhanced green spaces. These are matters for Three Rivers Council to consider in detail.

In regard to ensuring the proposal is supported by new/enhanced infrastructure we note that the Three Rivers Draft Local Plan (Part 2) Reg 18 document (2021) indicates there is a need to identify a site to deliver a new secondary school to address the future pupil needs of Carpenders Park and surrounding areas. The applicant has not yet provided any evidence that this issue has been considered or will be addressed, in partnership with Hertfordshire County Council. Therefore, this application should be refused, until there is certainty in relation to the provision of a new secondary school or expansion of existing schools, either via the Local Plan or application process. Further, the applicant will need to demonstrate that the potential impacts of the development on the capacity of the existing infrastructure capacity within the wider areas such as Hatch End and Pinner have been adequately assessed and enhancements/new provisions (particularly public transport and highway, healthcare) are delivered (if necessary) to address additional needs and deliver sustainable development.

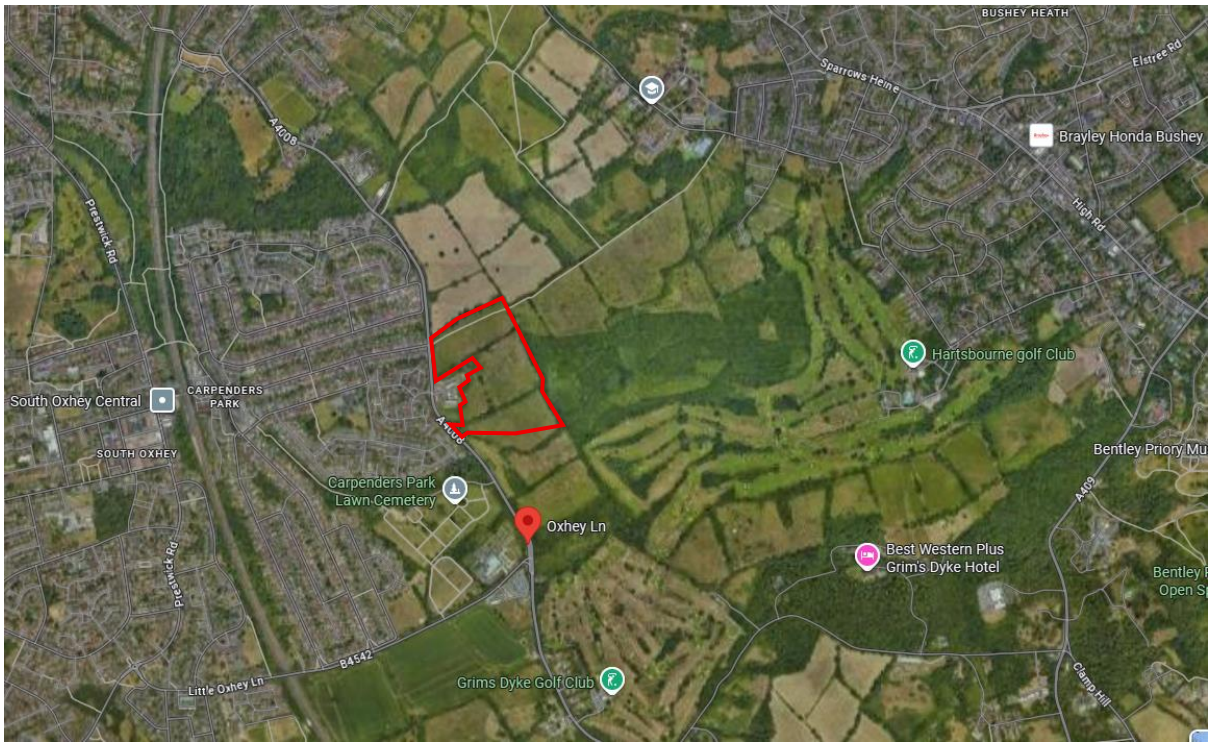
Conclusion

Overall, we consider that the proposal should be regarded as inappropriate development and contrary to para 155 of the NPPF. This is due to factors such as the potential harm of this on the Green Belt purposes included within the NPPF and adverse impacts on the essential characteristics of the designation that are its openness and permanence.

9.36	Watford Borough Council	No response received to date

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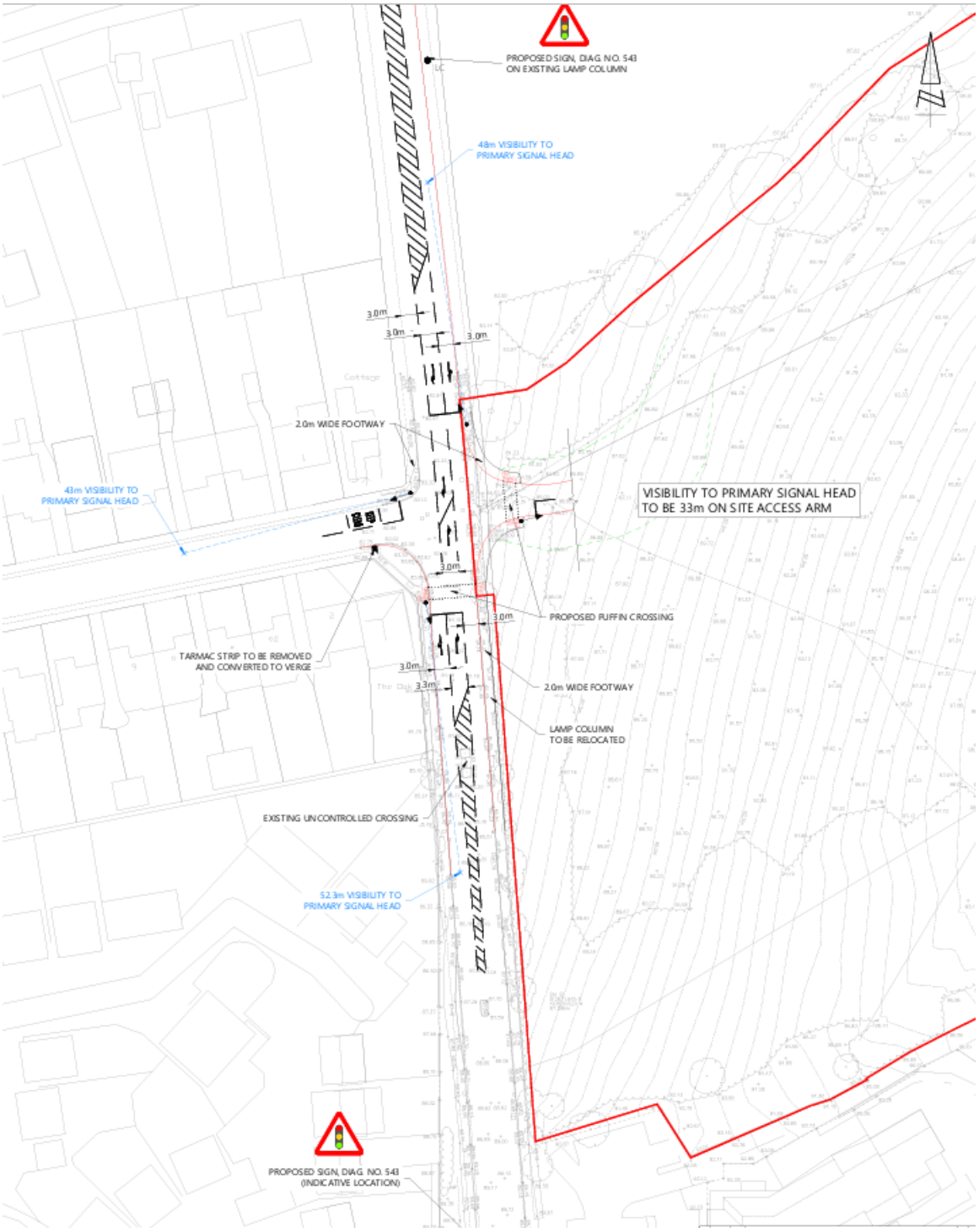
Illustrations and Photographs



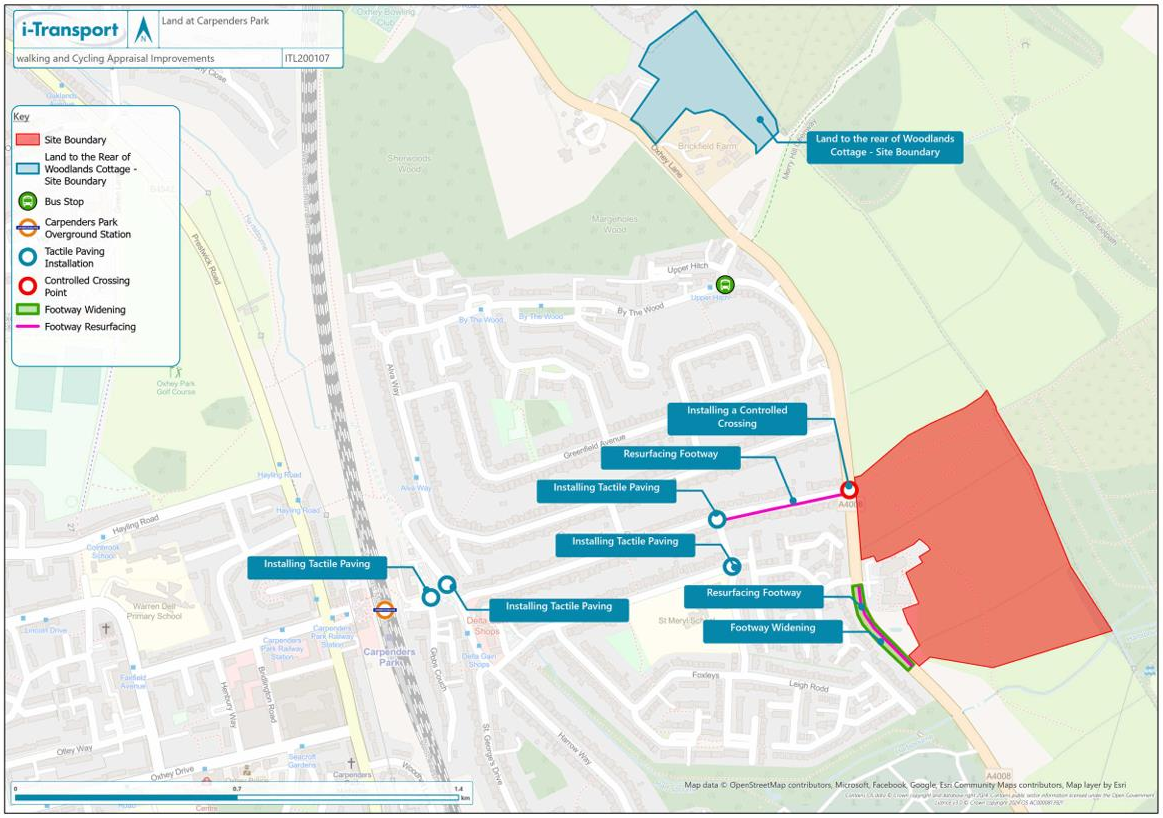
Indicative location of site in a wider geographical context



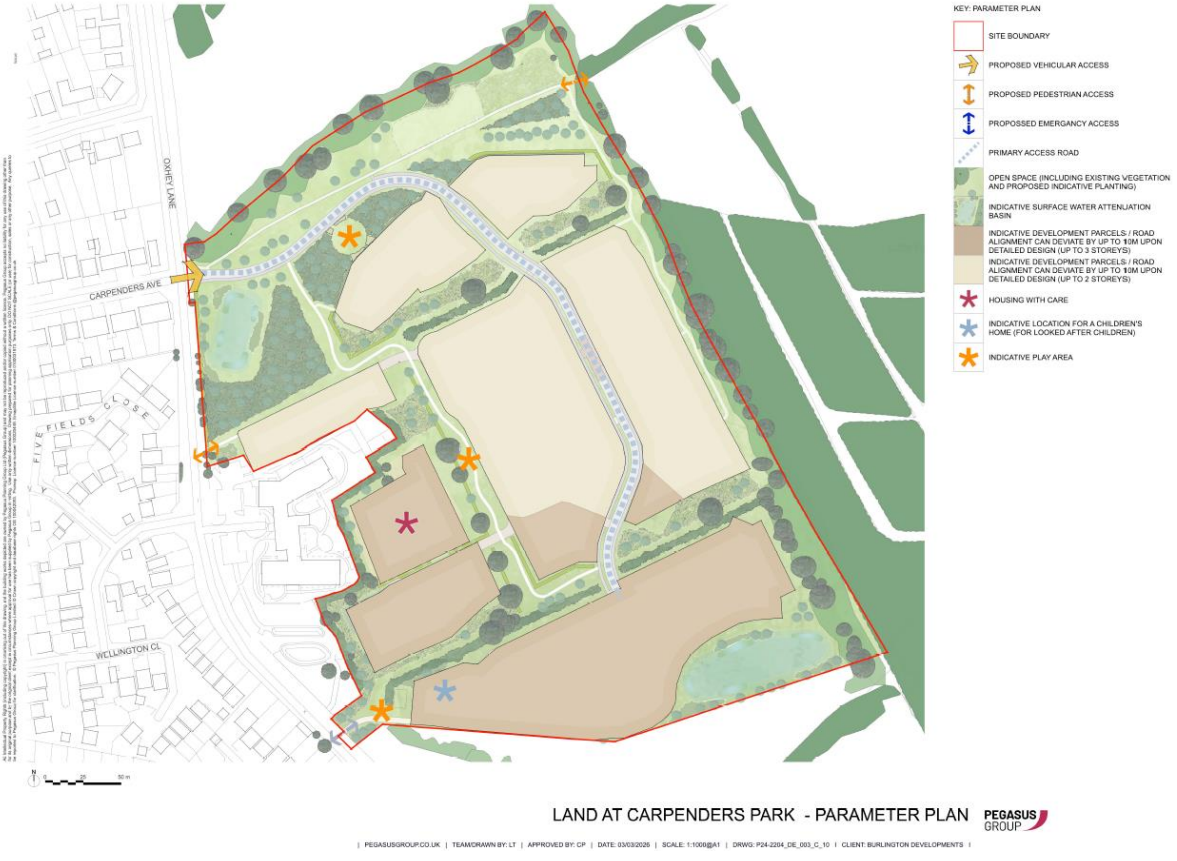
Site Location provided within Design & Access Statement



Proposed signalised junction



Walking and Cycling improvements



Amended Parameter Plan



Amended Landscape Masterplan



Illustrative Masterplan



SITE CHARACTER AREA PLAN

KEY - SITE CHARACTER AREAS

- SITE BOUNDARY
- CA1 - THE SPINE
- CA2- NEIGHBOURHOOD CORE
- CA3- THE GREEN EDGE

South Oxhey
Parcel SO3







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Left image
View from the A4008 south east across the parcel

Right image
View east from within the parcel



Parcel SO3 as taken from page 349 of Stage 2 Green Belt Assessment



Photo taken within 1st field parcel, north eastern corner of site looking towards Carpenders Park



Photo taken from within the 2nd field parcel looking south (direction of Harrow)



Photo taken of tree line belt within 2nd field parcel



Photo taken of telecommunications mast and Carpenders Park Care Home in the background



Photo taken of 3rd field parcel towards the south of the application site



Photo taken of Public Right of Way Footpath adjacent to the northern boundary



Photo taken of junction between Carpenders Avenue and Oxhey Lane



Photo taken within 1st field parcel (towards Oxhey Lane boundary) looking towards Carpenders Avenue

VIEWPOINT 1

ALONGSIDE PRIMARY STREET





VIEWPOINT 2

SITE ENTRANCE FOCAL BUILDINGS





VIEWPOINT 3

SITE WESTERN EDGE





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PLANNING COMMITTEE - 19 MARCH 2026

25/1346/FUL – Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works AT Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Minor Dwellings

25/1347/LBC – Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Listed Building Consent

Parish: Croxley Green
Ward: Dickinson
Expiry of Statutory Period: 26.03.2026 (EOT)
Case Officer: Claire Wilson

Recommendation: That Planning Permission 25/1346/FUL and Listed Building Consent 25/1347/LBC are granted.

Reason for consideration by the Committee: Planning application 25/1346/FUL has been called in to committee by three members of the planning committee for the following reasons:

- Construction within the Conservation Area
- Significant building in Croxley
- Access
- Local interest

Whilst Listed Building Consent application 25/1347/LBC has not been called into Planning Committee, it is considered appropriate for the applications to be considered together.

To view all documents forming part of the applications, please go to the following website:

25/1346/FUL:

25/1346/FUL | Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB

25/1347/LBC:

25/1347/LBC | Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB

1 Relevant Planning History

There is extensive planning history with the most recent as follows:

1.1 14/2141/FUL: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

1.2 14/2142/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the

adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

1.3 16/0963/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

1.4 16/0964/FUL: Variation of Condition 2 (Approved Plans) of planning permission 14/2141/FUL to allow alterations to the footprint and layout of the approved care home. Application permitted.

1.5 18/1738/LBC: Listed Building Consent: Reconstruction and repairs to boundary wall. Application permitted.

1.6 20/1868/FUL: Variation of Condition 2 (Approved Plans) and removal of Condition 6 (Panelling) pursuant to planning permission 16/0964/FUL to allow alterations to the approved layout to retain existing panelling. Application permitted.

1.7 20/1961/LBC: Listed Building Consent: Variation of Condition 2 (Approved Plans) and Condition 5 (Panelling) of Listed Building Consent 16/0963/LBC to allow alterations to the internal layout including alterations to the existing panelling. Application permitted.

1.8 20/2366/LBC: Listed Building Consent: Construction of an outbuilding. Application permitted.

1.9 20/2371/FUL: Construction of an outbuilding. Application permitted

1.10 23/0483/FUL: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant planning permission in November 2023 subject to the completion of a S106 agreement. To date this has not been completed.

1.11 23/0484/LBC: Listed Building Consent: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant Listed Building Consent in November 2023. However, to date Listed Building Consent has not been granted as this application has been kept open in order to ensure that the Listed Building Consent would be granted at the same time as the relevant FUL planning application above.

2 Description of Application Site

2.1 Croxley House is a Grade II Listed Building located within the Croxley Green Conservation Area and the Metropolitan Green Belt. The building was previously in use as a residential care home accommodating 33 rooms, however, it is noted that the building has remained vacant since January 2021.

2.2 Croxley House is a red brick, two storey building with a single storey projection to the east, set within a landscaped setting. It is noted that the building has been historically extended. The listing for the property describes it as:

Large house, now old people's home. c.1770, extended late C19 and C20. Red brick, once stuccoed. Shallow hipped slate roof. 9 bays, 1:2:3:2:1. 2 storeys. Garden front: central 3 bays project slightly with a full height bow window. 3 ground floor French windows. First floor glazing bar sashes with stone sills, all with gauged brick flat arched heads. Flanking bays have glazing bar sashes, 16 pane on first floor. Outer bays have blocked basement, plinth, glazing bar sashes and an oriel on the ground floor to right. Original end bays project slightly. Boxed eaves. Central axial and flanking cross axial stacks. Link to 3 bay C19 addition to right, porch to entrance with pilastered surround, corniced hood, sashes, roof hipped to right. 2 extruded stacks on right return. To left 4 bays, 2 phases of C20 additions. Entrance front: late C19 ground floor projection to central 3 bays. Entrance to left with keyed segmental head. Double sash to right with twisted colonnette mullion. Dentilled brick course below cornice. Outer bays set back, large stair window to left with Gothic glazing. Some 16 pane sashes to right. End bays project slightly. End stacks on main block. C19 block to left has a semi-circular bow, French windows, casements, dentilled brick eaves. Interior: moulded plaster ceiling, late C19 carved chimneypiece with caryatids. (VCH 1908: Pevsner 1977).

2.3 To the north of the building is an area of hardstanding used for parking, with large areas of soft landscaping beyond. Within the garden area to the north of the site, is the Well House which is Grade II Listed in its own right. The southern and eastern boundaries of Croxley House are formed by mixed vegetation and an existing brick wall which is acknowledged to be in a poor state of repair. The main entrance to Croxley House is located within the northern elevation of the existing building, facing away from The Green and towards the existing garden. To the south of the building adjacent to The Green is an existing area of soft landscaping.

2.4 In 2014, planning permission was granted for the construction of a new care block within the walled garden which provides 40 bedrooms, with ensuite wet rooms, communal spaces and administrative and staff facilities. This permission was amended in 2016, with the new building known as Clarendon Lodge opening in January 2021. It is noted that the planning permissions for the site also included internal alterations to the Listed Building to allow it to continue operating as a care home. However, it is understood that the works were not undertaken due to viability concerns. In addition, an Inspection was made by the Care Quality Commission in December 2020, with the full inspection report being published in May 2021 which found that Croxley House was inadequate.

2.5 Croxley House is served by an existing vehicular access road, accessed from The Green. This access road is shared with the existing care home known as Clarendon Lodge, which is located to the west of the site and has its own separate parking area.

3 Description of Proposed Development

3.1 The applicant is seeking full planning permission and Listed Building Consent for the conversion of existing building into 6no. (Use Class C2) residential units with associated bin/bike store, parking and landscaping works.

3.2 It is proposed convert the existing detached building into 6 residential units, which would effectively form a new terrace. Five of the six units would be two storey, whilst unit 6 would be located within the existing single storey element of the building. The conversion would provide 5 x 4 bedroom units and 1 x 3 bedroom unit.

3.3 In order to facilitate the proposed conversion, internal alterations would be made to the existing building. This would include the removal of existing internal partitions and the installation of new stair cases. With regards to external alterations, the plans indicate the

removal of the existing external metal star case located on the northern elevation of the building, and the removal of various metal railings around the building. In addition, the applicant has advised that some of the existing windows would be replaced, whilst windows identified to be 19th Century or earlier would be retained or repaired with secondary glazing installed.

3.4 The proposed development would also include alterations to the existing landscaping to the rear of the building in order to provide off street car parking provision. This would include the provision of 2 spaces per unit, with further provision for 3 visitor car parking bays.

3.5 The plans indicate the retention of the existing Listed Well House located to the rear of the site. The proposed cycle store would be located within one of the existing detached outbuildings to the rear of the site.

3.6 The front and rear amenity provision would not be subdivided and would be a communal garden space.

3.7 Amended plans have been received during the course of the application as follows:

- Removal of the existing external staircase and railings;
- Removal of the proposed bin store with details to be secured via condition;
- Further information in relation to trees provided, including how the proposed car parking area would be retained.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [No objection]

4.1.1.1 [First comment: No objection]

Croxley Green Parish Council supports the restoration of the building and use for housing. We request the officer ensures that access across the green will be legally possible and that all changes to the external elevations that will be necessary to doors, fenestration and to allow new heating and ventilation systems, along with measures to protect encroachment on to the green by vehicles are conditioned.

CGPC notes that this application relates to 5 dwellings is for a Class C2- Residential institutions, but doesn't specify how the residential unit is to be managed, it appears to be private dwellings, is Class C2 correct?

CGPC supports Affinity Waters comments regarding water supply stress

4.1.1.2 [Second comment: No objection]

In addition to Croxley Green Parish Councils previous comments, CGPC has concerns on there being insufficient parking for a development that is remote from the highway and without any safe on street parking.

Drawing 701 shows new sash windows with horns. The elevations show windows without horn which you would expect for a Georgian Building like this. We request that the Conservation Officer assures themselves that the window design is appropriate.

4.1.2 Conservation Officer: [No objection]

The application is for Listed Building Consent: Conversion of existing building into 6no. (Use Class C2) residential units with associated bin/bike store, parking and landscaping works.

Croxley House is a Grade II listed building (List Entry Number: 1348223) built in 1770 with nineteenth and twentieth century extensions. The Grade II Well House (List Entry Number: 1296183) is located within the immediate setting of Croxley House The property is in the Croxley Green Conservation Area.

The significance is in its historic and architectural interest, although it is understood that much of the historic interior has been altered and partitioned during more recent uses. The building has been extended during the nineteenth and twentieth centuries.

The most recent use was as a care home until around 2021. The most recent application was for a change of use to a children's nursery with associated extensions and works under 23/0483/FUL and 23/0484/LBC, which was approved at Planning Committee subject to s.106 agreement.

The proposal is for conversion to six residential units, consisting of three- and four-bedroom dwellings. The main considerations in heritage terms are the principle of the change of use, the various internal and external alterations and alterations to the wider site.

The property was originally intended for residential use and has already been extensively partitioned and altered internally

The proposal to convert the building to residential use is acceptable in principle in heritage terms, but this is subject to the other considerations, which will be assessed below:

Internal Alterations: The proposal would require internal alterations. Mostly modern partitioning associated with the previous care home use would be removed to form larger rooms. The present proposals would retain the historic ground floor front room. The removal of partitions would be beneficial in terms of the historic understanding of the building, although conversely sub-dividing the house into separate units would block some existing corridors and remove the historic unity of the building. However, overall, the internal alterations appear to be at the minimum level to enable this proposed residential use and there is no objection subject to material details which can be secured through a planning condition.

Windows: The submission proposed replacement of damaged and non-original windows and repair of older or original windows.

However, the submission has relied on a window condition survey related to an earlier application. Conditions may have changed since then and an up-to-date window condition survey is required.

The replacement of modern windows with slimline double-glazed sashes which attempt to replicate a traditional style are likely to be acceptable in principle. However, the replacement of later nineteenth or early twentieth century windows, even where they are not original is a concern as these windows may still have historic interest.

The use of single- and double-glazed windows on the same elevation can create an inconsistent appearance. In addition, proposed replacement windows have a 'horn' detail which is generally associated with later nineteenth century sash windows, while most of the existing windows are without this detail. Each window should be considered on its own basis, with justification provided for the appearance and style. These points should be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills.

These points should be addressed as part of an updated window condition survey.
In addition, in relation to replacement of windows, please refer to pages 62 and 63 of Historic

England's Traditional Windows guidance which can be accessed here: https://historicengland.org.uk/images-books/publications/traditional-windowscarerepair-upgrading/heag039-traditional-windows-revfeb17

External Alterations: An existing steel staircase would be removed from the rear/northern elevation. Also, it is proposed that the existing uPVC rainwater goods are replaced with more appropriate cast metal equivalents. It is agreed that replacement rainwater goods should be cast metal, and the details should be secured through a condition.

Landscaping and Other Alterations: The proposed bin store would sit forward of the front building line. This would be harmful to the character of the building as it would be a prominent structure in the approach to the listed building. In addition, the location where it is shown is currently an area of raised ground adjacent to the retaining wall and it is not clear how this would operate in relation to existing ground levels.

It is understood that a larger bin store or several bin stores are required, but this is an inappropriate location. It is noted that in the previously permitted scheme the bins store sat to the side/rear of the building near currently proposed Parking Area 01 which would be more appropriate. The currently proposed bin store location is not supported in heritage terms.

There is no objection to the general landscaping scheme. The railings around Croxley House would be removed and this would be an enhancement.

However, it is noted that there is no separation of the outdoor amenity space for future residents. Retaining the openness of the outdoor areas is supported. However, it is possible that there may be future demand for separate gardens. The use of close-boarded fences etc would be harmful and not supported and any new fences or boundary treatments would require listed building consent.

In addition, it is noted that the boundary wall to the south is in a poor state of repair, this does not preserve the special interest of the listed building. The previously approved scheme included repair works to areas of the wall. There is an opportunity to improve the existing boundary wall which would be beneficial in heritage terms and is also a potential safety issue.

Due to the concerns in relation to the windows and the bin store, there is currently not sufficient information for the application to be determined positively, and these items should be amended, either as part of the current application or future applications.

Proposed Conditions
If officers are minded to approve the scheme, a condition in line with the below is required:

Internal Building Fabric
Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

Window Condition Survey and Replacement Windows

a) Prior to commencement of any alterations to the windows, a window condition survey shall be submitted with details of the condition of all windows, details of any required

repairs and justification in relation to replacement of any existing windows. This shall be undertaken by an expert joiner or other suitably qualified professional.

b) b) Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, timber and glazed link, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and shall be permanently maintained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

In addition, conditions which relate to the following issues should be attached:
•Approved plans
•Details of proposed new materials
• Details of all new rainwater goods- which are to be metal and painted black.
•Hard and soft landscaping material details
•Any external lighting must be approved by the LPA prior to installation.
•Relocation of the bin store to a more suitable location to the side or rear of the house.

The submission has not provided sufficient information in relation to the windows, and the proposed bin store is inappropriately located and for these reasons the proposal is not currently supported in heritage terms. This response has been made with regard to Sections 16(2), and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

4.1.3 Herts Highways: [No objection]

4.1.3.1 [First comment: No objection]

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informatives; HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at https://www.gov.uk/common-land-village-greens

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at https://www.gov.uk/guidance/carrying-out-works-on-common-land and on the County Council's website at:

https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx

AN2) Storage of materials: 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.aspxor by telephoning 0300 1234047.

AN3) Obstruction of highway: 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.

AN4) Debris and deposits on the highway: 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.

Comments: Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal. The county council considers The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 -Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience far fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

Trip generation: According to application information related to 23/0483/FUL 68 two-way trips were recorded per day in its previous use as a care home. The end result of six dwellings as proposed will be a decrease from this recorded number to potentially around 12 vehicle trips per day, leading to a significant decrease in the number of vehicles entering and exiting the site. Therefore no impact on the highway network is identified.

Parking: According to the development application form an existing 15 parking spaces will be retained. The Highway Authority finds the size and organisation (tandem parking) of the spaces acceptable.

The Local Planning Authority as also the Parking Enforcement Authority will need to be satisfied that the parking provision meets any district-wide standards.

Accessibility: The development site is located on the northern edge of Croxley Green and is approximately 1.8km from Croxley train station (walking route) and 1km from the nearest bus stop (Lancing Way). The development site lacks nearby sustainable travel options and the distance from transport hubs are unreasonable. However, considering the number of dwellings proposed, as well as the footpaths running from The Green into Croxley Green, providing an acceptable pedestrian link to the centre of town, it would be unreasonable to recommend refusal on this application for the above reason.

Surface water flood risk to the highway: The application form states that surface water will be disposed of via a sustainable drainage system. Considering the size, nature and location of the development, the Highway Authority has not identified an increased risk of surface water flooding occurring on the public highway.

Emergency vehicle access: Access for a fire tender will continue to be possible considering no changes to the access or external parts of the building are being proposed, therefore no concerns are identified.

Access for waste collection vehicles: The Highway Authority is of the belief that a waste collection vehicle would have entered the site to service both Croxley House and the neighboring Clarenden Lodge, and that this will continue. The HA would recommend the LPA refer this matter to their own Environmental Department to ensure this arrangement is indeed the case and continues to be acceptable.

Conclusion: HCC as Highway Authority has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the above highway informative / advisory notes.

4.1.3.2 [Second Comment: No objection]

Recommendation: Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informatives: HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website athttps://www.gov.uk/common-land-village-greens

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AN2) Storage of materials: 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-anddeveloper-information/business-licences/business-licences.aspxor by telephoning 0300 1234047.

AN3) Obstruction of highway: 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.

AN4) Debris and deposits on the highway: 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

Comments
Notification of amendment: The Highway Authority has been notified of an amendment made to proposed plans on 14 January 2026. Amendments that affect the Highway Authority's previous response include the alteration of the parking arrangement for both residents of the dwellings and visitors, and a relocation of the bin storage area. Other amendments not relevant to the purview of the Highway Authority have been made. The Highway Authority's previous response will be recreated for sections of the application which have not been amended.

Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal. The county council considers The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 - Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

4.1.4 Herts Fire and Rescue: [No objection]

From an access point of view HFRS have no concerns.

4.1.5 TRDC Property Services: [Objection]

As you will be aware of the Property Services Team's comments in connection with earlier application numbers: 23/0483/FUL & 23/0484/LBC, that the Council owns The Green, an area of registered Common Land adjoining the application site. Having reviewed the application, I am not sure why the applicant has not shown their intended access route to the application site on their plans ('redline'), and there is no reference to the access route within the Planning, Design & Heritage Statement? Section 6 of the Application Form suggests that the proposal will not require any new access, so I am left to deduce that the application assumes access over the track which crosses The Green?

At the time of writing the applicant has not been in contact with the Council regarding agreeing or formalising the rights over which the application may require access. At this stage, I would therefore register an objection to this application, pending further discussions with the applicant and current landowner owner of Croxley House/Clarendon Lodge.

Croxley Green Common is registered Common Land and belongs to Three Rivers District Council. The access track is specifically excluded from the Common Land register but is owned by TRDC – there is no agreement in place to reflect any increased traffic flows over the track, nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard in order to accommodate additional traffic.

Whilst I understand that Hertfordshire County Council's Highways Service has commented on the suitably of the proposal in proximity to their highway assets, they do not represent the views of TRDC as landowner and owner of the access track. We do have concerns regarding any additional traffic joining/leaving the section of highway known as 'The Green' at the acute, staggered crossroads junction with Sarratt Road/Loudwater Lane. Given the proximity to this junction, I would expect to see a detailed assessment on vehicle movements and a safety audit of regarding the proposals. I have witnessed how dangerous this junction is on numerous occasions, and I would have expected the Highways Service

to insist on some form of traffic calming measures to reduce the speed of motorists who often take the junction at speed.

4.1.6 Thames Water: [No objection]

Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

Should the details of the application change, we would welcome the opportunity to be re-consulted.

4.1.7 Affinity Water: [No objection]

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

Water quality: You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ2) corresponding to our Pumping Station (Batchworth and Tolpit's Lane). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction -guidance for consultants and contractors".

Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost

potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

4.1.8 Herts Ecology: [No objection]

4.1.8.1 Initial comment: [Objection]

Overall Recommendation:

☒ Insufficient information to advise determination of the application.

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Summary of Advice:
• Further information / clarification with respect to bats is required. Further surveys may be required to determine the impacts.
• Evidence of the whether the de minimis exemption applies (i.e. confirmation of the amount of habitat that will be lost)

Documents reviewed:
• Amended Preliminary Ecological Appraisal and Bat Survey (Optimus Consulting, 20/10/2025)
• Amended Block Plan
• Appendix B: Bat Survey (Greengage Environmental Ltd, March 2023

Comments:
Roosting Bats: The Preliminary Ecological Appraisal and Bat Survey report states that "Bat Emergence Surveys were undertaken at Croxley House during Summer 2025. No evidence of roosting bats was identified and therefore roosting bats are likely absent." It was, however, noted during the 2025 surveys that foraging/commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building.

However, an emergence survey in September 2022 (Greengage Environmental, 2023) identified 7 common and soprano pipistrelle roosts across the building. Further roost characterisation surveys were recommended for the following season but these do not appear to have been undertaken. The 2022 surveys took place over two consecutive evenings. On the first evening 3 emergences were observed from the roof of Croxley House and on the second 14 emergences and 1 return were observed from 6 further locations.

This has not been mentioned in the 2025 report. It is unknown whether the ecologists undertaking the surveys in 2025 were aware of this

9 positions (8 surveyors & 1 night vision camera (NVA) were used in 2022 to cover the whole building whereas 3 surveyors (all with NVAs) were used in the 2025 surveys to focus on particular areas. Whilst a plan of the 2025 survey locations has not been provided, it would appear that several of the locations where emergences occurred would not have been covered in the 2025 surveys. This includes the eastern end of the building. The 2025 report noted the eastern loft of the main building could not be surveyed.

I am not satisfied that sufficient evidence has been provided that bats are likely absent.

The current proposed works are internal, therefore, any external roosts including transitory roosts are unlikely to be damaged or destroyed, however bats, if present, would potentially be disturbed by vibration, noise or potentially lighting during works. It is also unknown if any works (including wiring, heating etc) are proposed in loft spaces. The 2022 surveys and any potential impacts should be considered.

Additionally, the internal inspection is questionable. The 2025 report states the building inspection was undertaken by an “Assistant Ecologist experienced in assessment of buildings suitability for roosting bats and in training towards the Natural England Level 1 Class Licence and carried out in accordance with best practice Guidelines”.

This ecologist had only a year’s experience, was unlicenced and good practice guidelines state “anecologist without a survey licence should not enter known roosts or sites where signs of bat presence (or possible bat presence) have been found. Even where no signs have been found, surveys of potential roost sites should be carried out by ecologists with a survey licence covering the relevant activities. This will ensure that the ecologist knows what to look for and where, in order to subsequently make a judgement on the suitability of a potential roost site for bats. Licensing authorities may reject survey
information completed by non-licensed persons” (BCT, 2023)

The LPA needs to have confidence that enough information has been submitted to fully consider the impact of the development on bats and that a licence (if required) is likely to be granted.

The above issues need to be addressed and/or further surveys undertaken if required

Biodiversity Net Gain
In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

(b) Developments falls Below the de minimis threshold:

a. A development that does not impact a priority habitat and affects less than:
    i. 25 square meters (5m by 5m) of on-site habitat.
    ii. 5 meters of on-site linear habitats, such as hedgerows.

The amended Preliminary Ecological Appraisal states that no habitat will be lost, however, the amended block plan shows that small areas of modified grassland will be lost to extended car parking spaces and the bin store.

For the avoidance of doubt, a calculation of the amount of habitat lost should be provided.

4.1.8.2 Second comment: [Objection]

Summary of Advice:	
"Insufficient information to determine application." The planning officer should either: 1. Refuse the applicant or advise it is withdrawn or, 2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.	**Pre-determination** • Protected species - Bats • BNG – de minimis exemption **Determination** • Conditions and informatives - CEMP

Comments and recommended Conditions and Informatives:

Protected species

Bats: The updated ecological appraisal provides the requested information regarding the competence of the ecological surveyor. As the surveyor was acting as an accredited agent on behalf of a licenced ecologist, the submitted PRA and emergence surveys can be accepted.

However, in appendix C of the updated ecological appraisal, the ecologist has stated that they did not have access to the loft of a large part of the building and they want to revisit it to provide the adequate survey. As the works involve stripping out the internal features of the building, it is highly likely that any bat roosts in the loft would be destroyed. Therefore, further survey is required to identify whether any bats are present in this loft. Presence/absence surveys for protected species cannot be secured by condition but must be conducted and reported on prior to determination. Therefore, we advise that a PRA of the unchecked loft space should be conducted to determine whether bats will be affected by this development. PRAs have no timing constraints and therefore there are no reasons for this survey to have been delayed.

Other protected species: I support the recommendations for biodiversity enhancement in sections 5.5 – 5.8 of the ecological appraisal.

As the site is located next to a Local Wildlife Site, the ecological appraisal suggests creating a CEMP to minimise disturbance to wildlife on site. I agree with this recommendation and advise that this should be secured by condition.

BNG- Pre Determination
The habitat map and development plan in Appendix B of the ecological appraisal provided indicate that no priority habitats are to be lost due to this development, and 21m2 of modified grassland will be lost. I see no reason to doubt this. Therefore, I advise that this development is exempt from biodiversity net gain as it falls below the de minimis threshold:

(a) Developments falls Below the de minimis threshold:
a. A development that does not impact a priority habitat and affects less than:
i. 25 square meters (5m by 5m) of on-site habitat.
ii. 5 meters of on-site linear habitats, such as hedgerow

Conditions: Construction Environmental Management Plan (CEMP)

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of 'biodiversity protection zones'
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timings of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site.

4.1.8.3 Third Comment: [No objection]

Summary of Advice:	
Application can be determined with Conditions and Informatives listed	**Pre-determination** • Protected species – No further surveys required – Non-Licensed Method Statement • BNG – De minimis exemption – less than 25m^2 habitat lost. **Determination** • Conditions and informatives – Previous comments regarding a CEMP stand; Non-Licensed Method Statement including Reasonable Avoidance Measures

Comments and recommended Conditions and Informatives:

Protected species: The updated Ecological Appraisal contains information regarding the loft space not covered by the previous report (loft D). The photo of this loft indicates that it is heavily cobwebbed and therefore unlikely to contain bats.

However, as bats have been recorded emerging from this building (September 2022), I advise that a non-licensed method statement should be provided including reasonable avoidance measures. I advise that this is secured by the following compliance condition.

Previous comments stand regarding the required submission of a CEMP by condition.

BNG- Pre Determination

Previous comments stand: this application qualifies for de minimis exemption from BNG.

Conditions and Informatives: The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 46

4.2.2 No of responses received: None received.

4.2.3 Site Notice: Expiry 14.11.2025 Press Notice: Expiry 21.11.2025

(In respect of both applications.)

4.2.4 Summary of Responses: N.A

5 Reason for Delay

5.1 Extension of time agreed to allow submission of additional information.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 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 states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (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.

6.3 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, C1, CP3, CP4, CP9, CP10, CP11 and CP12.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1 is relevant.

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, DM2, DM3, DM6, DM9, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan (2025). Policy CA2 is relevant.

6.4 Other

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

The Croxley Green Conservation Area Appraisal.

7 Planning Analysis

7.1 Principle of Development.

7.1.1 The Core Strategy (adopted October 2011) sets out a Spatial Vision which states that, looking forward to 2026 and beyond, the District will remain a prosperous, safe and healthy place where people want and are able to live and work. The priorities for the future are amongst other things, to provide growth required to support local communities and provide for their needs in the most sustainable way possible, to improve access to housing and affordable housing and to recognise opportunities to improve and enhance the built, historic and natural environment wherever possible. In order to implement and deliver the Local Development Framework's Vision, Strategic Objectives have been identified which include; to balance the community's need for future homes and jobs by providing sufficient land to meet a range of local housing needs.

7.1.2 Policy CP2 (Housing Supply) of the Core Strategy states that providing sufficient housing to meet the needs of local communities in a sustainable way is one of the key challenges facing Three Rivers. It further states that, amongst other things, development in the District, needs to provide an adequate and continuous supply of housing, provide a range of types and sizes of homes to meet needs at an appropriate density; and address local affordability issues. Policy CP3 (Housing mix and density) sets out that the Council will require housing proposals to take into account the range of housing needs in terms of the size and types of dwellings as identified by the Strategic Housing Market Assessment and subsequent updates. This includes the provision of housing for the elderly, and supported and specialist housing which will be encouraged in suitable and sustainable locations.

7.1.3 Policy SA1 (Housing Site Allocations) of the Site Allocations LDD (adopted 2014) states that, in view of the need for new housing in Three Rivers, the benefits of building new homes in Three Rivers would be undermined if the stock of existing housing were to reduce. Therefore, the Council's starting point is to protect existing housing in the District. Furthermore, it is noted that the LPA cannot currently demonstrate a 5 year land housing supply.

7.1.4 The existing building historically provided an elderly person's care home accommodating 33 bed spaces. However, planning permission 14/2141/FUL for Croxley House's continued use as a care home resulted in alterations to the existing building and a reduction in the number of bed spaces within Croxley House itself to 24 beds. In addition, the permission

included, the provision of a new 40 bed care home facility known as Clarendon Lodge being located immediately adjacent to the host building. This permission has been implemented and is therefore a material planning consideration. It is noted that Care Homes do contribute towards the District's housing stock and when applying the Council's conversion rate of 1.9 C2 bedrooms to 1 market dwelling, it would mean based on permission 14/2141/FUL, that the current proposal would result in the net loss of 7 residential dwellings (due to the existing dwelling continuing to provide 6 residential dwellings). In addition, it is acknowledged that there is a need for facilities such as care homes within the District. This is referred to in Policy H01 of the in the Croxley Green Neighbourhood Plan which states that housing proposals should consider the needs for priority groups, one of which is identified as the 'ageing population'. The proposed development would result in a net loss of housing, and elderly persons accommodation which would be contrary to Policies CP2 and CP3 of the Core Strategy (adopted October 2011) and Policy SA1 of the Site Allocations Document.

7.1.5 With regard to the loss of elderly persons accommodation, it is noted that Croxley House has remained vacant since January 2021. It is understood that Croxley House in its current form would not meet the required care standards and legislation. In addition, the last Inspection Report published by the Care Quality Commission in May 2021 (visit undertaken in December 2020) identified that the overall rating for the care home was inadequate. Officers have visited the site and have viewed the building internally. It has been observed that the corridors are narrow, that there is not level access with varying floor level changes throughout the building. Some of the rooms within the building are small, and do not have full ensuite facilities. As such, officers consider that the building as existing is not suitable to facilitate its former use without extensive alterations. It is noted that prior to its closure, planning and Listed Building Consent were granted for works to the existing Listed Building to allow the building to meet modern standards. The works included the widening of existing corridors, the provision of level access and internal alterations to create rooms which met current care standards. However, the changes proposed resulted in a reduction in bedrooms from 33 to 24.

7.1.6 In November 2023, the Planning Committee resolved to grant planning permission and Listed Building Consent for a 122 place nursery. This change of use would have resulted in the loss of 13 residential units. The Officers report from the time noted that Policy SA1 (Housing Site Allocations) does allow for the net loss of housing where conversion to other uses is necessary to provide a small-scale facility and would not affect the surrounding residential area. In this case, it was considered that there was significant justification for the change of use to a nursery, given the identified need locally and the fact that the existing building was unable to accommodate its former use. Based on the specific circumstances at the time, officers considered *that 'using the existing building as a nursery would outweigh the loss of dwellings, and the lawful use of the site as a care home particularly given it is highly unlikely that the existing building would be used as a care home in the future'.* However, whilst there is a resolution to grant permission and Listed Building Consent, the LPA has been unable to issue the decision notices as the S106 has not been completed to date.

7.1.7 With regard to the current proposal, it is acknowledged that the proposed development would result in some loss of housing. However, an increased loss of units has been accepted in principle in relation to planning application 23/0483/FUL. It is also considered that given the current and significant need for housing within Three Rivers, that the retention of 6 residential units must be given significant weight in the decision making process, particularly taken into account the length of time that the existing building has been vacant. It is also again emphasised that the existing building is not suitable to accommodate its former use as a residential care home.

7.1.8 In summary, it is acknowledged that the proposed development would result in a net loss of housing, contrary to policy. However, given the significant need for housing in the District and taking into account the specific site circumstances, most notably the length of time that the existing building has been vacant for as well as the condition of the existing Listed

building, that the principle of the development is acceptable, subject to the relevant material considerations outlined below.

7.2 Green Belt

7.2.1 The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence. One of the purposes of including land within Green Belt is to safeguard the countryside from encroachment.

7.2.2 The NPPF identifies the five purposes of including land in Green Belts as:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns from merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

7.2.3 Paragraph 153 of the NPPF states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations

7.2.4 Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

a) *buildings for agriculture and forestry;*
b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*
c) *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;*
d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
e) *limited infilling in villages;*
f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
g) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
h) *Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
i. mineral extraction;
ii. engineering operations;
iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.2.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) is also relevant and states the following with regard to the reuse and conversion of buildings in the Green Belt:

The Council will only support applications for the re-use/conversion of buildings in the Green Belt where:

i) the form, bulk and general design of the building is in keeping with the surroundings
ii) any proposal by way of alterations/extensions, parking/turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent
iii) the scale of the proposed use is not likely to have a detrimental effect on the locality(e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land)
iv) the building is suitable for reuse/conversion without extensive alteration, rebuilding and or extension
v) proposals do not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land.

7.2.6 The existing detached building was most recently used as a care home, a residential use. The proposed development would retain the building as being residential use through its conversion to provide 6 separate residential dwellings. As such, the proposed development would be considered under exception paragraph 154 (h) (iv) of the NPPF. In this case, Croxley House is a mainly two storey detached building of permanent and substantial construction, and therefore its conversion is deemed to be appropriate within the Green Belt, and no objections are raised in principle.

7.2.7 With regard to Policy DM2 of the Development Management Policies LDD, the applicant is not proposing to undertake significant alterations or extensions to the existing building and thus the proposal would not increase the building's prominence in the landscape in this regard. The existing access arrangement via the vehicular track across The Green would remain unaltered, and the Highways Officer has noted that the proposed use would be less intense than its former use as a 24 bedroom care home. The proposal would provide a formal parking area, but this would largely be contained within the existing area utilised for parking and would not encroach significantly beyond this area. In order to ensure that this area is appropriately surfaced, a condition requiring a comprehensive landscaping scheme would be secured via a condition. With regard to amenity space provision, the existing front and gardens would be utilised communally and therefore there would be no requirement for fencing or other means of enclosure that may appear urbanising within the landscape.

7.2.8 It is acknowledged that the provision of six residential units may lead to some increased domestic paraphernalia within the site. However, given that the site contains a Listed Building, planning permission would be required for development within its curtilage including for the provision of any outbuildings.

7.2.9 In summary, the proposed building is of permanent and substantial construction and therefore is deemed suitable an appropriate form of development when considered against paragraph 154 (h) (iv) of the NPPF. It is not considered that the conversion would increase the prominence of the building within the landscape and acceptable access provision exists. Furthermore, this would be a less intense use than its former use as a Care Home. As such, the proposed development is considered to be acceptable and in accordance with Policy

CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the provisions of the NPPF.

7.3 Character and Heritage Assets

7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.3.2 The host building is a Grade II Listed Building and also located within the Croxley Green Conservation Area and as such Policy DM3 of the Development Management Policies LDD is relevant. With regard to Listed Buildings, it advises:

The Council will preserve the District's Listed Buildings and will only support applications where:

i) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting

ii) any change of use would preserve its character as a building of special architectural or historic interest and ensure its continued use/viability.

7.3.3 With regard to Conservation Areas, Policy DM3 of the Development Management Policies LDD, advises that development will only be permitted where:

i) is of a design and scale that preserves or enhances the character or appearance of the area
ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context
iii) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges
iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention
v) Does not harm important views into, out of or within the Conservation area
vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area
vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

7.3.4 The Croxley Green Conservation Area Appraisal is also relevant and sets out the following with regard to Croxley House

'Opposite Killingdown Farmhouse stands the grand grade II listed late eighteenth century Croxley House. This substantial red brick house has a powerful presence at the north end of Section C and the whole area. In the recent past, Croxley House has been extended using appropriate materials. However, the wall which surround the entire house and estate, being not only an integral part of the Conservation Area but also the curtilage of a Listed Building, has been allowed to deteriorate and decay and is now in an appalling condition……

In the grounds of Croxley House stands an important Grade II listed well house, complete with its original winding gear. Opposite the well house, and possibly part of an original farm stands an unlisted barn with visible timber framing. This barn is sadly at risk, a portion of having already collapsed at the time of writing'.

7.3.5 The Croxley Green Neighbourhood Plan also refers to Croxley House as dominating the northern end of The Green. Policy CA2 of the Neighbourhood Plan is also relevant and advises that *'in the case of subdivision of a house into flats the impact of additional parking demand and the shared use of the garden must be considered as well as the social impact on the wider community of wide scale subdivision of dwellings'.*

7.3.6 As already noted, the existing building has most recently been used as Care Home, whereas the proposed development would see the building used to accommodate 6 sperate dwellings. The Conservation Officer notes that the building was originally intended for residential use and consequently there is no objection in principle to this use. Furthermore, it is noted that the building has been vacant since 2021, since its former use as a Care Home ceased. Paragraph 210 of the NPPF sets out the following in considering applications relating to Heritage Assets:

In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.3.7 Officers have visited the building on a number of occasions since the closure of the Care Home and consider that the condition of the building has deteriorated both internally and externally. The proposed development would therefore secure a use and future for the Listed building and would ensure that it continues to contribute positively to the Conservation Area. In accordance with paragraph 210 of the NPPF, significant weight is afforded to the desirability of sustaining the significance of this Heritage Asset and allowing a use which would be consistent with its conservation. This therefore would weigh in favour of the proposed development.

7.3.8 The building would not be extended, with the footprint remaining unaltered, however, internal alterations would be required in order to facilitate the development. The existing building has already been extensively partitioned and altered internally with regard to its former use as a Care Home. The Conservation Officer has noted that the removal of this partitioning would be beneficial in terms of the historic understanding of the building, although the consultee comments also acknowledge that the subdivision in to six separate units would result in the blocking up of some of the corridors, thereby still removing some of the historic unity of the original building. However, the Conservation Officer considers that overall the internal alterations are at a minimum level to enable the proposed residential use, and as such there is no objection subject to a condition relating to material details.

7.3.9 There would also be external alterations to the building including the removal of an existing steel staircase to the north of the building. This is considered to be a feature which detracts from the appearance of the Listed Building and therefore its removal would be positive. The plans also indicate the removal of the existing UPVC rainwater goods, and their replacement with cast metal equivalents. This would more appropriate to the character and appearance of the Listed Building and the full details of this are able to be secured via a condition. In addition, the plans indicate that the railings around Croxley House, again associated with its former use would be removed. These are features which detract from

the setting of the building and therefore their removal would be considered as an enhancement and no objections are raised.

7.3.10 The Conservation Officer noted that the submission proposes the replacement of damaged and non-original windows and the repair of older or original windows. However, the applicant provided a survey which was submitted in relation to an earlier application. This was considered to be insufficient as the condition of the windows may have changed since this time and therefore this survey is not considered to be relevant. As such, an up to date window condition survey is required and the Conservation Officer has advised that it would be appropriate to secure this via a condition.

7.3.11 The replacement of modern windows with slimline double-glazed sashes which replicate a traditional style are likely to be considered acceptable in principle. However, the Conservation Officer has emphasised that the replacement of later nineteenth century or early twentieth century windows raises concern as they may still be of historic interest. In addition, the proposed replacement window details indicate a 'horn' detail which is generally associated with later nineteenth century windows. The Conservation Officer has emphasised that each window should be considered on its own basis, with justification provided for the appearance and style. These points should therefore be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills. As noted above, the comments received from the Conservation Officer consider that a window condition survey can be secured via a condition, as can the specific details relating to replacement fenestration.

7.3.12 The original plans also indicated the provision of a new bin store which would sit forward of the front elevation of Croxley House. The Conservation Officer raised an objection, considering that this would be a prominent structure and its siting inappropriate, detracting from the character of the Listed Building, contrary to Policy DM3 of the Development Management Policies LDD. This therefore has been removed from the plans and it is considered that an appropriate siting and appearance can be secured via a planning condition.

7.3.13 With regard to landscaping alterations, the Conservation Officer has raised no objection to the car parking area which would remain as being located to the north of the building and largely in a similar siting to existing. As such, it is considered that this would preserve the character and appearance of the Listed Building and its wider setting. The Conservation Officer also notes that the existing amenity areas are not indicated to be subdivided to provide individual gardens which would ensure openness is retained. The consultee comments note that the use of close boarded fencing would be inappropriate to the setting of the historic building. Whilst a landscaping scheme has been provided which does give some detail of surfacing materials, given the nature of the building as a heritage asset, it is considered that a condition should be added which would require the materials to be viewed on site.

7.3.14 It is also acknowledged that the Conservation Officer has noted the boundary wall forward of Croxley House is in a poor state of repair. Works to the historic wall are not included as part of the current application, however, the applicant has advised that repair works will be dealt with under a separate application.

7.3.15 In summary and subject to conditions, it is considered that the redevelopment of the site for the provision of six residential dwellings would secure the long-term future of the Listed Building which should be given significant weight in the decision-making process. Furthermore, the proposed development would not require significant external alterations to the existing building which would ensure that its significance would be maintained and it would continue to be a positive feature within the Conservation Area. In addition, the external works including the removal of the existing external staircase and railings would be considered an enhancement. Whilst some internal alterations would be required which would include the blocking up of some of the existing internal corridors, the Conservation

Officer has raised no objection. The development is therefore considered to be acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM3 of the Development Management Policies LDD.

7.4 Housing Mix

7.4.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1 bed	**2 bed**	**3 bed**	**4+ bed**
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%
Social/Affordable Rented	20%	32%	35%	12%

7.4.2 The proposed development would deliver 5 x 4 bedroom units, and 1 x 3 bedroom unit and as such would fail to be in accordance with the mix outlined above. However, taking into consideration the scale of the development, it is not considered that this would prejudice the ability of the Council to deliver housing targets. Furthermore, there is an identified need for 3 and 4 bedroom dwellings. As such, the proposed development is considered acceptable and in accordance with Policy CP3 of the Core Strategy (adopted October 2011).

7.5 Affordable Housing

7.5.1 Policy CP4 of the Development Management Policies LDD sets out that any development resulting in a net gain of 1 or more dwellings will be required to make contributions towards affordable housing provision. With regard to small sites delivering 1-9 dwellings, Policy CP4 sets out that a commuted sum payment will be sought.

7.5.2 In this case, whilst the proposed development would deliver 6 residential dwellings, given the former use of the site as a care home, there would actually be a net loss of 7 residential dwellings.. As such, the proposed development would not be required to make any contribution towards the provision of affordable housing and thus no objections are made in this regard.

7.6 Impact on amenity of neighbours

7.6.1 Policy CP12 of the Core Strategy advises that development proposals should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'

7.6.2 The nearest neighbour to the site, is located to the west and is the existing care home known as Clarendon House. Policy DM9 of the Development states that ‘*the Council will ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise-*

sensitive property such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments'.

7.6.3 The proposed development would result in the conversion of the existing building to 6 separate residential units in Class C3 use. There would be no increase in footprint of the building, with external changes relating to replacement fenestration and repair/improvement works to the external fabric of the building. The changes to the external fabric of the building are such that they would not result in harm to residential amenity.

7.6.4 It is noted that the Unit 1 would be located in the element of the building set closest to the existing access road and Clarendon House. The existing fenestration detail to the flank elevation of Croxley House would be retained, and therefore there would be a number of windows serving bedrooms at first floor level. It is noted that some of Clarendon House's amenity provision is located in close proximity to the boundary with the access road, and as such there may be some degree of overlooking to this area of amenity space. Given this relationship and the fact these non-original windows are proposed to be replaced, it is considered reasonable for a condition to be added requiring that they would be obscure glazed to prevent any significant harm to the amenity.

7.6.5 The proposed access to the site would remain as existing, with no alterations proposed. It is considered that the conversion to 6 residential dwellings, would result in a less intense use of the access road than if the building were to be continued to be used as a care home. The proposed car parking is in a similar location to existing, and it is not considered that this would result in a loss of residential amenity to Clarendon Lodge.

7.6.6 With regard to amenity space provision, amenity space would be available to the front and rear of the existing building and it is noted that this would not be subdivided. Whilst there may be some noise as a result of its use, it is not considered that there would be an intensification of use of the site overall or that any noise would be significant so as to restul in harm to justify refusal of the application.

7.6.7 In summary, it is not considered that any harm would occur to residential amenity and therefore the development is acceptable and in accordance with Policy CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.7 Impact to Future Occupiers

7.7.1 Amenity space standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013) and require 84sqm for 3 bed dwellings and 105sqm for 4 bed dwellings. For individual dwellings, this would generally take the form of private gardens, with flats having communal garden spaces.

7.7.2 In this case, it is noted that the dwellings would not benefit from their own private amenity space provision, and the development would take the form of a communal garden space used by all of the dwellings. Based on the above standards, a total of 609 square metres would be required. In this case, the rear amenity space alone has an area exceeding 4000 square metres, thus there would be ample on site amenity provision for future occupiers. It is acknowledged that the provision of a communal garden would be unusual as the scheme is not a flatted development. However, given the existing front and rear amenity space form part of the setting of the Listed Building, it would not be appropriate to subdivide it with fencing to provide individual spaces as this would be likely to cause some harm to the setting. As such, no objection is raised to the provision of a communal garden in this instance. Furthermore, it is considered there would be sufficient space available for all future occupiers, taking into consideration the areas of landscaping to the front, rear and sides of the existing building. As such, no objection is raised in this regard.

7.7.3 It is noted that the front and rear facing windows would have outlook across the front and rear amenity spaces. In particular, it is acknowledged that future occupiers may have outlook into the ground facing windows from communal spaces. However, given the size of the site overall, there is ample space available which would ensure that future occupiers would be unlikely to be passing immediately in front of the windows of neighbouring dwellings. Consequently, it is not considered that there would be any significant harm in this regard and as such no objection is raised.

7.8 Highways: Access

7.8.1 Policy CP10 of the Core Strategy relates to Transport and Travel and advises that development will need to demonstrate that it provides a safe and adequate means of access. In addition, it should make adequate provision for all users of the highway. Paragraph 111 of the NPPF is also relevant and states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residential cumulative impacts on the road network would be severe'

7.8.2 It is noted that TRDC Property Services have raised concerns relating to the development noting that there is no agreement in place to reflect any increased traffic flows over the track nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard to accommodate additional traffic flows. The Property Services Officer raises concerns regarding additional traffic flows at this junction and would have expected to see a detailed assessment or safety audit.

7.8.3 In response, Herts Highways have been consulted regarding the development and it is noted that no alterations to the existing access or access track across The Green are proposed. The consultee comments from Herts Highways note that the existing private access road is not wide enough for two modern vehicles to pass one another without the need to potentially divert into the common land. However, the Highways Officer notes that there would be a decrease in vehicle intensity at the site in comparison to the former use of the site as a care home. Therefore, the access road would be used by fewer vehicles. Consequently, the existing access is considered acceptable to accommodate the proposed use of the site for six residential units. It would therefore be unreasonable to require an upgrade of the access track given it would be a less intensive use. Whilst the comments regarding highway safety raised by the Property Services Officer are acknowledged, the Highways Officer has not raised any safety concerns regarding the proposed development and as such it would not be reasonable to raise an objection on the grounds of highway safety.

7.8.4 It is also note that the Property Services Officer has noted that there has been no discussion with the applicant regarding agreeing or formalising the rights of access, this is not a material planning consideration and is a legal matter outside of the remit of the current applications. An informative has been added, reminding the applicant to contact TRDC Property Services in relation to the proposed development.

7.8.5 The Highways Officer also notes that access for a fire tender will continue to be possible considering that no alterations to the access or external parts of the proposal. Likewise a waste collection vehicle would have previously serviced Croxley House and this will continue. It is noted that a swept path analysis has been provided which demonstrates that access is suitable.

7.8.6 The proposed development is therefore acceptable and in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and thus no objections are raised in this regard.

7.9 Highways: Off street car parking

7.9.1 Policy DM13 and Appendix 5 of the Development Management Policies LDD sets out the requirements for off street car parking provision as follows:

3 bedroom dwelling: 2.25 spaces (2 assigned spaces)
4 or more bedrooms: 3 spaces (3 assigned spaces).

7.9.2 As such, this would equate to a requirement for the following:

5 x 3 = 15 spaces
1 x 2.25 = 2.25

Maximum requirement = 17.25 spaces.

7.9.3 The proposed block plan indicates a total of 15 car parking spaces to be provided to the rear of the site, mostly within the area which was previously utilised for car parking. The Highways Officer has confirmed that a swept path analysis has been submitted which indicates that it is possible for vehicles to manoeuvre out of each space and egress the site in a forward gear.

7.9.4 The spaces are annotated to indicate that each dwelling would benefit from two car parking spaces, with a further 3 spaces to be provided on site as visitor bays. As such, there would be a shortfall of 2.25 spaces against the maximum standard. However, it is acknowledged that the 5, 4 bedroom units would have a shortfall of one space per unit.

7.9.5 Croxley Green Parish Council have raised some concerns in respect of the shortfall in off street car parking provision. In response, whilst the shortfall is acknowledged, it is noted that all of the units would benefit from two off street car parking spaces, with a further 3 visitor car parking spaces available. With regards to location, Croxley House is located on the northern edge of Croxley Green and is therefore outside of the settlement boundary with the Highways Officer noting that the site lacks sustainable transport options. However, the Highways Officer does note that there are footpaths running from The Green into Croxley Green providing an acceptable pedestrian link to local amenities. Given the edge of settlement location, officers consider that the site is suitable for residential development and that the limited shortfall in car parking provision would not result in significant demonstrable harm to justify refusal, particularly as all of the units would benefit from two spaces, with further visitor car parking available.

7.9.6 The submitted car parking management plan specifies that the EV charging points will be provided for each unit.

7.9.7 With regard to cycle parking, Appendix 5 of the Development Management Policies LDD sets out that one long term space should be provided per unit. The submitted block plan indicates that one of the existing outbuildings to the rear of the site would be used for cycle storage and this is considered acceptable.

7.9.8 In summary, whilst the shortfall in off street car parking is acknowledged, given the modest shortfall, that all dwellings would benefit from two car parking spaces, and taking into account the edge of settlement location, the development is considered acceptable and in accordance with Policy DM13 and Appendix 5 of the Development Management Policies LDD.

7.10 Landscaping

7.10.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states that ‘development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997’.

7.10.2 The Landscape Officer was consulted and raised initial concerns regarding the development. The Landscape Officer noted that the submitted plans indicated that 15 car

parking spaces would be provided to the rear of the building and would be located within the root protection areas of 2 protected trees (T19 and T20, Cedar). Whilst the submitted Arboricultural report indicated that the existing tarmac would be removed and replaced with a permeable 'no dig' surface, the Landscape Officer considered that it was unclear whether the parking spaces would be wholly on the existing tarmac, or whether the area of hardstanding would need to be extended over the Root Protection Areas to create the necessary parking. The Landscape Officer also noted that there was no indication as to how the car parking spaces would be contained to prevent any encroachment of cars, beyond the hardstanding, into the root protection areas of the trees. As such, further information was requested in order to confirm the impact on existing protected trees.

7.10.3 The applicant has provided additional information which provides a comparison of the existing and proposed car parking areas. In response, the Landscape Officer has advised that the plans demonstrate some additional incursion in to the Root Protection Areas of T19 and T20 but has confirmed that this would be acceptable in principle. However, in order to ensure that there would be no increased harm as a result of the development, a detailed hard and soft landscaping scheme including details of the new fencing to the rear of the car park areas and a tree protection scheme would be required. Whilst it is acknowledged that a landscaping plan has been provided, this is seen as indicative and it is considered that a more comprehensive version is required given the nature of the site and the heritage asset. In addition, a detailed method statement would be required in relation to the new surfacing and for arboricultural supervision of its installation. Consequently, subject to these suggested conditions, the proposed development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.11 Wildlife and Biodiversity

7.11.1 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.

7.11.2 Herts Ecology raised concerns in relation to the Preliminary Ecological Appraisal and Bat Report. This noted that there was no evidence of roosting bats, however foraging and commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building. Herts Ecology noted that there was a previous emergence report in September 2022 which identified 7 common and soprano pipistrelle roosts across the building, however, this was not mentioned in the 2025 report and it was unknown whether the ecologists in 2025 were aware of this. Herts Ecology raised concerns that several locations where emergences occurred in 2022, were not covered in the 2025 surveys including the eastern end of the building. Furthermore the 2025 report noted that the eastern end of the loft could not be surveyed. As such, the Ecology Officer confirmed that there were not satisfied that sufficient evidence had been provided to confirm that bats were absent. As such, it was considered that further information would be required in relation to impact on protected species.

7.11.3 In response, an updated Ecological Appraisal was provided and Herts Ecology were re-consulted. The Ecology Officer has considered the updated report and notes that Appendix C of the report states that the ecologist did not have access to the loft of a large part of the building and they wished to revisit to provide an adequate survey. The Ecology Officer sets out that the works to the building would involve stripping out the internal features of the building and thus it would be highly likely that any bat roosts in the loft would be destroyed. Consequently further surveys were required to identify whether or not any bats are present within the loft space.

7.11.4 In response, the applicant submitted an updated Ecological Appraisal which contains information regarding the loft space which has not been previously covered. The Ecology

Officer notes that the report includes a photo of the loft space which indicates that it is heavily cobwebbed and therefore unlikely to contain bats. However, given that bats have been previously recorded emerging from the building (September 2022), a non licensed method statement should be provided which should include reasonable avoidance measures. This can be secured via a condition.

7.11.5 The comments received from Herts Ecology also note that the site is adjacent to a Local Wildlife Site and as such, a construction environmental management plan to minimise disturbance to wildlife on site would be required and this can be secured via a condition.

7.11.6 In summary, given the updated information received and subject to conditions, the development is considered in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

7.12 Mandatory Biodiversity Net gain.

7.12.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.12.2 The initial comments received from Herts Ecology advised that further evidence was required to demonstrate whether the de minimis exemption would be applicable. Concerns were raised that the ecological report set out that no habitat would be lost, however, the block plan indicated that small areas of modified grassland would be lost in order to provide for car parking provision. As such, it was requested that a calculation of the habitat lost should be provided.

7.12.3 In response, further information was submitted by the applicant which demonstrated that no priority habitats would be lost and in addition that 21m2 of modified grassland would be lost. The Ecology Officer has been re-consulted and has confirmed that they consider that the development would be exempt from biodiversity net gain as it would fall below the de minimis threshold of 25m2. As such, no objections are raised in this regard.

7.13 Sustainability

7.13.1 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. Policy 12 of the Sarratt Neighbourhood Plan sets out that 'development proposals are encouraged to achieve the highest standards of sustainability, decarbonisation and energy efficiency'.

7.13.2 An Energy Statement accompanies the application and details that the development would result in a 9% reduction in CO2 emissions which would therefore exceed the policy requirements set out in Policy DM4 of the Development Management Policies LDD. The applicant has advised that this would be through measures including the provision of low energy lighting and the provision of integrated air source heat pumps. It is noted that details of the air source heat pumps have not been provided. Whilst it is understood that these would be provided internally, given this application relates to a Listed Building, full details would be required of their siting and appearance prior to their installation.

7.14 Summary

7.14.1 In conclusion, officers acknowledge that the conversion of Croxley House from its former use as a care home would result in the net loss of housing, which would be contrary to Policy. However, taking into consideration the specific site circumstances, most notably the length of time that the existing building has been vacant for, and that the proposed development would still secure the provision of 6 residential dwellings, the principle of development is considered acceptable. Likewise, it is considered that the proposed conversion would be an appropriate form of development within the Green Belt.

7.14.2 Furthermore, Croxley House is a Grade II Listed Building which is deteriorating in condition both externally and internally and has now been vacant for a number of years. The proposed development would secure a long term use for the building and would ensure appropriate repair works are undertaken. Securing the long term future of this designated Heritage Asset is afforded significant weight in the decision-making process.

7.14.3 Therefore, taking into account all relevant material considerations as outlined in the analysis above, the proposed development is considered to be acceptable and it is recommended that both full planning permission and Listed Building Consent are granted subject to conditions.

8 RECOMMENDATION:

8.1 That PLANNING PERMISSION 25/3146/FUL BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01, 0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,

0173_31_701 REV 00, 0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

Reason: For the avoidance of doubt, in the proper interests of planning, the Metropolitan Green Belt and the character and appearance of the Listed Building and Conservation Area, in accordance with Policies CP1, CP3, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policy SA1 of the Site Allocations Document (adopted November 2014), Policies DM1, DM2, DM3, DM4, DM6, DM9, and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy CA2 of the Croxley Green Neighbourhood Plan (Referendum Version, 2018) and the Croxley Green Conservation Area Appraisal.

C3 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground

service routes, methods of excavation and construction methods, in particular where they lie close to trees. In addition, the method statement shall include details relating to installation of the surfacing materials for the car park the new surfacing including details of arboricultural supervision of its installation.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained 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: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area 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).

C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

The landscaping scheme shall include details of the proposed low level fence to the rear of the car parking area including details of its siting and appearance.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the

Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013)

C5 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of 'biodiversity protection zones'

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timings of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The development shall proceed in accordance with the approved CEMP.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

C7 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C8 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C9 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, facias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C10 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset and to ensure that the development makes as full a contribution to sustainable development as possible in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM4 of the Development Management Policies LDD (adopted July 2013).

C11 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C12 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

C13 Before the first occupation of the development hereby permitted the window(s) in the first floor flank elevation facing Claredon Lodge; 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).

C14 The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

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C15 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C16 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the Heritage Asset, visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives 25/1346/FUL:

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:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home.

I2 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions and made amendments during the course of the application which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I3 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.

I4 The applicant is reminded that prior to the commencement of works, approval will be required from the Council as a land owner of the existing access track across The

Green. Please contact the Property Services Team to discuss further prior to any works taking place on 01923 776611 or by email to property@threerivers.gov.uk

I5 Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at https://www.gov.uk/common-land-village-greens

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at https://www.gov.uk/guidance/carrying-out-works-on-common-land and on the County Council's website at:

https://www.hertfordshire.gov.uk/services/recycling-waste-and environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx

I6 Storage of materials: 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.aspxor by telephoning 0300 1234047.

I7 Obstruction of highway: 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.

I8 Debris and deposits on the highway: 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.

I9 Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

I10 Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead

as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

8.3 **RECOMMENDATION: That LISTED BUILDING CONSENT 25/1347/LBC BE GRANTED subject to the following conditions**:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

C2 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

C3 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C4 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C5 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The

condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C6 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, facias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C7 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy and Policies DM3 of the Development Management Policies LDD (adopted July 2013).

C8 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

8.4 Informatives 25/1347/LBC:

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:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home.

I2 The applicant is reminded that the development subject to this grant of Listed Building Consent must be carried out in accordance with the submitted documents including:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01, 0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,

0173_31_701 REV 00, 0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

I3 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.





















PLANNING COMMITTEE - 19 MARCH 2026

25/1346/FUL – Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works AT Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Minor Dwellings

25/1347/LBC – Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works at Croxley House, Croxley Green, Rickmansworth, WD3 3JB

Application Type: Listed Building Consent

Parish: Croxley Green
Ward: Dickinson
Expiry of Statutory Period: 26.03.2026 (EOT)
Case Officer: Claire Wilson

Recommendation: That Planning Permission 25/1346/FUL and Listed Building Consent 25/1347/LBC are granted.

Reason for consideration by the Committee: Planning application 25/1346/FUL has been called in to committee by three members of the planning committee for the following reasons:

- Construction within the Conservation Area
- Significant building in Croxley
- Access
- Local interest

Whilst Listed Building Consent application 25/1347/LBC has not been called into Planning Committee, it is considered appropriate for the applications to be considered together.

To view all documents forming part of the applications, please go to the following website:

25/1346/FUL:

25/1346/FUL | Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB

25/1347/LBC:

25/1347/LBC | Listed Building Consent: Conversion of existing building into 6no. (Use Class C3) residential units with associated bike store, parking and landscaping works | Croxley House Croxley Green Rickmansworth WD3 3JB

1 Relevant Planning History

There is extensive planning history with the most recent as follows:

1.1 14/2141/FUL: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

1.2 14/2142/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the

adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

1.3 16/0963/LBC: Listed Building Consent: Internal alterations to Croxley House resulting in a loss of 9 bedrooms, construction of new purpose built single storey care block within the adjacent walled garden to include 40 additional bedrooms and creation of additional parking. Application permitted.

1.4 16/0964/FUL: Variation of Condition 2 (Approved Plans) of planning permission 14/2141/FUL to allow alterations to the footprint and layout of the approved care home. Application permitted.

1.5 18/1738/LBC: Listed Building Consent: Reconstruction and repairs to boundary wall. Application permitted.

1.6 20/1868/FUL: Variation of Condition 2 (Approved Plans) and removal of Condition 6 (Panelling) pursuant to planning permission 16/0964/FUL to allow alterations to the approved layout to retain existing panelling. Application permitted.

1.7 20/1961/LBC: Listed Building Consent: Variation of Condition 2 (Approved Plans) and Condition 5 (Panelling) of Listed Building Consent 16/0963/LBC to allow alterations to the internal layout including alterations to the existing panelling. Application permitted.

1.8 20/2366/LBC: Listed Building Consent: Construction of an outbuilding. Application permitted.

1.9 20/2371/FUL: Construction of an outbuilding. Application permitted

1.10 23/0483/FUL: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant planning permission in November 2023 subject to the completion of a S106 agreement. To date this has not been completed.

1.11 23/0484/LBC: Listed Building Consent: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing single storey rear extension and construction of two storey front extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; widening of existing access track, internal alterations and alterations to fenestration.

The Planning Committee resolved to grant Listed Building Consent in November 2023. However, to date Listed Building Consent has not been granted as this application has been kept open in order to ensure that the Listed Building Consent would be granted at the same time as the relevant FUL planning application above.

2 Description of Application Site

2.1 Croxley House is a Grade II Listed Building located within the Croxley Green Conservation Area and the Metropolitan Green Belt. The building was previously in use as a residential care home accommodating 33 rooms, however, it is noted that the building has remained vacant since January 2021.

2.2 Croxley House is a red brick, two storey building with a single storey projection to the east, set within a landscaped setting. It is noted that the building has been historically extended. The listing for the property describes it as:

Large house, now old people's home. c.1770, extended late C19 and C20. Red brick, once stuccoed. Shallow hipped slate roof. 9 bays, 1:2:3:2:1. 2 storeys. Garden front: central 3 bays project slightly with a full height bow window. 3 ground floor French windows. First floor glazing bar sashes with stone sills, all with gauged brick flat arched heads. Flanking bays have glazing bar sashes, 16 pane on first floor. Outer bays have blocked basement, plinth, glazing bar sashes and an oriel on the ground floor to right. Original end bays project slightly. Boxed eaves. Central axial and flanking cross axial stacks. Link to 3 bay C19 addition to right, porch to entrance with pilastered surround, corniced hood, sashes, roof hipped to right. 2 extruded stacks on right return. To left 4 bays, 2 phases of C20 additions. Entrance front: late C19 ground floor projection to central 3 bays. Entrance to left with keyed segmental head. Double sash to right with twisted colonnette mullion. Dentilled brick course below cornice. Outer bays set back, large stair window to left with Gothic glazing. Some 16 pane sashes to right. End bays project slightly. End stacks on main block. C19 block to left has a semi-circular bow, French windows, casements, dentilled brick eaves. Interior: moulded plaster ceiling, late C19 carved chimneypiece with caryatids. (VCH 1908: Pevsner 1977).

2.3 To the north of the building is an area of hardstanding used for parking, with large areas of soft landscaping beyond. Within the garden area to the north of the site, is the Well House which is Grade II Listed in its own right. The southern and eastern boundaries of Croxley House are formed by mixed vegetation and an existing brick wall which is acknowledged to be in a poor state of repair. The main entrance to Croxley House is located within the northern elevation of the existing building, facing away from The Green and towards the existing garden. To the south of the building adjacent to The Green is an existing area of soft landscaping.

2.4 In 2014, planning permission was granted for the construction of a new care block within the walled garden which provides 40 bedrooms, with ensuite wet rooms, communal spaces and administrative and staff facilities. This permission was amended in 2016, with the new building known as Clarendon Lodge opening in January 2021. It is noted that the planning permissions for the site also included internal alterations to the Listed Building to allow it to continue operating as a care home. However, it is understood that the works were not undertaken due to viability concerns. In addition, an Inspection was made by the Care Quality Commission in December 2020, with the full inspection report being published in May 2021 which found that Croxley House was inadequate.

2.5 Croxley House is served by an existing vehicular access road, accessed from The Green. This access road is shared with the existing care home known as Clarendon Lodge, which is located to the west of the site and has its own separate parking area.

3 Description of Proposed Development

3.1 The applicant is seeking full planning permission and Listed Building Consent for the conversion of existing building into 6no. (Use Class C2) residential units with associated bin/bike store, parking and landscaping works.

3.2 It is proposed convert the existing detached building into 6 residential units, which would effectively form a new terrace. Five of the six units would be two storey, whilst unit 6 would be located within the existing single storey element of the building. The conversion would provide 5 x 4 bedroom units and 1 x 3 bedroom unit.

3.3 In order to facilitate the proposed conversion, internal alterations would be made to the existing building. This would include the removal of existing internal partitions and the installation of new stair cases. With regards to external alterations, the plans indicate the

removal of the existing external metal star case located on the northern elevation of the building, and the removal of various metal railings around the building. In addition, the applicant has advised that some of the existing windows would be replaced, whilst windows identified to be 19th Century or earlier would be retained or repaired with secondary glazing installed.

3.4 The proposed development would also include alterations to the existing landscaping to the rear of the building in order to provide off street car parking provision. This would include the provision of 2 spaces per unit, with further provision for 3 visitor car parking bays.

3.5 The plans indicate the retention of the existing Listed Well House located to the rear of the site. The proposed cycle store would be located within one of the existing detached outbuildings to the rear of the site.

3.6 The front and rear amenity provision would not be subdivided and would be a communal garden space.

3.7 Amended plans have been received during the course of the application as follows:

- Removal of the existing external staircase and railings;
- Removal of the proposed bin store with details to be secured via condition;
- Further information in relation to trees provided, including how the proposed car parking area would be retained.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council: [No objection]

4.1.1.1 [First comment: No objection]

Croxley Green Parish Council supports the restoration of the building and use for housing. We request the officer ensures that access across the green will be legally possible and that all changes to the external elevations that will be necessary to doors, fenestration and to allow new heating and ventilation systems, along with measures to protect encroachment on to the green by vehicles are conditioned.

CGPC notes that this application relates to 5 dwellings is for a Class C2- Residential institutions, but doesn't specify how the residential unit is to be managed, it appears to be private dwellings, is Class C2 correct?

CGPC supports Affinity Waters comments regarding water supply stress

4.1.1.2 [Second comment: No objection]

In addition to Croxley Green Parish Councils previous comments, CGPC has concerns on there being insufficient parking for a development that is remote from the highway and without any safe on street parking.

Drawing 701 shows new sash windows with horns. The elevations show windows without horn which you would expect for a Georgian Building like this. We request that the Conservation Officer assures themselves that the window design is appropriate.

4.1.2 Conservation Officer: [No objection]

The application is for Listed Building Consent: Conversion of existing building into 6no. (Use Class C2) residential units with associated bin/bike store, parking and landscaping works.

Croxley House is a Grade II listed building (List Entry Number: 1348223) built in 1770 with nineteenth and twentieth century extensions. The Grade II Well House (List Entry Number: 1296183) is located within the immediate setting of Croxley House The property is in the Croxley Green Conservation Area.

The significance is in its historic and architectural interest, although it is understood that much of the historic interior has been altered and partitioned during more recent uses. The building has been extended during the nineteenth and twentieth centuries.

The most recent use was as a care home until around 2021. The most recent application was for a change of use to a children's nursery with associated extensions and works under 23/0483/FUL and 23/0484/LBC, which was approved at Planning Committee subject to s.106 agreement.

The proposal is for conversion to six residential units, consisting of three- and four-bedroom dwellings. The main considerations in heritage terms are the principle of the change of use, the various internal and external alterations and alterations to the wider site.

The property was originally intended for residential use and has already been extensively partitioned and altered internally

The proposal to convert the building to residential use is acceptable in principle in heritage terms, but this is subject to the other considerations, which will be assessed below:

Internal Alterations: The proposal would require internal alterations. Mostly modern partitioning associated with the previous care home use would be removed to form larger rooms. The present proposals would retain the historic ground floor front room. The removal of partitions would be beneficial in terms of the historic understanding of the building, although conversely sub-dividing the house into separate units would block some existing corridors and remove the historic unity of the building. However, overall, the internal alterations appear to be at the minimum level to enable this proposed residential use and there is no objection subject to material details which can be secured through a planning condition.

Windows: The submission proposed replacement of damaged and non-original windows and repair of older or original windows.

However, the submission has relied on a window condition survey related to an earlier application. Conditions may have changed since then and an up-to-date window condition survey is required.

The replacement of modern windows with slimline double-glazed sashes which attempt to replicate a traditional style are likely to be acceptable in principle. However, the replacement of later nineteenth or early twentieth century windows, even where they are not original is a concern as these windows may still have historic interest.

The use of single- and double-glazed windows on the same elevation can create an inconsistent appearance. In addition, proposed replacement windows have a 'horn' detail which is generally associated with later nineteenth century sash windows, while most of the existing windows are without this detail. Each window should be considered on its own basis, with justification provided for the appearance and style. These points should be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills.

These points should be addressed as part of an updated window condition survey.
In addition, in relation to replacement of windows, please refer to pages 62 and 63 of Historic

England's Traditional Windows guidance which can be accessed here: https://historicengland.org.uk/images-books/publications/traditional-windowscarerepair-upgrading/heag039-traditional-windows-revfeb17

External Alterations: An existing steel staircase would be removed from the rear/northern elevation. Also, it is proposed that the existing uPVC rainwater goods are replaced with more appropriate cast metal equivalents. It is agreed that replacement rainwater goods should be cast metal, and the details should be secured through a condition.

Landscaping and Other Alterations: The proposed bin store would sit forward of the front building line. This would be harmful to the character of the building as it would be a prominent structure in the approach to the listed building. In addition, the location where it is shown is currently an area of raised ground adjacent to the retaining wall and it is not clear how this would operate in relation to existing ground levels.

It is understood that a larger bin store or several bin stores are required, but this is an inappropriate location. It is noted that in the previously permitted scheme the bins store sat to the side/rear of the building near currently proposed Parking Area 01 which would be more appropriate. The currently proposed bin store location is not supported in heritage terms.

There is no objection to the general landscaping scheme. The railings around Croxley House would be removed and this would be an enhancement.

However, it is noted that there is no separation of the outdoor amenity space for future residents. Retaining the openness of the outdoor areas is supported. However, it is possible that there may be future demand for separate gardens. The use of close-boarded fences etc would be harmful and not supported and any new fences or boundary treatments would require listed building consent.

In addition, it is noted that the boundary wall to the south is in a poor state of repair, this does not preserve the special interest of the listed building. The previously approved scheme included repair works to areas of the wall. There is an opportunity to improve the existing boundary wall which would be beneficial in heritage terms and is also a potential safety issue.

Due to the concerns in relation to the windows and the bin store, there is currently not sufficient information for the application to be determined positively, and these items should be amended, either as part of the current application or future applications.

Proposed Conditions
If officers are minded to approve the scheme, a condition in line with the below is required:

Internal Building Fabric
Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

Window Condition Survey and Replacement Windows

a) Prior to commencement of any alterations to the windows, a window condition survey shall be submitted with details of the condition of all windows, details of any required

repairs and justification in relation to replacement of any existing windows. This shall be undertaken by an expert joiner or other suitably qualified professional.

b) b) Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, timber and glazed link, eaves, fascias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and shall be permanently maintained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with the relevant local heritage policies.

In addition, conditions which relate to the following issues should be attached:
•Approved plans
•Details of proposed new materials
• Details of all new rainwater goods- which are to be metal and painted black.
•Hard and soft landscaping material details
•Any external lighting must be approved by the LPA prior to installation.
•Relocation of the bin store to a more suitable location to the side or rear of the house.

The submission has not provided sufficient information in relation to the windows, and the proposed bin store is inappropriately located and for these reasons the proposal is not currently supported in heritage terms. This response has been made with regard to Sections 16(2), and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF Chapter 16 'Conserving and Enhancing The Historic Environment'.

4.1.3 Herts Highways: [No objection]

4.1.3.1 [First comment: No objection]

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informatives; HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at https://www.gov.uk/common-land-village-greens

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at https://www.gov.uk/guidance/carrying-out-works-on-common-land and on the County Council's website at:

https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx

AN2) Storage of materials: 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.aspxor by telephoning 0300 1234047.

AN3) Obstruction of highway: 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.

AN4) Debris and deposits on the highway: 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.

Comments: Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal. The county council considers The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 -Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience far fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

Trip generation: According to application information related to 23/0483/FUL 68 two-way trips were recorded per day in its previous use as a care home. The end result of six dwellings as proposed will be a decrease from this recorded number to potentially around 12 vehicle trips per day, leading to a significant decrease in the number of vehicles entering and exiting the site. Therefore no impact on the highway network is identified.

Parking: According to the development application form an existing 15 parking spaces will be retained. The Highway Authority finds the size and organisation (tandem parking) of the spaces acceptable.

The Local Planning Authority as also the Parking Enforcement Authority will need to be satisfied that the parking provision meets any district-wide standards.

Accessibility: The development site is located on the northern edge of Croxley Green and is approximately 1.8km from Croxley train station (walking route) and 1km from the nearest bus stop (Lancing Way). The development site lacks nearby sustainable travel options and the distance from transport hubs are unreasonable. However, considering the number of dwellings proposed, as well as the footpaths running from The Green into Croxley Green, providing an acceptable pedestrian link to the centre of town, it would be unreasonable to recommend refusal on this application for the above reason.

Surface water flood risk to the highway: The application form states that surface water will be disposed of via a sustainable drainage system. Considering the size, nature and location of the development, the Highway Authority has not identified an increased risk of surface water flooding occurring on the public highway.

Emergency vehicle access: Access for a fire tender will continue to be possible considering no changes to the access or external parts of the building are being proposed, therefore no concerns are identified.

Access for waste collection vehicles: The Highway Authority is of the belief that a waste collection vehicle would have entered the site to service both Croxley House and the neighboring Clarenden Lodge, and that this will continue. The HA would recommend the LPA refer this matter to their own Environmental Department to ensure this arrangement is indeed the case and continues to be acceptable.

Conclusion: HCC as Highway Authority has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the above highway informative / advisory notes.

4.1.3.2 [Second Comment: No objection]

Recommendation: Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Informatives: HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN1) Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website athttps://www.gov.uk/common-land-village-greens

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website athttps://www.gov.uk/guidance/carrying-out-works-on-common-land and on the County Council's website at:https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/common-land-and-town-andvillageapplications/common-land-and-town-and-village-green-applications.aspx

AN2) Storage of materials: 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-anddeveloper-information/business-licences/business-licences.aspxor by telephoning 0300 1234047.

AN3) Obstruction of highway: 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.

AN4) Debris and deposits on the highway: 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

Comments
Notification of amendment: The Highway Authority has been notified of an amendment made to proposed plans on 14 January 2026. Amendments that affect the Highway Authority's previous response include the alteration of the parking arrangement for both residents of the dwellings and visitors, and a relocation of the bin storage area. Other amendments not relevant to the purview of the Highway Authority have been made. The Highway Authority's previous response will be recreated for sections of the application which have not been amended.

Relevant planning history: 23/0483/FUL & 23/0484/LBC: Change of use of existing building from care home (C2) use to a nursery (Class E) including partial demolition of existing extension and construction of two storey extension; provision of spiral stairs, ramp access, green roof, rooflights and vents; repairs to boundary wall with associated parking and landscaping works; and widening of existing access track, internal alterations and alterations to fenestration.

The Highway Authority did not wish to restrict the grant of permission. The Local Planning Authority is yet to make a final decision following a Planning Control Committee meeting on 13 November 2023.

Context: The development site is accessed via a 95m long and 3.5m wide (approx.) private access road which is accessible from highway considered maintainable at public expense via The Green, a local distributor 'C' road subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, The Green is categorised as P1/M2 (e.g. Inter-urban Road). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal. The county council considers The Green to be traffic sensitive during peak hours (07:00 - 09:30 and 16:30 - 18:00, Monday to Friday).

Adjacent to both sides of the private access road is land registered as Common Land (CL035 - Croxley Green)

Access: The Highway Authority has historically noted that the private access road is not wide enough to allow for two modern vehicles to pass each other without the need to potentially divert into the common land. Considering the decrease in vehicle intensity of the site as a result of a change of use from previous (Class C2 care-home - see 'Trip generation' paragraph below), the Highway Authority believes that this access road will experience fewer vehicles. It would therefore be unreasonable to expect the development to widen the access road when vehicle trips will decrease.

4.1.4 Herts Fire and Rescue: [No objection]

From an access point of view HFRS have no concerns.

4.1.5 TRDC Property Services: [Objection]

As you will be aware of the Property Services Team's comments in connection with earlier application numbers: 23/0483/FUL & 23/0484/LBC, that the Council owns The Green, an area of registered Common Land adjoining the application site. Having reviewed the application, I am not sure why the applicant has not shown their intended access route to the application site on their plans ('redline'), and there is no reference to the access route within the Planning, Design & Heritage Statement? Section 6 of the Application Form suggests that the proposal will not require any new access, so I am left to deduce that the application assumes access over the track which crosses The Green?

At the time of writing the applicant has not been in contact with the Council regarding agreeing or formalising the rights over which the application may require access. At this stage, I would therefore register an objection to this application, pending further discussions with the applicant and current landowner owner of Croxley House/Clarendon Lodge.

Croxley Green Common is registered Common Land and belongs to Three Rivers District Council. The access track is specifically excluded from the Common Land register but is owned by TRDC – there is no agreement in place to reflect any increased traffic flows over the track, nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard in order to accommodate additional traffic.

Whilst I understand that Hertfordshire County Council's Highways Service has commented on the suitably of the proposal in proximity to their highway assets, they do not represent the views of TRDC as landowner and owner of the access track. We do have concerns regarding any additional traffic joining/leaving the section of highway known as 'The Green' at the acute, staggered crossroads junction with Sarratt Road/Loudwater Lane. Given the proximity to this junction, I would expect to see a detailed assessment on vehicle movements and a safety audit of regarding the proposals. I have witnessed how dangerous this junction is on numerous occasions, and I would have expected the Highways Service

to insist on some form of traffic calming measures to reduce the speed of motorists who often take the junction at speed.

4.1.6 Thames Water: [No objection]

Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.

Should the details of the application change, we would welcome the opportunity to be re-consulted.

4.1.7 Affinity Water: [No objection]

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

Water quality: You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ2) corresponding to our Pumping Station (Batchworth and Tolpit's Lane). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction -guidance for consultants and contractors".

Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost

potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

4.1.8 Herts Ecology: [No objection]

4.1.8.1 Initial comment: [Objection]

Overall Recommendation:

☒ Insufficient information to advise determination of the application.

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Summary of Advice:
• Further information / clarification with respect to bats is required. Further surveys may be required to determine the impacts.
• Evidence of the whether the de minimis exemption applies (i.e. confirmation of the amount of habitat that will be lost)

Documents reviewed:
• Amended Preliminary Ecological Appraisal and Bat Survey (Optimus Consulting, 20/10/2025)
• Amended Block Plan
• Appendix B: Bat Survey (Greengage Environmental Ltd, March 2023

Comments:
Roosting Bats: The Preliminary Ecological Appraisal and Bat Survey report states that "Bat Emergence Surveys were undertaken at Croxley House during Summer 2025. No evidence of roosting bats was identified and therefore roosting bats are likely absent." It was, however, noted during the 2025 surveys that foraging/commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building.

However, an emergence survey in September 2022 (Greengage Environmental, 2023) identified 7 common and soprano pipistrelle roosts across the building. Further roost characterisation surveys were recommended for the following season but these do not appear to have been undertaken. The 2022 surveys took place over two consecutive evenings. On the first evening 3 emergences were observed from the roof of Croxley House and on the second 14 emergences and 1 return were observed from 6 further locations.

This has not been mentioned in the 2025 report. It is unknown whether the ecologists undertaking the surveys in 2025 were aware of this

9 positions (8 surveyors & 1 night vision camera (NVA) were used in 2022 to cover the whole building whereas 3 surveyors (all with NVAs) were used in the 2025 surveys to focus on particular areas. Whilst a plan of the 2025 survey locations has not been provided, it would appear that several of the locations where emergences occurred would not have been covered in the 2025 surveys. This includes the eastern end of the building. The 2025 report noted the eastern loft of the main building could not be surveyed.

I am not satisfied that sufficient evidence has been provided that bats are likely absent.

The current proposed works are internal, therefore, any external roosts including transitory roosts are unlikely to be damaged or destroyed, however bats, if present, would potentially be disturbed by vibration, noise or potentially lighting during works. It is also unknown if any works (including wiring, heating etc) are proposed in loft spaces. The 2022 surveys and any potential impacts should be considered.

Additionally, the internal inspection is questionable. The 2025 report states the building inspection was undertaken by an “Assistant Ecologist experienced in assessment of buildings suitability for roosting bats and in training towards the Natural England Level 1 Class Licence and carried out in accordance with best practice Guidelines”.

This ecologist had only a year’s experience, was unlicenced and good practice guidelines state “anecologist without a survey licence should not enter known roosts or sites where signs of bat presence (or possible bat presence) have been found. Even where no signs have been found, surveys of potential roost sites should be carried out by ecologists with a survey licence covering the relevant activities. This will ensure that the ecologist knows what to look for and where, in order to subsequently make a judgement on the suitability of a potential roost site for bats. Licensing authorities may reject survey
information completed by non-licensed persons” (BCT, 2023)

The LPA needs to have confidence that enough information has been submitted to fully consider the impact of the development on bats and that a licence (if required) is likely to be granted.

The above issues need to be addressed and/or further surveys undertaken if required

Biodiversity Net Gain
In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for biodiversity net gain, which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

(b) Developments falls Below the de minimis threshold:

a. A development that does not impact a priority habitat and affects less than:
    i. 25 square meters (5m by 5m) of on-site habitat.
    ii. 5 meters of on-site linear habitats, such as hedgerows.

The amended Preliminary Ecological Appraisal states that no habitat will be lost, however, the amended block plan shows that small areas of modified grassland will be lost to extended car parking spaces and the bin store.

For the avoidance of doubt, a calculation of the amount of habitat lost should be provided.

4.1.8.2 Second comment: [Objection]

Summary of Advice:	
"Insufficient information to determine application." The planning officer should either: 1. Refuse the applicant or advise it is withdrawn or, 2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.	**Pre-determination** • Protected species - Bats • BNG – de minimis exemption **Determination** • Conditions and informatives - CEMP

Comments and recommended Conditions and Informatives:

Protected species

Bats: The updated ecological appraisal provides the requested information regarding the competence of the ecological surveyor. As the surveyor was acting as an accredited agent on behalf of a licenced ecologist, the submitted PRA and emergence surveys can be accepted.

However, in appendix C of the updated ecological appraisal, the ecologist has stated that they did not have access to the loft of a large part of the building and they want to revisit it to provide the adequate survey. As the works involve stripping out the internal features of the building, it is highly likely that any bat roosts in the loft would be destroyed. Therefore, further survey is required to identify whether any bats are present in this loft. Presence/absence surveys for protected species cannot be secured by condition but must be conducted and reported on prior to determination. Therefore, we advise that a PRA of the unchecked loft space should be conducted to determine whether bats will be affected by this development. PRAs have no timing constraints and therefore there are no reasons for this survey to have been delayed.

Other protected species: I support the recommendations for biodiversity enhancement in sections 5.5 – 5.8 of the ecological appraisal.

As the site is located next to a Local Wildlife Site, the ecological appraisal suggests creating a CEMP to minimise disturbance to wildlife on site. I agree with this recommendation and advise that this should be secured by condition.

BNG- Pre Determination
The habitat map and development plan in Appendix B of the ecological appraisal provided indicate that no priority habitats are to be lost due to this development, and 21m2 of modified grassland will be lost. I see no reason to doubt this. Therefore, I advise that this development is exempt from biodiversity net gain as it falls below the de minimis threshold:

(a) Developments falls Below the de minimis threshold:
a. A development that does not impact a priority habitat and affects less than:
i. 25 square meters (5m by 5m) of on-site habitat.
ii. 5 meters of on-site linear habitats, such as hedgerow

Conditions: Construction Environmental Management Plan (CEMP)

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of 'biodiversity protection zones'
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timings of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site.

4.1.8.3 Third Comment: [No objection]

Summary of Advice:	
Application can be determined with Conditions and Informatives listed	**Pre-determination** • Protected species – No further surveys required – Non-Licensed Method Statement • BNG – De minimis exemption – less than 25m^2 habitat lost. **Determination** • Conditions and informatives – Previous comments regarding a CEMP stand; Non-Licensed Method Statement including Reasonable Avoidance Measures

Comments and recommended Conditions and Informatives:

Protected species: The updated Ecological Appraisal contains information regarding the loft space not covered by the previous report (loft D). The photo of this loft indicates that it is heavily cobwebbed and therefore unlikely to contain bats.

However, as bats have been recorded emerging from this building (September 2022), I advise that a non-licensed method statement should be provided including reasonable avoidance measures. I advise that this is secured by the following compliance condition.

Previous comments stand regarding the required submission of a CEMP by condition.

BNG- Pre Determination

Previous comments stand: this application qualifies for de minimis exemption from BNG.

Conditions and Informatives: The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 46

4.2.2 No of responses received: None received.

4.2.3 Site Notice: Expiry 14.11.2025 Press Notice: Expiry 21.11.2025

(In respect of both applications.)

4.2.4 Summary of Responses: N.A

5 Reason for Delay

5.1 Extension of time agreed to allow submission of additional information.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 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 states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (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.

6.3 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, C1, CP3, CP4, CP9, CP10, CP11 and CP12.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA1 is relevant.

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, DM2, DM3, DM6, DM9, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan (2025). Policy CA2 is relevant.

6.4 Other

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

The Croxley Green Conservation Area Appraisal.

7 Planning Analysis

7.1 Principle of Development.

7.1.1 The Core Strategy (adopted October 2011) sets out a Spatial Vision which states that, looking forward to 2026 and beyond, the District will remain a prosperous, safe and healthy place where people want and are able to live and work. The priorities for the future are amongst other things, to provide growth required to support local communities and provide for their needs in the most sustainable way possible, to improve access to housing and affordable housing and to recognise opportunities to improve and enhance the built, historic and natural environment wherever possible. In order to implement and deliver the Local Development Framework's Vision, Strategic Objectives have been identified which include; to balance the community's need for future homes and jobs by providing sufficient land to meet a range of local housing needs.

7.1.2 Policy CP2 (Housing Supply) of the Core Strategy states that providing sufficient housing to meet the needs of local communities in a sustainable way is one of the key challenges facing Three Rivers. It further states that, amongst other things, development in the District, needs to provide an adequate and continuous supply of housing, provide a range of types and sizes of homes to meet needs at an appropriate density; and address local affordability issues. Policy CP3 (Housing mix and density) sets out that the Council will require housing proposals to take into account the range of housing needs in terms of the size and types of dwellings as identified by the Strategic Housing Market Assessment and subsequent updates. This includes the provision of housing for the elderly, and supported and specialist housing which will be encouraged in suitable and sustainable locations.

7.1.3 Policy SA1 (Housing Site Allocations) of the Site Allocations LDD (adopted 2014) states that, in view of the need for new housing in Three Rivers, the benefits of building new homes in Three Rivers would be undermined if the stock of existing housing were to reduce. Therefore, the Council's starting point is to protect existing housing in the District. Furthermore, it is noted that the LPA cannot currently demonstrate a 5 year land housing supply.

7.1.4 The existing building historically provided an elderly person's care home accommodating 33 bed spaces. However, planning permission 14/2141/FUL for Croxley House's continued use as a care home resulted in alterations to the existing building and a reduction in the number of bed spaces within Croxley House itself to 24 beds. In addition, the permission

included, the provision of a new 40 bed care home facility known as Clarendon Lodge being located immediately adjacent to the host building. This permission has been implemented and is therefore a material planning consideration. It is noted that Care Homes do contribute towards the District's housing stock and when applying the Council's conversion rate of 1.9 C2 bedrooms to 1 market dwelling, it would mean based on permission 14/2141/FUL, that the current proposal would result in the net loss of 7 residential dwellings (due to the existing dwelling continuing to provide 6 residential dwellings). In addition, it is acknowledged that there is a need for facilities such as care homes within the District. This is referred to in Policy H01 of the in the Croxley Green Neighbourhood Plan which states that housing proposals should consider the needs for priority groups, one of which is identified as the 'ageing population'. The proposed development would result in a net loss of housing, and elderly persons accommodation which would be contrary to Policies CP2 and CP3 of the Core Strategy (adopted October 2011) and Policy SA1 of the Site Allocations Document.

7.1.5 With regard to the loss of elderly persons accommodation, it is noted that Croxley House has remained vacant since January 2021. It is understood that Croxley House in its current form would not meet the required care standards and legislation. In addition, the last Inspection Report published by the Care Quality Commission in May 2021 (visit undertaken in December 2020) identified that the overall rating for the care home was inadequate. Officers have visited the site and have viewed the building internally. It has been observed that the corridors are narrow, that there is not level access with varying floor level changes throughout the building. Some of the rooms within the building are small, and do not have full ensuite facilities. As such, officers consider that the building as existing is not suitable to facilitate its former use without extensive alterations. It is noted that prior to its closure, planning and Listed Building Consent were granted for works to the existing Listed Building to allow the building to meet modern standards. The works included the widening of existing corridors, the provision of level access and internal alterations to create rooms which met current care standards. However, the changes proposed resulted in a reduction in bedrooms from 33 to 24.

7.1.6 In November 2023, the Planning Committee resolved to grant planning permission and Listed Building Consent for a 122 place nursery. This change of use would have resulted in the loss of 13 residential units. The Officers report from the time noted that Policy SA1 (Housing Site Allocations) does allow for the net loss of housing where conversion to other uses is necessary to provide a small-scale facility and would not affect the surrounding residential area. In this case, it was considered that there was significant justification for the change of use to a nursery, given the identified need locally and the fact that the existing building was unable to accommodate its former use. Based on the specific circumstances at the time, officers considered *that 'using the existing building as a nursery would outweigh the loss of dwellings, and the lawful use of the site as a care home particularly given it is highly unlikely that the existing building would be used as a care home in the future'.* However, whilst there is a resolution to grant permission and Listed Building Consent, the LPA has been unable to issue the decision notices as the S106 has not been completed to date.

7.1.7 With regard to the current proposal, it is acknowledged that the proposed development would result in some loss of housing. However, an increased loss of units has been accepted in principle in relation to planning application 23/0483/FUL. It is also considered that given the current and significant need for housing within Three Rivers, that the retention of 6 residential units must be given significant weight in the decision making process, particularly taken into account the length of time that the existing building has been vacant. It is also again emphasised that the existing building is not suitable to accommodate its former use as a residential care home.

7.1.8 In summary, it is acknowledged that the proposed development would result in a net loss of housing, contrary to policy. However, given the significant need for housing in the District and taking into account the specific site circumstances, most notably the length of time that the existing building has been vacant for as well as the condition of the existing Listed

building, that the principle of the development is acceptable, subject to the relevant material considerations outlined below.

7.2 Green Belt

7.2.1 The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence. One of the purposes of including land within Green Belt is to safeguard the countryside from encroachment.

7.2.2 The NPPF identifies the five purposes of including land in Green Belts as:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns from merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

7.2.3 Paragraph 153 of the NPPF states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations

7.2.4 Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

a) *buildings for agriculture and forestry;*
b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it*
c) *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;*
d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
e) *limited infilling in villages;*
f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
g) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
h) *Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
i. mineral extraction;
ii. engineering operations;
iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.2.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) is also relevant and states the following with regard to the reuse and conversion of buildings in the Green Belt:

The Council will only support applications for the re-use/conversion of buildings in the Green Belt where:

i) the form, bulk and general design of the building is in keeping with the surroundings
ii) any proposal by way of alterations/extensions, parking/turning areas, modifications to access or landscaping does not have a significant adverse effect on the openness of the Green Belt and does not appear excessively prominent
iii) the scale of the proposed use is not likely to have a detrimental effect on the locality(e.g. by noise, smell or bringing heavy traffic into narrow lanes or involving uses not appropriate to the Green Belt or areas of open land)
iv) the building is suitable for reuse/conversion without extensive alteration, rebuilding and or extension
v) proposals do not include open or agricultural land to provide new gardens/amenity space or include doors giving access from buildings directly onto such land.

7.2.6 The existing detached building was most recently used as a care home, a residential use. The proposed development would retain the building as being residential use through its conversion to provide 6 separate residential dwellings. As such, the proposed development would be considered under exception paragraph 154 (h) (iv) of the NPPF. In this case, Croxley House is a mainly two storey detached building of permanent and substantial construction, and therefore its conversion is deemed to be appropriate within the Green Belt, and no objections are raised in principle.

7.2.7 With regard to Policy DM2 of the Development Management Policies LDD, the applicant is not proposing to undertake significant alterations or extensions to the existing building and thus the proposal would not increase the building's prominence in the landscape in this regard. The existing access arrangement via the vehicular track across The Green would remain unaltered, and the Highways Officer has noted that the proposed use would be less intense than its former use as a 24 bedroom care home. The proposal would provide a formal parking area, but this would largely be contained within the existing area utilised for parking and would not encroach significantly beyond this area. In order to ensure that this area is appropriately surfaced, a condition requiring a comprehensive landscaping scheme would be secured via a condition. With regard to amenity space provision, the existing front and gardens would be utilised communally and therefore there would be no requirement for fencing or other means of enclosure that may appear urbanising within the landscape.

7.2.8 It is acknowledged that the provision of six residential units may lead to some increased domestic paraphernalia within the site. However, given that the site contains a Listed Building, planning permission would be required for development within its curtilage including for the provision of any outbuildings.

7.2.9 In summary, the proposed building is of permanent and substantial construction and therefore is deemed suitable an appropriate form of development when considered against paragraph 154 (h) (iv) of the NPPF. It is not considered that the conversion would increase the prominence of the building within the landscape and acceptable access provision exists. Furthermore, this would be a less intense use than its former use as a Care Home. As such, the proposed development is considered to be acceptable and in accordance with Policy

CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the provisions of the NPPF.

7.3 Character and Heritage Assets

7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.3.2 The host building is a Grade II Listed Building and also located within the Croxley Green Conservation Area and as such Policy DM3 of the Development Management Policies LDD is relevant. With regard to Listed Buildings, it advises:

The Council will preserve the District's Listed Buildings and will only support applications where:

i) The extension/alteration would not adversely affect its character as a building of special architectural or historic interest both internally or externally or its wider setting

ii) any change of use would preserve its character as a building of special architectural or historic interest and ensure its continued use/viability.

7.3.3 With regard to Conservation Areas, Policy DM3 of the Development Management Policies LDD, advises that development will only be permitted where:

i) is of a design and scale that preserves or enhances the character or appearance of the area
ii) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context
iii) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges
iv) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention
v) Does not harm important views into, out of or within the Conservation area
vi) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area
vii) Results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features.

7.3.4 The Croxley Green Conservation Area Appraisal is also relevant and sets out the following with regard to Croxley House

'Opposite Killingdown Farmhouse stands the grand grade II listed late eighteenth century Croxley House. This substantial red brick house has a powerful presence at the north end of Section C and the whole area. In the recent past, Croxley House has been extended using appropriate materials. However, the wall which surround the entire house and estate, being not only an integral part of the Conservation Area but also the curtilage of a Listed Building, has been allowed to deteriorate and decay and is now in an appalling condition……

In the grounds of Croxley House stands an important Grade II listed well house, complete with its original winding gear. Opposite the well house, and possibly part of an original farm stands an unlisted barn with visible timber framing. This barn is sadly at risk, a portion of having already collapsed at the time of writing'.

7.3.5 The Croxley Green Neighbourhood Plan also refers to Croxley House as dominating the northern end of The Green. Policy CA2 of the Neighbourhood Plan is also relevant and advises that *'in the case of subdivision of a house into flats the impact of additional parking demand and the shared use of the garden must be considered as well as the social impact on the wider community of wide scale subdivision of dwellings'.*

7.3.6 As already noted, the existing building has most recently been used as Care Home, whereas the proposed development would see the building used to accommodate 6 sperate dwellings. The Conservation Officer notes that the building was originally intended for residential use and consequently there is no objection in principle to this use. Furthermore, it is noted that the building has been vacant since 2021, since its former use as a Care Home ceased. Paragraph 210 of the NPPF sets out the following in considering applications relating to Heritage Assets:

In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.3.7 Officers have visited the building on a number of occasions since the closure of the Care Home and consider that the condition of the building has deteriorated both internally and externally. The proposed development would therefore secure a use and future for the Listed building and would ensure that it continues to contribute positively to the Conservation Area. In accordance with paragraph 210 of the NPPF, significant weight is afforded to the desirability of sustaining the significance of this Heritage Asset and allowing a use which would be consistent with its conservation. This therefore would weigh in favour of the proposed development.

7.3.8 The building would not be extended, with the footprint remaining unaltered, however, internal alterations would be required in order to facilitate the development. The existing building has already been extensively partitioned and altered internally with regard to its former use as a Care Home. The Conservation Officer has noted that the removal of this partitioning would be beneficial in terms of the historic understanding of the building, although the consultee comments also acknowledge that the subdivision in to six separate units would result in the blocking up of some of the corridors, thereby still removing some of the historic unity of the original building. However, the Conservation Officer considers that overall the internal alterations are at a minimum level to enable the proposed residential use, and as such there is no objection subject to a condition relating to material details.

7.3.9 There would also be external alterations to the building including the removal of an existing steel staircase to the north of the building. This is considered to be a feature which detracts from the appearance of the Listed Building and therefore its removal would be positive. The plans also indicate the removal of the existing UPVC rainwater goods, and their replacement with cast metal equivalents. This would more appropriate to the character and appearance of the Listed Building and the full details of this are able to be secured via a condition. In addition, the plans indicate that the railings around Croxley House, again associated with its former use would be removed. These are features which detract from

the setting of the building and therefore their removal would be considered as an enhancement and no objections are raised.

7.3.10 The Conservation Officer noted that the submission proposes the replacement of damaged and non-original windows and the repair of older or original windows. However, the applicant provided a survey which was submitted in relation to an earlier application. This was considered to be insufficient as the condition of the windows may have changed since this time and therefore this survey is not considered to be relevant. As such, an up to date window condition survey is required and the Conservation Officer has advised that it would be appropriate to secure this via a condition.

7.3.11 The replacement of modern windows with slimline double-glazed sashes which replicate a traditional style are likely to be considered acceptable in principle. However, the Conservation Officer has emphasised that the replacement of later nineteenth century or early twentieth century windows raises concern as they may still be of historic interest. In addition, the proposed replacement window details indicate a 'horn' detail which is generally associated with later nineteenth century windows. The Conservation Officer has emphasised that each window should be considered on its own basis, with justification provided for the appearance and style. These points should therefore be addressed as part of the window condition survey which should be undertaken by a joiner with appropriate skills. As noted above, the comments received from the Conservation Officer consider that a window condition survey can be secured via a condition, as can the specific details relating to replacement fenestration.

7.3.12 The original plans also indicated the provision of a new bin store which would sit forward of the front elevation of Croxley House. The Conservation Officer raised an objection, considering that this would be a prominent structure and its siting inappropriate, detracting from the character of the Listed Building, contrary to Policy DM3 of the Development Management Policies LDD. This therefore has been removed from the plans and it is considered that an appropriate siting and appearance can be secured via a planning condition.

7.3.13 With regard to landscaping alterations, the Conservation Officer has raised no objection to the car parking area which would remain as being located to the north of the building and largely in a similar siting to existing. As such, it is considered that this would preserve the character and appearance of the Listed Building and its wider setting. The Conservation Officer also notes that the existing amenity areas are not indicated to be subdivided to provide individual gardens which would ensure openness is retained. The consultee comments note that the use of close boarded fencing would be inappropriate to the setting of the historic building. Whilst a landscaping scheme has been provided which does give some detail of surfacing materials, given the nature of the building as a heritage asset, it is considered that a condition should be added which would require the materials to be viewed on site.

7.3.14 It is also acknowledged that the Conservation Officer has noted the boundary wall forward of Croxley House is in a poor state of repair. Works to the historic wall are not included as part of the current application, however, the applicant has advised that repair works will be dealt with under a separate application.

7.3.15 In summary and subject to conditions, it is considered that the redevelopment of the site for the provision of six residential dwellings would secure the long-term future of the Listed Building which should be given significant weight in the decision-making process. Furthermore, the proposed development would not require significant external alterations to the existing building which would ensure that its significance would be maintained and it would continue to be a positive feature within the Conservation Area. In addition, the external works including the removal of the existing external staircase and railings would be considered an enhancement. Whilst some internal alterations would be required which would include the blocking up of some of the existing internal corridors, the Conservation

Officer has raised no objection. The development is therefore considered to be acceptable and in accordance with Policy CP12 of the Core Strategy and Policy DM3 of the Development Management Policies LDD.

7.4 Housing Mix

7.4.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1 bed	**2 bed**	**3 bed**	**4+ bed**
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%
Social/Affordable Rented	20%	32%	35%	12%

7.4.2 The proposed development would deliver 5 x 4 bedroom units, and 1 x 3 bedroom unit and as such would fail to be in accordance with the mix outlined above. However, taking into consideration the scale of the development, it is not considered that this would prejudice the ability of the Council to deliver housing targets. Furthermore, there is an identified need for 3 and 4 bedroom dwellings. As such, the proposed development is considered acceptable and in accordance with Policy CP3 of the Core Strategy (adopted October 2011).

7.5 Affordable Housing

7.5.1 Policy CP4 of the Development Management Policies LDD sets out that any development resulting in a net gain of 1 or more dwellings will be required to make contributions towards affordable housing provision. With regard to small sites delivering 1-9 dwellings, Policy CP4 sets out that a commuted sum payment will be sought.

7.5.2 In this case, whilst the proposed development would deliver 6 residential dwellings, given the former use of the site as a care home, there would actually be a net loss of 7 residential dwellings.. As such, the proposed development would not be required to make any contribution towards the provision of affordable housing and thus no objections are made in this regard.

7.6 Impact on amenity of neighbours

7.6.1 Policy CP12 of the Core Strategy advises that development proposals should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'

7.6.2 The nearest neighbour to the site, is located to the west and is the existing care home known as Clarendon House. Policy DM9 of the Development states that ‘*the Council will ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise-*

sensitive property such as dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, schools and other educational establishments'.

7.6.3 The proposed development would result in the conversion of the existing building to 6 separate residential units in Class C3 use. There would be no increase in footprint of the building, with external changes relating to replacement fenestration and repair/improvement works to the external fabric of the building. The changes to the external fabric of the building are such that they would not result in harm to residential amenity.

7.6.4 It is noted that the Unit 1 would be located in the element of the building set closest to the existing access road and Clarendon House. The existing fenestration detail to the flank elevation of Croxley House would be retained, and therefore there would be a number of windows serving bedrooms at first floor level. It is noted that some of Clarendon House's amenity provision is located in close proximity to the boundary with the access road, and as such there may be some degree of overlooking to this area of amenity space. Given this relationship and the fact these non-original windows are proposed to be replaced, it is considered reasonable for a condition to be added requiring that they would be obscure glazed to prevent any significant harm to the amenity.

7.6.5 The proposed access to the site would remain as existing, with no alterations proposed. It is considered that the conversion to 6 residential dwellings, would result in a less intense use of the access road than if the building were to be continued to be used as a care home. The proposed car parking is in a similar location to existing, and it is not considered that this would result in a loss of residential amenity to Clarendon Lodge.

7.6.6 With regard to amenity space provision, amenity space would be available to the front and rear of the existing building and it is noted that this would not be subdivided. Whilst there may be some noise as a result of its use, it is not considered that there would be an intensification of use of the site overall or that any noise would be significant so as to restul in harm to justify refusal of the application.

7.6.7 In summary, it is not considered that any harm would occur to residential amenity and therefore the development is acceptable and in accordance with Policy CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.7 Impact to Future Occupiers

7.7.1 Amenity space standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013) and require 84sqm for 3 bed dwellings and 105sqm for 4 bed dwellings. For individual dwellings, this would generally take the form of private gardens, with flats having communal garden spaces.

7.7.2 In this case, it is noted that the dwellings would not benefit from their own private amenity space provision, and the development would take the form of a communal garden space used by all of the dwellings. Based on the above standards, a total of 609 square metres would be required. In this case, the rear amenity space alone has an area exceeding 4000 square metres, thus there would be ample on site amenity provision for future occupiers. It is acknowledged that the provision of a communal garden would be unusual as the scheme is not a flatted development. However, given the existing front and rear amenity space form part of the setting of the Listed Building, it would not be appropriate to subdivide it with fencing to provide individual spaces as this would be likely to cause some harm to the setting. As such, no objection is raised to the provision of a communal garden in this instance. Furthermore, it is considered there would be sufficient space available for all future occupiers, taking into consideration the areas of landscaping to the front, rear and sides of the existing building. As such, no objection is raised in this regard.

7.7.3 It is noted that the front and rear facing windows would have outlook across the front and rear amenity spaces. In particular, it is acknowledged that future occupiers may have outlook into the ground facing windows from communal spaces. However, given the size of the site overall, there is ample space available which would ensure that future occupiers would be unlikely to be passing immediately in front of the windows of neighbouring dwellings. Consequently, it is not considered that there would be any significant harm in this regard and as such no objection is raised.

7.8 Highways: Access

7.8.1 Policy CP10 of the Core Strategy relates to Transport and Travel and advises that development will need to demonstrate that it provides a safe and adequate means of access. In addition, it should make adequate provision for all users of the highway. Paragraph 111 of the NPPF is also relevant and states that 'development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residential cumulative impacts on the road network would be severe'

7.8.2 It is noted that TRDC Property Services have raised concerns relating to the development noting that there is no agreement in place to reflect any increased traffic flows over the track nor any suggestion that the track would need to be constructed to a specification equivalent to adoptable standard to accommodate additional traffic flows. The Property Services Officer raises concerns regarding additional traffic flows at this junction and would have expected to see a detailed assessment or safety audit.

7.8.3 In response, Herts Highways have been consulted regarding the development and it is noted that no alterations to the existing access or access track across The Green are proposed. The consultee comments from Herts Highways note that the existing private access road is not wide enough for two modern vehicles to pass one another without the need to potentially divert into the common land. However, the Highways Officer notes that there would be a decrease in vehicle intensity at the site in comparison to the former use of the site as a care home. Therefore, the access road would be used by fewer vehicles. Consequently, the existing access is considered acceptable to accommodate the proposed use of the site for six residential units. It would therefore be unreasonable to require an upgrade of the access track given it would be a less intensive use. Whilst the comments regarding highway safety raised by the Property Services Officer are acknowledged, the Highways Officer has not raised any safety concerns regarding the proposed development and as such it would not be reasonable to raise an objection on the grounds of highway safety.

7.8.4 It is also note that the Property Services Officer has noted that there has been no discussion with the applicant regarding agreeing or formalising the rights of access, this is not a material planning consideration and is a legal matter outside of the remit of the current applications. An informative has been added, reminding the applicant to contact TRDC Property Services in relation to the proposed development.

7.8.5 The Highways Officer also notes that access for a fire tender will continue to be possible considering that no alterations to the access or external parts of the proposal. Likewise a waste collection vehicle would have previously serviced Croxley House and this will continue. It is noted that a swept path analysis has been provided which demonstrates that access is suitable.

7.8.6 The proposed development is therefore acceptable and in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and thus no objections are raised in this regard.

7.9 Highways: Off street car parking

7.9.1 Policy DM13 and Appendix 5 of the Development Management Policies LDD sets out the requirements for off street car parking provision as follows:

3 bedroom dwelling: 2.25 spaces (2 assigned spaces)
4 or more bedrooms: 3 spaces (3 assigned spaces).

7.9.2 As such, this would equate to a requirement for the following:

5 x 3 = 15 spaces
1 x 2.25 = 2.25

Maximum requirement = 17.25 spaces.

7.9.3 The proposed block plan indicates a total of 15 car parking spaces to be provided to the rear of the site, mostly within the area which was previously utilised for car parking. The Highways Officer has confirmed that a swept path analysis has been submitted which indicates that it is possible for vehicles to manoeuvre out of each space and egress the site in a forward gear.

7.9.4 The spaces are annotated to indicate that each dwelling would benefit from two car parking spaces, with a further 3 spaces to be provided on site as visitor bays. As such, there would be a shortfall of 2.25 spaces against the maximum standard. However, it is acknowledged that the 5, 4 bedroom units would have a shortfall of one space per unit.

7.9.5 Croxley Green Parish Council have raised some concerns in respect of the shortfall in off street car parking provision. In response, whilst the shortfall is acknowledged, it is noted that all of the units would benefit from two off street car parking spaces, with a further 3 visitor car parking spaces available. With regards to location, Croxley House is located on the northern edge of Croxley Green and is therefore outside of the settlement boundary with the Highways Officer noting that the site lacks sustainable transport options. However, the Highways Officer does note that there are footpaths running from The Green into Croxley Green providing an acceptable pedestrian link to local amenities. Given the edge of settlement location, officers consider that the site is suitable for residential development and that the limited shortfall in car parking provision would not result in significant demonstrable harm to justify refusal, particularly as all of the units would benefit from two spaces, with further visitor car parking available.

7.9.6 The submitted car parking management plan specifies that the EV charging points will be provided for each unit.

7.9.7 With regard to cycle parking, Appendix 5 of the Development Management Policies LDD sets out that one long term space should be provided per unit. The submitted block plan indicates that one of the existing outbuildings to the rear of the site would be used for cycle storage and this is considered acceptable.

7.9.8 In summary, whilst the shortfall in off street car parking is acknowledged, given the modest shortfall, that all dwellings would benefit from two car parking spaces, and taking into account the edge of settlement location, the development is considered acceptable and in accordance with Policy DM13 and Appendix 5 of the Development Management Policies LDD.

7.10 Landscaping

7.10.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states that ‘development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997’.

7.10.2 The Landscape Officer was consulted and raised initial concerns regarding the development. The Landscape Officer noted that the submitted plans indicated that 15 car

parking spaces would be provided to the rear of the building and would be located within the root protection areas of 2 protected trees (T19 and T20, Cedar). Whilst the submitted Arboricultural report indicated that the existing tarmac would be removed and replaced with a permeable 'no dig' surface, the Landscape Officer considered that it was unclear whether the parking spaces would be wholly on the existing tarmac, or whether the area of hardstanding would need to be extended over the Root Protection Areas to create the necessary parking. The Landscape Officer also noted that there was no indication as to how the car parking spaces would be contained to prevent any encroachment of cars, beyond the hardstanding, into the root protection areas of the trees. As such, further information was requested in order to confirm the impact on existing protected trees.

7.10.3 The applicant has provided additional information which provides a comparison of the existing and proposed car parking areas. In response, the Landscape Officer has advised that the plans demonstrate some additional incursion in to the Root Protection Areas of T19 and T20 but has confirmed that this would be acceptable in principle. However, in order to ensure that there would be no increased harm as a result of the development, a detailed hard and soft landscaping scheme including details of the new fencing to the rear of the car park areas and a tree protection scheme would be required. Whilst it is acknowledged that a landscaping plan has been provided, this is seen as indicative and it is considered that a more comprehensive version is required given the nature of the site and the heritage asset. In addition, a detailed method statement would be required in relation to the new surfacing and for arboricultural supervision of its installation. Consequently, subject to these suggested conditions, the proposed development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.11 Wildlife and Biodiversity

7.11.1 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.

7.11.2 Herts Ecology raised concerns in relation to the Preliminary Ecological Appraisal and Bat Report. This noted that there was no evidence of roosting bats, however foraging and commuting activity was high with pipistrelles foraging around the house and in the woodland and brown long-eared bats commuting over the building. Herts Ecology noted that there was a previous emergence report in September 2022 which identified 7 common and soprano pipistrelle roosts across the building, however, this was not mentioned in the 2025 report and it was unknown whether the ecologists in 2025 were aware of this. Herts Ecology raised concerns that several locations where emergences occurred in 2022, were not covered in the 2025 surveys including the eastern end of the building. Furthermore the 2025 report noted that the eastern end of the loft could not be surveyed. As such, the Ecology Officer confirmed that there were not satisfied that sufficient evidence had been provided to confirm that bats were absent. As such, it was considered that further information would be required in relation to impact on protected species.

7.11.3 In response, an updated Ecological Appraisal was provided and Herts Ecology were re-consulted. The Ecology Officer has considered the updated report and notes that Appendix C of the report states that the ecologist did not have access to the loft of a large part of the building and they wished to revisit to provide an adequate survey. The Ecology Officer sets out that the works to the building would involve stripping out the internal features of the building and thus it would be highly likely that any bat roosts in the loft would be destroyed. Consequently further surveys were required to identify whether or not any bats are present within the loft space.

7.11.4 In response, the applicant submitted an updated Ecological Appraisal which contains information regarding the loft space which has not been previously covered. The Ecology

Officer notes that the report includes a photo of the loft space which indicates that it is heavily cobwebbed and therefore unlikely to contain bats. However, given that bats have been previously recorded emerging from the building (September 2022), a non licensed method statement should be provided which should include reasonable avoidance measures. This can be secured via a condition.

7.11.5 The comments received from Herts Ecology also note that the site is adjacent to a Local Wildlife Site and as such, a construction environmental management plan to minimise disturbance to wildlife on site would be required and this can be secured via a condition.

7.11.6 In summary, given the updated information received and subject to conditions, the development is considered in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

7.12 Mandatory Biodiversity Net gain.

7.12.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.12.2 The initial comments received from Herts Ecology advised that further evidence was required to demonstrate whether the de minimis exemption would be applicable. Concerns were raised that the ecological report set out that no habitat would be lost, however, the block plan indicated that small areas of modified grassland would be lost in order to provide for car parking provision. As such, it was requested that a calculation of the habitat lost should be provided.

7.12.3 In response, further information was submitted by the applicant which demonstrated that no priority habitats would be lost and in addition that 21m2 of modified grassland would be lost. The Ecology Officer has been re-consulted and has confirmed that they consider that the development would be exempt from biodiversity net gain as it would fall below the de minimis threshold of 25m2. As such, no objections are raised in this regard.

7.13 Sustainability

7.13.1 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. Policy 12 of the Sarratt Neighbourhood Plan sets out that 'development proposals are encouraged to achieve the highest standards of sustainability, decarbonisation and energy efficiency'.

7.13.2 An Energy Statement accompanies the application and details that the development would result in a 9% reduction in CO2 emissions which would therefore exceed the policy requirements set out in Policy DM4 of the Development Management Policies LDD. The applicant has advised that this would be through measures including the provision of low energy lighting and the provision of integrated air source heat pumps. It is noted that details of the air source heat pumps have not been provided. Whilst it is understood that these would be provided internally, given this application relates to a Listed Building, full details would be required of their siting and appearance prior to their installation.

7.14 Summary

7.14.1 In conclusion, officers acknowledge that the conversion of Croxley House from its former use as a care home would result in the net loss of housing, which would be contrary to Policy. However, taking into consideration the specific site circumstances, most notably the length of time that the existing building has been vacant for, and that the proposed development would still secure the provision of 6 residential dwellings, the principle of development is considered acceptable. Likewise, it is considered that the proposed conversion would be an appropriate form of development within the Green Belt.

7.14.2 Furthermore, Croxley House is a Grade II Listed Building which is deteriorating in condition both externally and internally and has now been vacant for a number of years. The proposed development would secure a long term use for the building and would ensure appropriate repair works are undertaken. Securing the long term future of this designated Heritage Asset is afforded significant weight in the decision-making process.

7.14.3 Therefore, taking into account all relevant material considerations as outlined in the analysis above, the proposed development is considered to be acceptable and it is recommended that both full planning permission and Listed Building Consent are granted subject to conditions.

8 RECOMMENDATION:

8.1 That PLANNING PERMISSION 25/3146/FUL BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01, 0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,

0173_31_701 REV 00, 0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

Reason: For the avoidance of doubt, in the proper interests of planning, the Metropolitan Green Belt and the character and appearance of the Listed Building and Conservation Area, in accordance with Policies CP1, CP3, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policy SA1 of the Site Allocations Document (adopted November 2014), Policies DM1, DM2, DM3, DM4, DM6, DM9, and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy CA2 of the Croxley Green Neighbourhood Plan (Referendum Version, 2018) and the Croxley Green Conservation Area Appraisal.

C3 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground

service routes, methods of excavation and construction methods, in particular where they lie close to trees. In addition, the method statement shall include details relating to installation of the surfacing materials for the car park the new surfacing including details of arboricultural supervision of its installation.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained 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: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area 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).

C4 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

The landscaping scheme shall include details of the proposed low level fence to the rear of the car parking area including details of its siting and appearance.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the

Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013)

C5 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of 'biodiversity protection zones'

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timings of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The development shall proceed in accordance with the approved CEMP.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

C7 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C8 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C9 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, facias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C10 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset and to ensure that the development makes as full a contribution to sustainable development as possible in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3 and DM4 of the Development Management Policies LDD (adopted July 2013).

C11 The development shall not be occupied until a scheme for the separate storage and collection of domestic waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C12 The development shall not be occupied until the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application are incorporated into the approved development.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

C13 Before the first occupation of the development hereby permitted the window(s) in the first floor flank elevation facing Claredon Lodge; 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).

C14 The development shall be completed in strict accordance with the method statement in Appendix D of the revised ecological appraisal with bat survey and method statement report (Optimis Consulting, 02/03/2026). All the recommendations shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure to ensure that any protected species are safeguarded and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

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C15 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C16 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the Heritage Asset, visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM3, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives 25/1346/FUL:

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:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home.

I2 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 applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions and made amendments during the course of the application which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I3 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.

I4 The applicant is reminded that prior to the commencement of works, approval will be required from the Council as a land owner of the existing access track across The

Green. Please contact the Property Services Team to discuss further prior to any works taking place on 01923 776611 or by email to property@threerivers.gov.uk

I5 Common Land: The existing access crosses land which forms part of registered common land CL035. The applicant shall be responsible for obtaining any necessary consents that may be required in accordance with the provisions of The Commons Act 2006 (or as subsequently amended). Further guidance can be obtained on the Government website at https://www.gov.uk/common-land-village-greens

N.B. The applicant may need to consult with and obtain permission from other interested parties and there is guidance on the Government website at https://www.gov.uk/guidance/carrying-out-works-on-common-land and on the County Council's website at:

https://www.hertfordshire.gov.uk/services/recycling-waste-and environment/countryside-access/common-land-and-town-and-village-applications/common-land-and-town-and-village-green-applications.aspx

I6 Storage of materials: 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.aspxor by telephoning 0300 1234047.

I7 Obstruction of highway: 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.

I8 Debris and deposits on the highway: 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.

I9 Water efficiency: Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

I10 Infrastructure connections and diversions: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead

as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

8.3 **RECOMMENDATION: That LISTED BUILDING CONSENT 25/1347/LBC BE GRANTED subject to the following conditions**:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

C2 Before any building operations above ground level hereby permitted are commenced, samples of materials to be used on the external finishes and surface finishes shall be made available for inspection on site and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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 DM3 of the Development Management Policies LDD (adopted July 2013).

C3 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C4 Prior to repair works to the internal fabric of the building, full details of 'making good' the exposed areas revealed by demolition works shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C5 Prior to commencement of any alterations to the windows, a window condition survey shall be submitted to and approved in writing by the Local Planning Authority. The

condition survey should include details of the condition of all windows; details of any required repairs and justification in relation to the replacement of any existing windows. The survey shall be undertaken by an expert joiner or other suitably qualified professional and the works shall thereafter be carried out only in accordance with the approved details.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C6 Prior to their first installation on site, details (including sections and elevations at scales between 1:20 and 1:1 as appropriate) of proposed new windows, doors, eaves, facias, verges and cills to be used shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and permanently retained as such.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C7 Prior to their installation, full details of the integrated air source heat pumps, including details relating to their siting and appearance shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details prior to occupation.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policy CP12 of the Core Strategy and Policies DM3 of the Development Management Policies LDD (adopted July 2013).

C8 All new rainwater goods shall be metal and painted black.

Reason: To safeguard the character and appearance of the heritage asset in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

8.4 Informatives 25/1347/LBC:

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:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home.

I2 The applicant is reminded that the development subject to this grant of Listed Building Consent must be carried out in accordance with the submitted documents including:

0173_00_000 REV 04, 0173_00_002 REV 01, 0173_00_010 REV 01, 0173_00_020 REV 02, 0173_00_110 REV 04, 0173_00_210 REV 00,

0173_31_701 REV 00, 0173_00_106 REV 00, 0173_00_100 REV 13, 0173_00_105 REV 04

I3 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.





















PLANNING COMMITTEE – 19 March 2026

25/1984/FUL - Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 CHESTNUT AVENUE, RICKMANSWORTH, HERTS, WD3 4HA

Parish: Chorleywood Parish Council
Expiry of Statutory Period: 22 January 2026
Extension of Time Agreed: 31 March 2026

Ward: Chorleywood North and Sarratt
Case Officer: Suzanne O'Brien

Development Type: Householder development.

Recommendation: That Planning Permission be GRANTED subject to conditions.

Reason for consideration by the Committee: The application was called in by Chorleywood Parish Council due to concerns that the bulk and massing would impact on residential amenity and development would be out of keeping with the character of the area.

To view all documents forming part of this application please go to the following website: https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T5UY4MQFIV700

1 Relevant Planning History

8/709/74 - Garage, Bathroom, Bedroom, Hobbies – Permitted - 15.01.1975

2 Description of Application Site

2.1 The application site contains a detached two storey pitched roof dwelling located along Chestnut Avenue. The dwelling has been previously extended at ground floor level with a single storey front, side and rear extension. The dwelling is set back from the highway with a drive and soft landscaping within the front amenity space. The land levels of the site drop gently in a north west to south east direction. The land levels also drop to the rear of the site; the dwelling is served by a raised patio to the rear. The rear portion of the site includes a wooded area which is protected by Tree Preservation Order 738.

2.2 The dwelling is set in from both the north west and south east boundaries. The rear elevation of the neighbouring property to the south east (No.41) angles towards the application site. This dwelling is set in from the common boundary and is set on slightly lower ground to the application dwelling. No.41 has a single storey rear extension which has a similar building line to the ground floor rear elevation of the application dwelling.

2.3 The neighbouring property to the north west (No.45) is set on slightly higher ground level to the application dwelling although the ridge heights appear to be similar height. No.45 is constructed close to the common boundary at ground floor level and is set in approximately 1.2m at first floor level. The first floor level closest to the application site is set forward of the rear elevation of the application dwelling. No.45 projects beyond the rear elevation of the application dwelling at ground floor level; including a flat roof projection that is constructed close to the common boundary that projects beyond the first floor level of the application dwelling.

3 Description of Proposed Development

3.1 This application seeks full planning permission for the construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof

extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear.

3.2 The rear extension would have a maximum depth of 7m along the north western elevation at ground floor level; it would project 3m beyond the rear most elevation along the south eastern elevation. The ground floor would have a total width of 16m to be constructed in line with the flank elevations of the existing dwelling. The first floor level would extend a total of 3m beyond the rear elevation. The first floor level would include the first floor side extension which would project 6m beyond the south eastern first floor flank elevation to have a total width of 15.8m along the rear elevation. The north western part of the first floor rear extension would be stepped so that it would have a depth of 1.4m for a width of 3.3m. The first floor side extension would be constructed in line with the original front elevation to have a total depth of 10m.

3.3 The ground floor would have a flat roof with a height of 3.8m from the lower ground level. The first floor would incorporate a roof extension to the front (extending over the existing front projection), side and rear at the same height as the existing ridge to create a crown roof with a depth of 3.7m and width of 9.4m. The roof form would extend over the recessed first floor level to create a covered area.

3.4 To the front the proposal would include a two storey front extension. It would be stepped to bring the front elevation out in line with the existing two storey front projection and introduce a central 1.9m deep projection that would have a width of 3.6m. The proposed extension would have a pitched roof with a gabled end and a height of 7.8m. Fenestration would be inserted within the front, side and rear elevations of the extensions at ground and first floor level.

3.5 The loft conversion would be facilitated by the roof extension (as identified in paragraph 3.3) and would be served by two rear dormers and central rear rooflight. The dormers would be identical in size and would measure 3m in width by 1.9m in height and 1.9m in depth.

3.6 The plans include the provision of a raised rear patio. The patio would have a depth of 2.6m beyond the rear extension and width of 17.6m and would be constructed in line with the north west boundary. The plans indicate that the proposed patio would have a maximum height of 0.9m. The levels along the flank of the dwelling would also be increased in height by approximately 0.9m.

3.7 Amended plans were requested and received during the course of the application, the following amendments were provided:

- Removed increase in ridge height;
- 0.3m set in of the first floor level from the south east boundary with No.41
- Removal of the additional hardstanding to the frontage and removal of the extension to the existing crossover and proposed new cross over
- Removal of the front boundary wall and gates.

3.8 The amended plans have also included details of a raised patio to the rear detailed above; neighbours were reconsulted on the amended plans.

4 Statutory Consultation

4.1 Chorleywood Parish Council: Object

The Committee had Objections to this application on the following grounds and wish to CALL IN, unless the Officers are minded to refuse.

The scale of the extensions and their bulk and mass are unneighbourly in scale when compared to 45 Chestnut Drive. The extensions will result in a sizeable breach of the 45o splay line to 45 Chestnut Drive.

The proposed walls and gates are out of keeping with the surrounding area.

The proposed gates do not appear to be sufficiently set back from the highway to avoid vehicles entering the property projecting into the public highway.

Permission is required from Hertfordshire Highways for the additional dropped kerb.

Should the plans or supporting information be amended by the Applicant, please advise the Parish Council so the comments can be updated to reflect the amended.

Officer note: Chorleywood Parish Council have been reconsulted on the amended plans however no comments have been received.

4.2 Herts Ecology: No objection:

First comments received objecting:

Given that considerable modifications to the building are proposed, impacts on bats should be a consideration; all bats are protected by law.

Given its setting, near to established gardens and areas of semi-natural habitat, and evidence of bats making use of similar properties nearby, I recommend that prior to determination, the structure is subjected to a Preliminary Roost Assessment (PRA) to identify the potential of the structure to support roosting bats. If evidence is found here, up to three dusk emergence surveys will likely be required. Whilst a PRA can be carried out an any time of year, emergence surveys are restricted to the summer period, ideally from May until the end of August. Given these seasonal constraints I would urge the applicant to commission the PRA promptly.

Comments removing objection:

Thank you for consulting Hertfordshire LEADS (Ecology).

This application is exempt from Mandatory Biodiversity Net Gain. The Ecology Service (LEADS) has not undertaken any scrutiny of the validity of the claimed exemption, however taking it at face value in this instance, the requirement for mandatory 10% biodiversity gain does not apply.

After an assessment of the application and supporting ecological documents, we have concluded that the proposals are unlikely to have any significant ecological impacts, therefore the application can be determined accordingly. However, in the unlikely event that bats are found, we advise a precautionary approach to the works is taken and recommend the following informative is added to any permission granted:

"If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed."

4.3 Hertfordshire County Council - Highway Authority: Objects to the originally submitted plans:

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

1. The proposed additional crossover and dropped kerb; and widened vehicle crossover and dropped kerb; are not in accordance with Hertfordshire County Council's (HCC) policy and has the potential to negatively impact on the free and safe flow of highway users on the adjacent highway due the provision of an unnecessarily wide vehicle access. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy

Framework (NPPF), HCC's Local Transport Plan (LTP4) 2018 and HCC's Residential Dropped Kerbs Policy.

Comments

The development site is located on Chestnut Avenue, an unclassified local access road subject to a 30mph speed limit and is considered highway maintainable at public expense. On Hertfordshire's Place and Movement network, Chestnut Avenue is categorised as P2/M1 (e.g. Residential Street).

No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal.

Site drawing A-101-P6 ('Proposed Site Plan') outlines the developments proposal to widen the existing dropped kerb and vehicle crossover from 4.7m to 5.7m, and create an additional dropped kerb and vehicle crossover to the right of the existing one.

Both of these proposals are in contention with Hertfordshire County Council's Residential Dropped Kerb Policy which states that:

-"We do not provide second dropped kerbs. This is because every access point on a property is a potential point of conflict between people and cars. Access points are limited to one per property";

-"If the property already has a dropped kerb, we will only extend the existing access up to a maximum of four flat kerbs which equals 3.6m. Dropped kerbs will be no wider than four flat kerbs. This is the widest dropped kerb that we will allow. You will also be provided with one or two ramped kerbs depending on your property. Please do not apply for a dropped kerb wider than this as it will be refused".

A dropped kerb which contains a maximum of four flat kerbs and two ramped kerbs would be 5.4m in width. The proposals include widening the existing access to 5.7m.

The Highway Authority is therefore recommending refusal on this application for the above reasons but notes that other than what has been identified the Highway Authority currently has no other concerns. We would recommend the applicant submits amended plans that provide vehicular access which is congruent with Dropped Kerb Policy.

Officer comment: Since receipt of these comments the plans have been amended removing the alterations to the frontage including the new access, extension to the existing access and drive and front boundary treatment.

4.4 TRDC Tree and Landscape Officer: No comments received.

4.5 National Grid: No comments received.

4.6 **Public/Neighbour Consultation**

4.7 Neighbours consulted: 4

4.8 Responses received: 3 (consultation date expires 13 March 2026; members will be verbally updated of any comments received). Two objections; one support received.

4.9 Site Notice: expired 23 December 2025

4.10 Press Notice: Not Required

4.11 Summary of objection responses received:

The wall and gate would block safe view for exiting cars from neighbouring drive and hazard on sharp bend and when cars are parked on the highway; Gate and cross over would hinder safe flow of traffic; Gates and wall would be contrary to covenants and would not be jn keeping with the character of road; The loft conversion and dormers would result in overlooking and loss of privacy; Overdevelopment of the plot which would overwhelm No.45; Reduction in height of chimney would cause smoke problems for neighbours; Hardstanding would cause flood problems; Vegetation has already been removed from the front garden.

4.12 Summary of support responses received:

Fully support the revised planning application; The revised proposal mirrors the scale of many other properties on the road and would represent a fair and consistent addition.

Officer note: The alterations to the frontage including new access, extension to existing access, hardstanding and front boundary treatment have been removed from the proposed plans and no longer form part of the proposal.

5 Reason for Delay

5.1 Committee Cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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

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

6.5 The Environment Act 2021.

6.6 National Planning Policy Framework and National Planning Practice Guidance

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

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

applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.7 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM6, DM9, DM13 and Appendices 2 and 5.

Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020). Policy 2 is relevant.

7 Planning Analysis

7.1 Impact on the character and appearance of the host dwelling

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.

7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.1.3 Policy 2 of the Chorleywood Neighbourhood Plan stipulates that developments should make a positive contribution to the street scene by way of frontage, building line, scale and design.

7.1.4 Amendments were requested and received during the course of the application which resulted in the removal of the works to the frontage of the site including the front boundary treatment, extension to hardstanding and alterations to the access and addition of a new access. These elements no longer form part of the proposal and will not be discussed.

7.1.5 The proposed development would serve to increase the bulk and massing of the dwelling in comparison to the existing built form. However, Chestnut Avenue is characterised by detached dwellings of varied size, scale and design; including dwellings with crown roof forms. Overall, following amendments to the scheme, the bulk, massing and design of the dwelling is not considered to result in an unduly prominent or obtrusive feature within the street scene for the reasons expanded on below.

7.1.6 The proposed first floor side extension would increase the bulk and massing of the dwelling. It would be set in 1.6m from the flank boundary at first floor level which would exceed the 1.2m minimum distance requirement as set out within the Design Criteria. The set in would

respect the spacious quality of Chestnut Avenue and the resultant width of the dwelling would not appear out of context in relation to the large buildings that characterise Chestnut Avenue. The proposed two storey front extension would project forward of the original front elevation it would however be set behind the existing extended ground floor front elevation. The neighbour at No.41 is set slightly behind the front elevation of the application dwelling, although it sits on an angle in the street scene, No.45 is set slightly forward of the original front elevation of the host dwelling. The two storey front extension would have a central position, would be set down from the ridge and would not be of a depth or siting that would disrupt the established building line along this part of the street scene or be of a scale or design that would result in an unduly prominent feature.

7.1.7 The proposal would include first and ground floor rear extensions. The increase in depth would be apparent from public vantage points considering the set in and orientation of No.41. The ground floor would be relatively deep elevation however this would not result in a noticeable feature as viewed from Chestnut Avenue. The first floor level would not have an excessive depth that would appear out of keeping with the buildings within Chestnut Avenue which have been altered and extended to differing degrees.

7.1.8 The proposal would introduce a crown roof; the Design Criteria identities that '*Crown roofs can exacerbate the depth of properties and often result in an inappropriate bulk and massing. As such, they are generally discouraged and more traditional pitched roofs are generally favoured'*. The crown roof would not be excessive in depth and would not represent development of inappropriate bulk and massing. The covered area created by the set back of the north western rear corner would not be readily apparent from Chesnut Avenue due to the relationship with No.45. Thus, is not considered that the extensions to the dwelling would result in an incongruous or prominent addition to the street scene.

7.1.9 Rear dormers and rooflight are proposed to serve the loft conversion. As set out in the Design Criteria 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. The two dormers would be clearly set down from the ridge, set back from the rear elevation and set in from the flank roofslopes that would be clearly subordinate to the proposed roof form and would not result in a dominant feature as viewed from public vantage points. The proposed dormers are considered to be compliant with the Design Criteria set out in Appendix 2 and considered to be acceptable from the perspective of impact on street scene and the character of the host dwelling.

7.1.10 The proposed development would noticeably increase the bulk and massing of the dwelling. However, the size, scale and design of the resultant dwelling would not result in overdevelopment of the large plot, would maintain the spacious qualities of Chestnut Avenue and would not appear out of character within the architecturally varied nature of the street scene.

7.1.11 Thus, the character of Chestnut Avenue would not be adversely affected by the proposed development and would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013) and Policy 2 of the Chorleywood Neighbourhood Plan.

7.2 Impact on amenity of neighbours

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

7.2.2 No.41 is set on slightly lower ground to the application dwelling and sits at an angle so that the rear elevation of No.41 angles towards the common boundary between the properties. No.41 is set in from the common boundary and has a single storey rear extension that has a similar depth to the ground floor rear elevation of the application dwelling; the adjacent first floor level is set forward of the rear elevation of the application dwelling. The first floor of the proposed two storey side and rear extension would not intrude into the 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the ground floor rear wall of No.41. The first floor level of the extension would extend beyond the first floor rear elevation of No.41 by approximately 5.3m and the ground floor would extend approximately 3.7m beyond the rear ground floor rear elevation of No.41. The spacing (a minimum of approximately 4.5m separation) and relationship between the properties would prevent the proposed development from resulting in any unacceptable loss of light or harm to the visual amenities of No.41.

7.2.3 The extension to the roof and dormers would increase the built form at roof level however it would be hipped to the front and rear and the dormers would be set in from the common boundary. As such, the roof extension and dormers would not result in a dominant or unacceptable relationship with No.41. As the front elevation of No.41 is orientated away from the application site the proposed extensions to the side and front would not result in any loss of light or harm to the visual amenities of No.41.

7.2.4 No.45 is constructed close to the common boundary at ground floor level and set in approximately 1m at first floor level. No.45 has a stepped rear elevation with the rear elevation closest to the boundary with the application site being set forward of the rear elevation of the application dwelling at first floor level; the ground floor flat roof extension extends beyond the two storey rear elevation of the application dwelling. The proposal at ground floor level would extend approximately 4.8m beyond the ground floor of No.45 whilst the first floor, due to the stepped design, would not project beyond the ground floor of No.45. Although it is noted that the roof form would overhang the recessed element. The proposed extension would not intrude into the 45 degree splay line drawn across the rear garden from a point on the joint boundary, level with the rear wall of No.45. The first floor level adjacent to the common boundary would be extended out by 1.4m with the deeper section set in 3.3m from the flank elevation. The north western first floor would extend approximately 4.3m beyond the first floor rear elevation of No.45 although it is noted that the covered area would extend deeper. The first floor level of No.45 is set in approximately 1m from the common boundary with the first floor window set in further, No.45 is also set on slightly higher ground and slightly angled away from the application site. It is considered that due to the relationship with No.45 the proposed ground and first floor extensions would not result in unacceptable loss of light to the first floor of No.45 or result in unacceptable harm to the visual amenities of this neighbouring property.

7.2.5 The front extension would be set in from the common boundary with No.45 thus would not result in any harm to the residential amenities of this neighbouring property. As previously identified the roof extension would be hipped to the side and rear and the dormers would be set in from the common boundary and would be subservient to the proposed roof. As such the proposed roof extension would not result in a dominant relationship or unacceptable loss of light to No.45.

7.2.6 In terms of overlooking no first floor flank windows would be inserted within the dwelling or extension. The fenestration to the rear at ground and first floor level would not increase overlooking above the existing situation. Although the development would bring first floor windows closer to the flank boundary with No.41 the levels of overlooking would not be materially greater or result in unacceptable overlooking into this neighbouring property. The proposal would include dormers within the rear roofspace. Concerns have been raised that these will increase overlooking into the surrounding neighbouring properties. The dormers would not be excessive in size and would be set in from both flank boundaries. It is not considered that the addition of dormers and rooflight within the rear roofslope of the

proposed roofspace would result in unacceptable levels of overlooking into the surrounding neighbouring properties compared to the existing situation.

7.2.7 The proposed development would include the provision of a raised patio. The proposed patio would be constructed close to both flank boundaries. The proposed patio would extend deeper into the site than the existing patio where the brick walls drop in height reflecting the drop in site levels. The fencing along both boundaries consists of a mixture of brick walls and open fencing. The depth and height of the patio could facilitate overlooking into the neighbouring properties this however could be mitigated by the installation of 1.8m high screening along the edges of the patio. It is noted that this information is not included on the plans however considering the neighbouring properties are served by generous amenity space provision and the existing boundary treatment the addition of 1.8m high screening along the sides of the terrace to be secured by condition would not result in unacceptable harm in terms of dominance or loss of light on the neighbouring properties.

7.2.8 No harm to the residential amenities or overlooking to other surrounding neighbouring properties would result from the proposed development.

7.2.9 Concerns have been raised that the proposed chimney would be lowered resulting in smoke impacting on the neighbouring properties. The chimney would need to be constructed to Building Regulations in terms of height and clearance however it would sit higher than the eaves and windows of the neighbouring dwelling.

7.2.10 Thus, subject to conditions the proposed development would not result in unacceptable loss of light, harm to the visual amenities or overlooking of the neighbouring properties. The proposed development would therefore be acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.3 Highways & Parking

7.3.1 Core Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.3.2 The proposal would not result in any alterations to the frontage or extension to the drive. Thus the objections raised by the Highways Authority are no longer applicable to the assessment of the proposal. The frontage can accommodate three cars which is sufficient to serve the four plus bedroom dwelling.

7.4 Rear Garden Amenity Space

7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.

7.4.2 There is sufficient amenity space provision to comfortably accommodate the proposed extension and serve a six bedroom dwelling.

7.5 Trees & Landscape

7.5.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards. The proposed development would not involve the removal of any trees or lie in close proximity to trees.

7.5.2 The proposed development would not require the removal of any trees nor is considered to result in any harm to others. The protected trees are sited to the rear of the site and would not be affected by the proposed development or construction activities. Concerns were raised that vegetation had been removed from the front of the site. No protected trees are sited within the frontage. Subject to a condition requiring details of tree protection measures to protect the trees to the rear of the property during construction no objections are raised in this regard.

7.6 Biodiversity

7.6.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.6.2 Biodiversity protection and protected species are a material planning consideration during the application process of this application. This is in accordance with Policy CP9 of the Core strategy in addition to Policy DM6 of the Development Management Policies Local Development Document. Local Authorities, in line with National Planning Policy, are required to ensure that a protected species survey is completed for applications whereby biodiversity may be affected prior to the determination of the application.

7.6.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the application.

7.6.4 It is noted that Herts Ecology initially objected to the proposed development requiring a bat survey to be submitted. A Preliminary Survey was submitted and Herts Ecology confirmed that no protected species would be affected by the proposal; subject to an informative.

7.7 Mandatory Biodiversity Net Gain

7.7.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.7.2 In this case, the applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

8 Recommendation

8.1 That Planning Permission be **GRANTED** subject to conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: A-103 P3, A110 P3, A-111 P3, A150-P3, A-160 P5, A-100 P4, A-101 P7, A-104C P5, A-105C P4, A106C P6, A112C P6, A113C P6, A-190 P1, A-191 P1, TRDC001 (Location Plan).

Reason: For the avoidance of doubt, and in the proper interests of planning in accordance

with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM9 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy 2 of the Chorleywood Neighbourhood Development Plan (Referendum Version, August 2020).

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 Policies DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 No operations (including tree felling, pruning, demolition works, soil moving, temporary access construction, or any other operation involving the use of motorised vehicles or construction machinery) whatsoever shall commence on site in connection with the development hereby approved until the branch structure and trunks of all trees shown to be retained and all other trees not indicated as to be removed and their root systems have been protected from any damage during site works, in accordance with a scheme designed in accordance with BS5837:2012, to be submitted to and approved in writing by the Local Planning Authority.

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme before any equipment, machinery or materials are brought on to the site for the purposes of development, 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: This condition is a pre commencement condition to ensure that no development takes 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).

C5 Prior to the first use of the rear patio hereby permitted, details of screening to a height of 1.8m as measured from the surface of the raised patio to be erected along the flank elevations of the raised patio shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be erected prior to the first use of the patio in accordance with the approved details, and maintained as such 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).

C6 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 flank 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).

Informatives

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

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

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

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

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

{\b (a)} Making a Non-Material Amendment
{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 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.

I5 If bats or evidence of them are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

25/1984/FUL - Construction of part-single, part two storey front and rear extensions, first floor side extension; loft conversion including roof extension with rear dormers and rooflights, relocation of entrance door, internal alterations and alterations to fenestration and raised terrace to the rear at 43 CHESTNUT AVENUE, RICKMANSWORTH, HERTS, WD3 4HA





Relationship with No.41





Relationship with No.45





Images from Google






Chestnut Ave
Chestnut Ave
Chestnut Ave
Chestnut Ave
Chestnut Ave
34
Layers
Google Maps

PLANNING COMMITTEE – Thursday 19 March 2026

25/2228/RSP – Part-Retrospective: Construction of single storey rear extension at 10 Gade Bank, Croxley Green, Rickmansworth, Hertfordshire, WD3 3GD

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 12.03.2026
(Extension of Time: 24.03.2026)

Ward: Durrants
Case Officer: Scott Volker

Development Type: Householder.

Recommendation: That part-retrospective planning permission be granted subject to conditions.

Reason for consideration by the Committee: Called-in by Croxley Green Parish Council for the reasons set out at paragraph 4.1 below.

To view all documents forming part of this application please go to the following website: https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T7RGSUQFJDR00

1 Relevant Planning & Enforcement History

1.1 25/1330/RSP - Retrospective: Construction of single storey rear extension – Refused November 2025 for the following reason:

R1 The single storey rear extension has resulted in an intensification of use of the site and a shortfall in parking to the detriment of neighbouring amenity and the character of the area. By virtue of its design, including two rear doors, and materials that do not match the original dwelling house, the extension fails to respect and is harmful to the character and appearance of the host dwelling and area. The development is therefore contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and DM13 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).

1.2 25/0109/COMP - Unauthorised Rear Extension – Pending consideration, subject to the outcome of this application.

2 Description of Application Site

2.1 The application site contains a property situated on the west side of Gade Bank in Croxley Green. Gade Bank is a short cul-de-sac, characterised by eight pairs of semi-detached dwellings built on a uniform building line in a single row.

2.2 The application site is within a semi-rural location with the Grand Union Canal situated to the east of the site on the opposite side of Gade Bank. The rear of the site (to the west) is woodland covered by a Woodland Tree Protection Order (TPO790) which stretches the entire length of Gade Bank, with school playing fields beyond this. The site lies within the Metropolitan Green Belt.

2.3 The application property is two-storey with accommodation within the roof space facilitated by a hip-to-gable roof extension and rear dormer. The property has also benefitted from a single storey rear extension which is the subject of this planning application. The property has a pebble-dash rendered exterior and a dark tiled roof. To the front of the property is a small garden enclosed by evergreen hedging to all boundaries. At the rear, there is a private garden measuring approximately 190sqm enclosed by close-boarded timber fencing and hedging. The land levels rise gradually to the rear boundary of the site.

2.4 Parking associated to the properties on Gade Bank is located on the opposite side of the access road serving this row of dwellings.

2.5 The property has been put to use as a House of Multiple Occupation ("HMO") (Use Class C4); however, the property is currently vacant following a Closure Order (see paragraph 8.1.7).

3 Description of Proposed Development

3.1 This planning application seeks part-retrospective planning permission for a single storey rear extension. The extension has been built but this application is seeking changes to the design and internal changes.

3.2 The extension has a depth of 3.37m from the rear elevation of the host property and extends the full width of the property measuring 6.1m in width and is built up to the shared boundary with 9 Gade Bank and offset from the boundary with 11 Gade Bank by 1.3m. The extension has a flat roof measuring 2.8m in height. The dimensions of the extension are unchanged as proposed.

3.3 The extension as built contains glazing within the rear elevation comprising two windows and two doors. It is now proposed to replace these features with a single set of bi-folding doors. The external appearance of the extension as built is white painted smooth render. It is now proposed for a brick-slip or render that matches the external appearance of the dwelling to be applied to the elevations of the extension. Clarification was sought from the applicant on the external appearance, and it has been confirmed that the extension would have a pebble-dash render exterior. The submitted drawings show that the extension would be rendered to match.

3.4 Internally, the extension as built initially provided two additional bedrooms; however, the submitted floor plans detail that the extension would now provide for an open plan living, kitchen and dining room. Amended plans were received during the course of the application process to alter the internal layout of the main property. This has included removal of the all ensuite bathrooms and the creation of a family bathroom and the replacement of a kitchen within the loft space to provide a walk-in closet.

3.5 This application is supported by a Cessation of Use Declaration & Statement of Intent that the property's use as an HMO would cease and the property reinstated as a family dwelling. Further explanation in respect of the use of the property is provided in the analysis section below at Section 8.1.

4 Consultation

4.1 Croxley Green Parish Council: Objection CALL-IN (unless officers minded to refuse)

The parish council objects to this application. Although this application states it will be returned to a single dwelling, it retains a second kitchen on the second floor, and the ground floor front room could become a bedroom. This layout would easily enable a four bedroomed HMO. No WC can be accessed without going through a bedroom. If the officer is minded to approve, we request call in to committee. If the committee is minded to approve, we request a condition limiting use to a single occupancy dwelling house. We draw the Councils attention to neighbours' complaints about inadequate sound insulation and request a noise survey be carried out before this application is presented to committee for determination.

Officer Comment: This application is not assessing the impact of the proposed use but rather the impact of the proposed extension.

4.2 Environmental Health Officer: Verbally consulted, no objection.

4.3 National Grid (Gas): No response received.

5 Public/Neighbour Consultation

5.1.1 Site Notice: Posted – 29.01.2026 Expired – 19.02.2026

5.1.2 Press notice: None.

5.1.3 Number consulted: 7

5.1.4 No of responses received: 5 (5 objections received)

5.1.4.1 Summary of responses received:

- Concerns property would revert back to House of Multiple Occupation
- Layout of property is not akin to a family dwelling
- Property would be easily capable of being used as a shared house or HMO
- Not reasonable to rely on assurances alone
- Impact on neighbours through noise and disturbance
- Noise and sound assessment should be undertaken
- Existing property is of lightweight construction allows for noise to transmit easily
- No daylight assessment undertaken in respect of neighbouring windows
- No consultation with Herts Ecology or independent survey taken on biodiversity
- Dust ingress from extension remains in neighbouring property
- Impact on Human Rights of neighbours
- Property has been subject to a police Closure Order
- Inconsistent floor plans
- Impact on character and appearance of dwelling
- Lack of parking provision

6 Reason for Delay

6.1 None.

7 Relevant Planning Policy, Guidance and Legislation

7.1 National Planning Policy Framework and National Planning Practice Guidance

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

The NPPF 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). Relevant chapters include Chapter 2, Chapter 6 and Chapter 7.

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 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 PSP1, CP1, CP6, CP9, CP10, CP11 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, DM2, DM6 and DM9 and Appendices 2 and 5.

Croxley Green Neighbourhood Plan (2018). Relevant policy includes CA2.

7.3 Other

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

8 Planning Analysis

8.1 Background

8.1.1 Following a report to the Council an enforcement investigation was opened regarding the construction of a single storey rear extension (ref. 25/0109/COMP).

8.1.2 A site inspection was conducted where it was ascertained that the dwelling (at the time) had been extended to the rear. The extension as built by virtue of its depth exceeds the limitations of Schedule 2, Part 1, Class A A.1(f)(i) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) ("the GPDO") which restricts single storey rear extensions to semi-detached dwellings to 3m under permitted development rights. An extension greater than 3m would require an application for express planning permission.

8.1.3 Whilst officers are satisfied that the property was in C3 use (dwelling house) at the time of the works, the works themselves facilitated a change of use. Notwithstanding this, a C4 use (HMO) benefits from the same permitted development rights that are available to C3 use (dwelling houses).

8.1.4 An application to regularise the single storey rear extension was heard at the planning committee in November 2025 reference 25/1330/RSP. Members resolved to overturn the recommendation of officers and subsequently refused planning permission for the reason set out at paragraph 1.1. Concerns were raised that the single storey rear extension resulted in an intensification of use of the site and a shortfall in parking to the detriment of neighbouring amenity and the character of the area. Furthermore, the design of the extension, including two rear doors, and materials that do not match the original dwelling house meant that the extension failed to respect and is harmful to the character and appearance of the host dwelling and area.

8.1.5 This latest application has therefore been submitted in an attempt to formalise the breach of planning control by utilising Section 73A of the Town and Country Planning Act 1990 (as

amended) which enables an application to be made to the Local Planning Authority for development carried out before the date of the application and which proposes alterations to the extension both external and internal to overcome the previous reason for refusal of application 25/1330/RSP.

8.1.6 There have been continued concerns received regarding the use of the property as a House of Multiple Occupation (HMO) and although this application is supported by a 'Cessation of Use Declaration & Statement of Intent' setting out a commitment from the applicant that the property would be returned back to a C3 Use as a single dwellinghouse this cannot be solely relied upon. To clarify, the change of use of a building from its use as a dwellinghouse ("C3" of the Use Class Order) to its use as a HMO that is to be occupied by up to six residents and vice versa, is granted deemed planning permission by virtue of Class L of Part 3, Schedule 2 of the GPDO, otherwise known as 'permitted development'. Accordingly, the owner of 10 Gade Bank did not require express planning permission from the council to undertake a change of use from C3 (dwelling house) to C4 (small HMO) in the first instance. Notwithstanding this, the use of the property does not form part of the consideration in the assessment of the acceptability of this application.

8.1.7 Officers note that the application property was the subject of a Closure Order granted by St Albans Magistrates Court following complaints of anti-social behaviour which came into effect in October 2025. Officers understand the Closure Order has now expired. This is a Police matter which falls outside the remit of planning and is not a material planning consideration in the assessment of the acceptability of the proposed single storey rear extension.

8.2 Impact on Green Belt

8.2.1 The site is located within the Metropolitan Green Belt. Paragraph 142 of the NPPF states that the Government attaches great importance to Green Belts. The essential characteristics of Green Belts are their openness and their permanence. Paragraph 154 of the NPPF outlines a number of exceptions to inappropriate development. One such exception to inappropriate development at paragraph 154(c) includes *'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'*.

8.2.2 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. The policy replicates Green Belt policies contained within the NPPF and therefore can be given weight.

8.2.3 Policy DM2 of the Development Management Policies LDD (adopted July 2013) relates to development within the Green Belt and sets out that extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The building's proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account. Policy DM2 pre-dates the current 2024 NPPF but was adopted after the publication of the 2012 NPPF. The wording of the Green Belt chapters of the NPPF has not materially changed between the 2012 and 2024 NPPF in respect of exceptions to openness, and on that basis it is considered that DM2 which was adopted after the 2012 NPPF was published, is consistent with the NPPF and is an up to date policy to which considerable weight may be attached.

8.2.4 More specific guidance to the implementation of DM2 is provided in Supplementary Planning Guidance No.3, Extensions to Dwellings in the Green Belt. The SPG provided further explanation of the interpretation of the Green Belt policies of the Three Rivers Local Plan 1996-2011. These policies have now been superseded by Policy DM2. Nevertheless, the SPG provides useful guidance and paragraph 4.5 of the Development Management

Policies LDD (adopted July 2013) advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document. As the NPPF or the Local Plan Policies do not give any clear guidance on the interpretation of the scale of extensions that would be disproportionate, the SPG, whilst of limited weight by virtue of its age, does give useful guidance and states that extensions resulting in a cumulative increase in floor space of over 40% compared with the original dwelling may be disproportionate.

8.2.5 Green Belt Calculations

- Original floor space – 76sqm
- Existing extensions – 12sqm (loft conversion including rear dormer)
- Floor space of proposed development – 17sqm (single storey rear extension)
- Total floorspace – 105sqm

8.2.6 The proposed extension would result in a cumulative increase of 29sqm to the original property, equating to a 22% increase over the original floorspace. This remains the same as the previous application. The development would therefore not exceed the 40% guideline as set out in the SPG; and given the extension is located at the rear of the property and has a flat roof design the proposed development is not considered to be a disproportionate addition to the host property. As the proposed extension is not considered disproportionate to the original property, it is not inappropriate development within the Green Belt. The openness of the Green Belt cannot be compromised by development that is not inappropriate.

8.2.7 In summary, the proposal is an appropriate form of development in the Green Belt which by virtue of its appropriateness does not harm the openness of the Green Belt. The development is considered acceptable and in accordance with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2024).

8.3 <u>Design and impact on host property and street scene / area</u>

8.3.1 Policy CP1 of the Core Strategy seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

8.3.2 Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) advises that development should not have appear excessively prominent and should not have a significant impact on the visual amenities of the area. The Design Criteria at Appendix 2 sets out that generally the maximum depth should be 3.6m. This distance may be reduced if the extension is unduly prominent.

8.3.3 Gade Bank is located in Character Area 11 (Cassiobridge, River Gade, Canal and Common Moor) identified in the Croxley Green Neighbourhood Plan (2018) (“CGNP”). Policy CA2 of the CGNP domestic extensions requiring planning consent should seek to conserve and enhance the Character Areas through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted.

8.3.4 The extension is single storey and at 3.37m in depth complies with the guidance contained within Appendix 2. The extension is set back from the highway and is flush with the flank elevation of the existing property; thus, is not readily visible and does not appear as a prominent feature within the street scene.

8.3.5 Application 25/1330/RSP was refused by Members at the November Planning Committee after Members raised concerns that the design of the extension, including two rear doors, and materials did not match the original dwelling house and therefore considered that the extension failed to respect and is harmful to the character and appearance of the host dwelling and area. This application has sought to overcome these concerns by amending the design of the extension. It is now proposed to apply external render to the extension to match the appearance of the host property, and this would be secured by condition. This now ensures that the extension would no longer appear as a "mismatched" addition but as continuation of the external appearance of the host property. The replacement of the existing fenestration including the two separate rear doors with a single set of bi-folding doors which is a common feature for similar extensions in the District and is considered acceptable.

8.3.6 Concerns were previously raised with the unfinished flank wall of the extension facing 9 Gade Bank. Officers consider that given this application proposes to render the whole extension that the works to this flank would be completed. It will, however, require permission from the owner of 9 Gade Bank for access in order to undertake the works to the flank and this would be a civil matter and should not be a reason to refuse the application.

8.3.7 Officers conclude that the amended extension as proposed would not result in harm to the host property or the character of the wider area and therefore consider that the proposal satisfactorily overcomes the previous reason for refusal in respect of design and character. Consequently, the proposal is deemed acceptable in regard to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policy CA1 of the Croxley Green Neighbourhood Plan (2018).

8.4 Impact on Neighbours

8.4.1 Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’.

8.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

8.4.3 The proposed single storey rear extension has been built up to the common boundary with 9 Gade Bank and is set in from the respective boundary shared with 11 Gade Bank by approximately 1.3m. Given the single storey design of the extension with its modest height and depth which complies with the guidance of Appendix 2, it is not considered to appear unduly prominent or result in any significant harm in terms of overshadowing, appear overbearing or cause loss of light and is considered acceptable. The proposed fenestration inserted into the rear of the proposed rear extension would not result in any overlooking to any neighbouring dwellings as the glazing would have outlook into the rear amenity space of the application site.

8.4.4 Concerns have been received requesting that a daylight assessment should be undertaken prior to the determination of the application in order to assess the impact of the extensions towards the ground floor window within the rear elevation of 9 Gade Bank closest to the extension. It is not considered that such an assessment is reasonable or appropriate in this instance for the reasons set out in the paragraph above. Furthermore, the size of the extension in terms of its depth and height is the same as the previous application 25/1330/RSP which did not form a reason for refusal of planning permission.

8.4.5 Concerns have also been raised in respect of the internal layout and insufficient internal insulation of the building leading to increase noise nuisance. Internal layout of the building does not form part of the assessment of this application; however, it is noted that the dwelling would contain a reduced number of bedrooms when compared to the previously refused application – particularly in respect of the rear extension which is now shown to provide an enlarged kitchen/dining area. Furthermore, the applicant has provided amended plans to alter the internal layout of the dwelling so that it is more akin to a family dwellinghouse to remove all ensuite bathrooms and include a family bathroom. The redesign of a property and where services, including en-suites/bathrooms are placed, falls to Building Control. Secondly, concerns regarding insultation is not a material planning consideration as this also falls within the jurisdiction of Building Control. Environmental Health were verbally consulted on the application and advised that simply hearing noise in your home does not automatically equate to a nuisance and there is no right to silence. Furthermore, Environmental Health cannot compel the installation of insulation. As set out previously, this is a Building Control matter and therefore should not form a reason for refusal.

8.4.6 Overall, it is considered that the proposed extension does not result in any demonstrable harm to the residential amenities of any of the surrounding neighbouring properties and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.5 Highways & Parking

8.5.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.

8.5.2 Prior the rear extension being constructed, the property (a single dwelling) contained three bedrooms which required 2.25 parking spaces. This application seeks to return the property to a single dwellinghouse containing three bedrooms.

8.5.3 The ownership of 10 Gade Bank extends beyond the red line as shown on the submitted Location Plans and does include the area on the opposite side of the access road as indicated on the Land Registry Title Plan HD543077 obtained by the case officer. This is the case for all the properties on Gade Bank. This area is well established for parking; and provides space for two vehicles associated for the application property.

8.5.4 There would be a shortfall of 0.25 parking spaces against the Parking Standards in respect of a single dwellinghouse; however, it is noted that the frontage of the property could be used to create additional parking provision in future. Thus, it is not considered that the shortfall of parking alone is considered sufficient to justify refusal of planning permission in this regard.

8.6 Amenity Space

8.6.1 Policy CP12 of the Core Strategy (adopted October 2011) states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space. The Design Guidelines at Appendix 2 of the Development Management Policies LDD provides indicative levels of amenity space which should be provided/retained following development based on the number of bedrooms within the dwelling.

8.6.2 The indicative level of amenity space required for a property of this size is 147sq. metres. The application site benefits from a private amenity space measuring 190sqm, exceeding the guidance and is acceptable.

8.7 Biodiversity

8.7.1 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.

8.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application. Requests have been made by local residents for an independent ecology survey to be undertaken in addition to the applicant's self-assessed biodiversity checklist; however, this is not considered necessary or appropriate given the nature of the proposed development.

8.7.3 In summary, the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013).

8.8 Mandatory Biodiversity Net Gain

8.8.1 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.

8.8.2 Given that this is a retrospective application for the retention of single storey rear extension, the need for the development to achieve a biodiversity net gain is not required as the development is exempt.

8.9 Trees

8.9.1 The application site does not contain any protected trees. Although the site does back onto an identified woodland with a Tree Preservation Order, the rear of the extension is approximately 28m away from the rear boundary and the proposed development has not impacted on any on-site trees and is sufficient distance from the TPO area to not impact those protected trees.

8.10 Summary

8.10.1 To conclude, the above assessment has considered the merits of the single storey rear extension. Concerns regarding the past or future concerns with the use of the building as a HMO does not form part of the consideration in the assessment of the acceptability of the single storey rear extension. The extension is an appropriate form of development within the Green Belt. The applicant has made alterations to the external appearance of the extension to address the previous reasons for refusal of the application and officers conclude that the extension does not impact on the character and appearance of the host property or wider area. Furthermore, the applicant has provided amended plans to alter the internal layout of the dwelling so that it is more akin to a family dwellinghouse to include a family bathroom. The extension does not impact on neighbouring amenities. Whilst it is recognised that a slight shortfall of a parking exists for the reasons set out in section 8.5, the shortfall is not considered insufficient to justify refusal of planning permission.

8.10.2 Consequently, officer recommendation is to grant retrospective planning permission for the single storey rear extension.

9 Recommendation

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

C1 WITHIN FOUR MONTHS from the date of this permission, the bi-folding doors to the rear elevation shall be installed and the application of the external pebble-dash render applied to all elevations of the extension to accord with the extension as shown on drawing numbers PR02 RV03 and PR03 RV03.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM1 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).

C2 Those parts of the development hereby permitted which have yet to be built, shall be carried out in accordance with the following approved plans:

TRDC001 (Location Plan), PR01 RV02, PR02 RV03, PR03 RV03 & EX04 RV01

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and Policy CA2 of the Croxley Green Neighbourhood Plan (2018).

9.2 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.

I2 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.

I3 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 arrangement which mean that the biodiversity gain conditions 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 the following statutory exemption or transitional arrangement is considered to apply.

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).

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.

I4 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.

Application 25/1330/RSP – 10 Gade Bank, Croxley Green Site Photos











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PLANNING COMMITTEE – Thursday 19 March 2026

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

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

Ward: Moor Park and Eastbury
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee: Called in by Batchworth Community Council for the reason set out at paragraph 4.1.3 below.

To view all documents forming part of this application please go to the following website: https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=T8SW1XQFJJW00

1 Relevant Planning and Enforcement History

1.1 8/108/84 - Replacement garage, utility.

1.2 8/457/89 - Dayroom, bedroom in roof.

1.3 8/675/91 - Single storey rear extension.

1.4 96/0765 - Single storey rear extension – conditional Permission.

1.5 24/1025/FUL - Demolition of existing workshop; construction of part single, part two storey rear extension; loft conversion including front/rear dormers and side/rear rooflights; installation of chimney; raised rear patio and internal alterations – Permitted. Partially implemented.

1.6 24/1026/FUL - Demolition of existing garage, workshop and front canopy; construction of part single, part two storey side and rear extension; loft conversion including front/rear dormers and side/rear rooflights; relocation of entrance door; installation of chimney; raised rear patio and internal alterations – Refused. Allowed at Appeal.

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

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

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

1.8 24/1940/FUL - Variation of Conditions 2 (Plans) and Condition 5 (No New Windows/doors) pursuant to planning permission 24/1025/FUL to allow for increase in rear extension depth; increase in height of the side garage extension; alterations to fenestration and new fenestration – Permitted.

1.9 25/0186/FUL - Variation of condition 2 (Plans) pursuant to planning permission 24/1025/FUL to allow for increase in depth to the ground floor rear extension, alterations to fenestration of the rear extension and additional fenestrations in the first floor rear and ground floor side elevation – Permitted..

1.10 25/1083/CLPD - Certificate of Lawfulness Proposed Development: Erection of 2no. outbuildings – Permitted and Implemented.

2 Description of Application Site

2.1 The application site is located on Pembroke Road, Moor Park within the Moor Park Conservation Area. Pembroke Road is characterised by a number of large two storey detached dwellings of varying architectural style and design, some of which appear to have been extended or altered.

2.2 The application dwelling is a pre-1958 dwelling and has a dark tiled hipped roof form and an exterior finish consisting of a rough cast white render and red brick quoin detailing to the corners of the dwelling, to the central two storey front gable and above the ground floor front fenestrations. The pre-existing dwelling had been previously extended shortly after its construction with an addition to the southern flank elevation constructed by 1936 (according to the applicant's heritage statement) which whilst not original is considered a very early addition. There was also an attached garage to the opposite side of the dwelling. During the most recent officer site visit it was noted that the planning permission permitted via 25/0186/FUL and the scheme allowed at appeal via LPA planning ref 24/1026/FUL were being implemented on site which cumulatively permitted extensions to the side and rear of the dwelling at both ground and first floor level including a loft conversion with front and rear dormer windows, relocation of the dwellings front entrance and a raised rear patio.

2.3 To the front is an existing carriage driveway with an area of soft landscaping to the centre. To the rear of the dwelling is an amenity garden predominantly laid as lawn, the land levels drop slightly towards the rear boundary of the site. Two outbuildings have been constructed to the rear boundary of the site permitted via 25/1083/CLPD.

3 Description of Proposed Development

3.1 This application seeks part retrospective planning permission for demolition of existing garage, workshop and front canopy; construction of part single, part two-storey rear extensions; two-storey side extensions; front and rear dormers; installation of chimney; raised rear patio; alterations to fenestration including installation of roof lights; relocation of front entrance.

3.2 This application follows the previously approved application via 25/0186/FUL and the scheme allowed at appeal (application 24/1026/FUL). Both of these schemes are currently being implemented on site. The differences between the approved schemes and current are set out within the text below.

3.3 For clarity, the development subject of this current application is described in full below.

3.4 The existing garage to the side of the dwelling has been demolished and has been replaced by a two-storey side and rear extension which wraparounds the rear of the dwelling at both the ground and first floor.

3.5 The two-storey side extension is set back from the principal front wall by approximately 0.2m, has a width of approximately 4.6m and a depth of approximately 13.3m at the ground floor and 7.3m at the first floor. The side projection adjoins the rear projections at both the ground and first floor level. For clarity, the side extension has the same width and setback from the principle front wall as the appeal scheme, and the spacing retained to the flank boundary also remains consistent with this scheme.

3.6 To the rear the extension has a depth of approximately 6m and a width of approximately 20.6m at the ground floor. At the first floor the extension has a depth of approximately 4.5m and a width of approximately 11.2m. For clarity the depth of the ground floor rear projection is 1.5m greater than the appeal scheme but identical to the scheme granted under application 25/0186/FUL. The width is the same as the appeal scheme. The first-floor rear projection in terms of its depth and width is the same as the appeal scheme.

3.7 The proposal also includes a loft conversion which has been facilitated by a new hipped roof and front/rear dormer windows. The new roof would serve both the side and rear extensions, the two-storey side projection is minimally set down from the ridge line, and the first-floor rear extension is set down further. The two-storey side projection has a ridge height of approximately 9m and the first-floor rear projection has a ridge height of approximately 8.3m. The eaves height remains consistent with the existing eaves line of the dwelling. At the ground floor the rear projection has a flat roof form with a total height of approximately 3.5m. The side and rear projections retain the same height as the appeal scheme. Other than the changes described above, the loft conversion was approved under the appeal scheme, permitting three rear dormers, two front dormers and rooflights.

3.8 Three rear dormers are sited within the rear roofslope, all of which have a depth of approximately 1.9m, a width of approximately 1.7m and a height of approximately 1.6m. The dormers have a flat roof and remain set in from all planes of the roofslope. To the front of the dwelling within the principal roof form are two flat roof dormer windows, these have a total depth of approximately 1.7m, a width of approximately 1.2m and a height of approximately 1.6m. The front dormers also remain set in from all planes of the roofslope. The front dormers are slightly smaller than those approved by the appeal scheme and the rear dormers are slightly larger than those approved by the appeal scheme. They remain broadly in the same position within the roofslope., they are however approximately 0.15m deeper, 0.1m wider and 0.1m taller than approved. The front dormers as above remain sited in a similar position to the appeal scheme, would have the same width but would be approximately 0.2m less deep and less tall.

3.9 Fenestrations are proposed within the front, side and rear elevation of the dwelling at the ground and first floor level. Including sliding doors within the ground floor rear projection and two roof lanterns within the flat roof form which would take the total height of the rear extension to approximately 3.9m. Two rooflights are proposed within the rear roofslope of the two-storey rear hipped projection.

3.10 Within the front elevation of the dwelling, the main entrance door has been relocated to the centre of the existing two storey front gable. The pre-existing main entrance door has been replaced by two new windows within the ground floor front elevation. A circular window has also been installed within the apex of the existing front gable.

3.11 The main differences between the scheme allowed at appeal and the proposed retrospective application is the depth of the ground floor rear projection, which had a total depth of approximately 4.5m. The depth of this element is now approximately 1.5m deeper than the scheme allowed at appeal. However, officers would note that when solely looking at the depth of the ground floor in isolation, this depth has been previously approved via 25/0186/FUL.

3.12 There are also some changes to fenestrations including the removal of a first-floor window from the side elevation facing No. 13, and two new ground floor windows within this side elevation. There is one less window within the first-floor rear elevation than the appeal scheme, and the proportions of the windows are slightly different.

3.13 The rooflights within the rear roofslope of the two-storey rear hipped projection are also slightly smaller than allowed at appeal.

3.14 A front porch canopy is also proposed above the dwellings main entrance, this would be fixed to the outer face of the wall projecting beyond it for a depth of approximately 0.5m and would sit at a total height of approximately 2.7m above the natural ground level. The canopy would be Portland stone.

3.15 The detailing approved above the garage door within the ground floor front elevation has been omitted since the scheme allowed at appeal.

3.16 The resultant dwelling would be finished in smooth K white render with the brick quoins replicated to the permitter of the dwelling. Render is also proposed within the apex of the existing front gable projection and on the ground floor rear projection. The roof tiles are Marley Acme Clay single camber tiles.

3.17 To the rear of the dwelling a raised patio is proposed, this would extend the full width of the dwelling and have a depth beyond the rear elevation of approximately 5m, which is approximately 1.1m deeper than the appeal scheme. The raised patio would have a height of approximately 0.5m above the natural ground level with a set of steps to the centre to step down to the lower land level.

3.18 Internal alterations to the dwelling's layout are also proposed, the changes from the appeal scheme largely relate to the arrangement of the ground floor level with new internal partition walls.

3.19 The remainder of the proposal including spacing to the boundaries, footprint and overall scale and form remains largely consistent with the appeal scheme and 25/0186/FUL.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid – [No response received]

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

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

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

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

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

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

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

4.1.5 Conservation Officer – [No Objection]

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

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

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

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

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

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

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

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

4.2 Public/Neighbour Consultation

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

4.2.2 Site Notice Posted: 24.01.2026, Expired: 14.02.2026

4.2.3 Press Notice Published: 30.01.2026, Expired: 20.02.2026

4.2.4 Summary of Responses:

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

5 Reason for Delay

5.1 No Delay.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6)

Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

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

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

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

The Environment Act 2021.

6.2 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

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

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

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM13, Appendix 2 and Appendix 5.

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

Other

Moor Park Conservation Area Appraisal (2006).

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

7 Planning Analysis

7.1 Overview

7.1.1 Planning permission 24/1025/FUL granted a part two storey, part single storey side/rear extension and raised rear patio. The ground floor extension had a depth beyond the main rear elevation of 4.5m, extending across the entire width of the property. The first floor had a depth of 4.5m. Application 24/1940/FUL included an increase to the depth at ground floor level to the outer parts of the rear extension only. Application 25/0186/FUL included an increase to the depth of the entire rear extension to a maximum of 6m. The footprint of the development sought by the current application is identical to that which would result from 25/0186/FUL but includes a first-floor side extension which was permitted at appeal under application 24/1026/FUL. The application site is currently being developed in accordance with the scheme allowed at appeal (24/1026/FUL) and the most recent variation of condition application 25/0186/FUL.

7.1.2 The proposal subject of this current application remains largely consistent with the appeal scheme in terms of its overall scale, form and design, with the notable exception of an increased depth to the ground floor rear projection. However, a ground floor rear extension of the same depth was permitted via application 25/0186/FUL. Other changes include the introduction of a porch canopy above the dwelling's main entrance which has not previously been approved. Alterations to external materials and internal alteration to the dwelling's layout are also proposed, in addition to alterations to the scale of the front and rear dormer windows and alterations to fenestrations and the raised rear patio, the depth of the raised rear patio is approximately 1.1m deeper than the appeal scheme.

7.1.3 This application in addition to the new elements mentioned above also seeks to regularise the development as implemented on site and to consolidate the approved position.

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

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.2.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking.

7.2.4 Appendix 2 of the DMP LDD sets out that with regards to single storey rear extensions generally the maximum depth should be 4m in the case of detached dwellings. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent. With regards to two storey rear extensions the guidelines set out that in terms of size and volume, each application will be assessed on its individual merits according to the characteristics of the particular property.

7.2.5 Appendix 2 of the DMP LDD sets out with regards to dormer windows that these should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either end of the roof and set back from the plane of the front or rear wall. The roof form should respect the character of the house if possible. Front dormers may not

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

7.2.6 With regards to two storey side extensions these may be positioned on the flank boundary provided that the first floor element is set in by a minimum of 1.2 metres. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In this case, the Moor Park Conservation Area Appraisal sets out that a minimum of 1.5m spacing should be retained to flank boundaries. A 1.5m spacing would therefore be sought in this case.

7.2.7 In relation to development proposals in Conservation Areas, Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the Conservation Area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.

7.2.8 The adopted Moor Park Conservation Area Appraisal is also relevant to the assessment of this application and states the following:

'The Council will give a high priority to retaining buildings which make a positive contribution to the character or appearance of a Conservation Area. As a guide, the Council will seek the retention of buildings on the estate erected up to 1958 when the original estate company was wound up.'

7.2.9 The Moor Park Conservation Area Appraisal also states that 'buildings including all out buildings (garages, car ports etc) should not cover more than 15% of the plot area', development should not occupy more than 80% of the frontage width of the plot and a minimum of 1.5m spacing should be retained to flank boundaries The Conservation Area Appraisal guidance is in order to retain the spacious nature and character of the estate and Conservation Area.

7.2.10 It is acknowledged that the plot width and plot coverage figures below differ from the previous applications, however these figures have been recalculated from the plans submitted under this current application and have been summarised in the table below.

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

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

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

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

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

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

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

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

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

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

7.2.12 Given that the two-storey side projection remains the same as the scheme allowed at appeal in terms of scale and footprint, it is not considered that this element, or the resultant plot width coverage, would result in demonstrable harm to the character or appearance of the host dwelling or streetscene given the spacing retained to the boundary and the set down from the ridge. In the context of the appeal decision, the current proposal would similarly preserve the character and appearance of the Conservation Area as set out within the appeal decision above.

7.2.13 The pre-existing dwelling had a plot coverage of approximately 10.6%, the scheme allowed at appeal had a plot coverage of approximately 15.2% and the development currently being implemented on site has a plot coverage of approximately 17.22%. It is also worth noting that there was a separate scheme approved via 24/1025/FUL where the plot coverage was

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

7.2.14 It is therefore acknowledged that the total plot coverage would exceed the guidelines set out within the appraisal. However, it is also noted that a similar scale of development was permitted under the appeal scheme. The additional plot coverage in this case arises from the increased depth of the ground floor rear projection when compared to the appeal scheme. It is noted that the depth in isolation has been previously approved under the variation of condition application, LPA reference 25/0186/FUL. Given its single storey form, separation from the boundary and flat roof design it is not considered that this element would appear disproportionate or visually incongruous in the context of the host dwelling or streetscene. It is also important to acknowledge that the depth, assessed independently has been accepted as having an acceptable impact on the character and appearance of the host dwelling as well as preserving the character of the Conservation Area through the previous approval.

7.2.15 It is noted that concerns have been raised regarding the increased plot coverage arising from the outbuildings within the rear garden which have been implemented. These outbuildings were subject of approval via LPA reference 25/1083/CLPD. The appraisal indicates that all structures need to be considered and therefore, if the LPA were to include the outbuildings within the calculations this would increase the plot coverage to approximately 20.7%. Notwithstanding this, it is noted that the outbuildings benefit from approval under permitted development under planning reference 25/1083/CLPD, however it is not disputed that this built form increases the plot coverage on the site. They do however remain considerably set back from the adjacent highway and would not be readily visible from the Conservation Area. The purpose of the guidance is to retain the spacious nature and character of the estate and Conservation Area, despite the notable increase in plot coverage, it is not considered that the proposal would materially conflict with the aims and owing to their spacing to the boundaries and single storey form would not result in material harm to the spacious character of the Conservation Area. However, in the event permission were to be granted a condition removing permitted development rights under Class E would be considered appropriate to preserve any further increase in plot coverage, or additional built form which may disrupt the open and spacious character of the Conservation Area and ensure that the LPA has further control over development in this regard.

7.2.16 Having regard to the two-storey rear projection, the total depth and width remain the same as the appeal scheme and the previous approvals; it retains the hipped roof and would be set down from the ridge line of the dwelling and would therefore read as a subordinate addition. Thus, it is not considered that this element would appear incongruous or increase the prominence of the host dwelling to an unacceptable degree and would preserve the character of the host dwelling.

7.2.17 The proposed rear dormers remain largely in the same position as the appeal scheme, they are however approximately 0.15m deeper, 0.1m wider and 0.1m taller than approved. The front dormers as above remain sited in a similar position to the appeal scheme, would have the same width but would be approximately 0.2m less deep and less tall. The dormer windows despite the changes from the appeal scheme are considered to remain of a modest scale and remain set back from the eaves and down from the ridge, it is noted that the central rear dormer would adjoin the flank roofslope of the two story rear hipped projection by virtue of its increased width and height, However, in light of its modest scale and the context of the approvals, this element of the proposal is not considered to give rise to demonstrable harm to the character or appearance of the host dwelling or wider streetscene. There are also notable examples of front dormer windows within the streetscene such that the additions to the host dwelling would not appear unduly out of character and would preserve the character of the Conservation Area.

7.2.18 The relocation of the main entrance door to the existing front gable projection was previously refused via LPA reference 24/1026/FUL, this scheme was however subsequently allowed at appeal as mentioned above. This element of the proposal, including new windows within the ground floor front elevation and the circular window within the apex of the gable remain the same as the appeal scheme. Officers had previously raised concerns with this element and its cumulative impact with the two-storey side extension for the introduction of symmetry to the front elevation. The Planning Inspectorate in this regard gives weight to the varied form of properties within the streetscene on Pembroke Road and set out the following *'the introduction of symmetry to No 11 brought through the side extension, relocation of the front door and introduction of the window within the apex of the front gable would be in keeping with the character and appearance of the host property and wider area'.* Given that this element remains the same as the appeal scheme, it is not considered that this would give rise to demonstrable harm to the character or appearance of the host dwelling such to justify a refusal and the proposal would preserve the character of the Conservation Area.

7.2.19 Whilst some changes to fenestrations are proposed, the style and design of the windows would remain consistent with the style and appearance of the pre-existing windows as well as those approved via the appeal scheme. Thus, it is not considered that this would give rise to demonstrable harm to the character or appearance of the host dwelling, streetscene or wider conservation area.

7.2.20 The rooflights to the rear and flank roofslope of the two-storey rear hipped projection would be largely screened from view of the streetscene by virtue of their siting. Giving the limited number and that the remainder of the roof surrounding the rooflight would remain legible it is not considered that this would result in harm to the character or appearance of the host dwelling and it is noted that rooflights were approved in a similar location to those currently proposed with the exception that the rear rooflights are slightly smaller than approved further reducing their visual impact.

7.2.21 The raised rear patio would not be readily visible from the streetscene owing to its siting. The land levels drop to the rear of the site, and it is therefore considered that a platform would be necessary to facilitate access from the rear extension down to the level of the lawn. The patio remains set in from both boundaries and is not considered to be excessive in terms of its overall height. Thus, it is not considered that this would result in harm to the visual amenities of the streetscene or wider conservation area.

7.2.22 The proposed front porch canopy would be readily visible from the streetscene. It would however remain modest in scale and be pertained to the dwellings main entrance. Whilst this would introduce additional built form, it should be noted that the pre-existing dwelling benefited from a canopy over the dwellings main entrance. There is also variation within the streetscene in terms of front projections and on balance it is not considered that this element would increase the prominence of the dwelling to an unacceptable degree.

7.2.23 The dwelling is proposed to be finished in smooth render; this would be broken up by the existing brick detailing and quoins around the windows on the front elevation of the dwelling and the existing brick of the front gable projection. The pre-existing dwelling was white rendered, and it is therefore not considered that the proposed materials would appear unduly out of character and would be considered to preserve the character of the conservation area.

7.2.24 The internal alterations to the dwellings layout are not considered to result in demonstrable harm to the character or appearance of the host dwelling, streetscene or Conservation Area.

7.2.25 In summary, subject to conditions the proposed development would not result in any adverse harm to the character or appearance of the host dwelling or streetscene and would preserve the character of the Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), Policy BW DE1 of

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

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.3.3 Planning application reference 24/1026/FUL was refused by the LPA on grounds relating to impact on character. The application was subsequently allowed at appeal, as referenced in an earlier section of this report.

7.3.4 The previous scheme was not refused on the basis of its impact on neighbouring amenity and this matter was not identified as forming part of the reason for refusal. The development is currently being implement on site and remains, in the main, consistent with the scheme approved at appeal. However, there are additional elements as set out in the earlier section of this report, which differ from the approved plans.

7.3.5 Given these changes, it is necessary to reassess the development in full, having regard to the approved appeal scheme and subsequent variation of condition applications also approved, as well as all other material considerations.

7.3.6 The two storey side extension has been erected adjacent to the boundary with No. 9 Pembroke Road, replacing the pre-existing garage projection. The built form has a reduced width compared to the former garage structure, thereby increasing the separation distance to the shared boundary with the neighbouring property. It is material to note that the scale and footprint of the extension remain consistent with the scheme previously allowed at appeal with the exception of the ground floor depth to the rear which will be discussed in turn below. In amenity terms, the two storey side extension introduces additional built form at the first floor level closer to the shared boundary than previously existed. Whilst spacing to the boundary has increased, the development does not achieve the 1.5m separation guideline referenced within the Conservation Area appraisal.

7.3.7 Notwithstanding this, the extension remains set down from the ridge line of the host dwelling and does not project beyond the rear building line of this neighbouring dwelling. Furthermore, the neighbouring dwelling is positioned further from the shared boundary. Thus, it is not considered that the development gives rise to an overbearing form of development or materially harmful loss of light to the occupiers of this neighbouring dwelling.

7.3.8 With regard to privacy, it is acknowledged that the side extension includes window openings closer to the boundary both within the front, side and rear elevation. Whilst this introduces potential for additional overlooking, the orientation of the windows means they predominantly afford views across the frontage of the application site and private rear amenity space. Any oblique views towards the neighbouring rear garden and considered to be limited and are not considered to result in a materially harmful loss of privacy beyond the extent of the pre-existing situation. In the event permission were to be granted, a condition would be added to the first-floor flank window requiring that this be fitted with obscured glazing to limit unacceptable overlooking of this neighbour, the flank windows in relation to the neighbour at No. 9 remain the same as the appeal scheme.

7.3.9 Turning to the part single, part two storey rear extension, the first floor element has been constructed in accordance with the appeal scheme in terms of its depth, width and height. In respect of the ground floor element, it is acknowledged that the depth as constructed extends approximately 1.5m beyond that shown on the appeal scheme. However, separate to the appeal scheme, planning permission was previously granted for rear extensions (excluding the two-storey side extension) under reference 24/1025/FUL. That permission was subsequently varied under a Section 73 application under reference 25/0186/FUL, through which the deeper ground floor rear footprint was approved by the local planning authority. In determining the Section 73 application, officers acknowledged that the depth exceeded the design criteria at Appendix 2. Notwithstanding this, it was accepted on the basis of its single storey form, flat roof design and separation maintained to the flank boundaries. It is also material that the ground floor rear projection approved at appeal already exceeded the relevant design criteria in terms of depth, and was similarly considered acceptable on amenity grounds having regard to its scale, siting and relationship to neighbouring properties.

7.3.10 The overall width and height remain consistent with the appeal scheme. Given the retention of the flat roof design, the separation to the boundaries and the absence of any increase in height it is not considered that the development to the rear gives rise to an overbearing form of development or materially harmful loss of light to the occupiers of either neighbouring dwelling.

7.3.11 The fenestrations within the rear elevation of the dwelling, at both ground and first floor level are not considered to increase overlooking of neighbouring properties beyond that of the existing situation. While there are minor changes to the proportions and number of windows, most notably a slight reduction in first floor windows and alterations to the ground floor glazing these are not considered to result in additional harm to privacy.

7.3.12 The first-floor flank window adjacent to No. 13 serves a habitable room (Bedroom 3). It is noted that this window is a secondary window to this bedroom and therefore given the siting of the window at first floor a condition would be added to any grant of permission to ensure this window is fitted with obscure glazing and fixed shut 1.7m above the finished floor level of the room it serves to prevent additional overlooking of this neighbour.

7.3.13 The front dormers have been constructed at a slightly reduced scale to the appeal scheme. These were previously considered acceptable, given that the outlook would predominantly be over the site frontage, coupled with their limited overall scale and number. As such, it is not considered that these result in unacceptable overlooking of neighbouring properties.

7.3.14 The rear dormer windows would predominantly overlook the applications sites rear amenity space. Given their siting at the second-floor level, some views may extend towards the rear gardens of neighbouring properties. While the scale of the rear dormers has slightly increased comparted to the scheme allowed at appeal, the number of windows at this level remains unchanged. For the reasons set out above, these alterations are not considered to give rise to materially harmful overlooking of either neighbour.

7.3.15 The rear rooflights would predominantly overlook the application sites rear amenity space, given their positioning at second floor level it is considered that some views may be afforded towards the rear gardens of both No. 9 and No. 13. Given their positioning within the roofslope it is not considered that this would give rise to unacceptable levels of overlooking of either neighbour such to justify the refusal of permission in this regard and it should be noted that their scale is reduced from the appeal scheme. The flank rooflights within the rear hipped projections would face inward, into the central valley and as such are not considered to result in additional overlooking of any neighbour.

7.3.16 The relocation of the main entrance within the existing central gable is not considered to give rise to any harm to the residential amenities of the occupiers of any neighbouring dwelling beyond that of the existing situation. The new fenestration at ground floor that

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

7.3.17 The raised patio would replace the pre-existing raised patio and would extend only in line with the flank walls of the resultant dwelling, While a raised patio of the same width was consented under the appeal scheme, the depth of the patio is approximately 1.1m deeper than approved. Therefore, sits deeper into the site where land level differences are greater. Given its deeper projection, despite the separation from the shared boundaries it is considered that this could increase both perceived and actual overlooking of neighbouring properties. Therefore, in the event permission were to be granted a condition would be added requiring the installation of a privacy screen to both edges of the patio for its full depth at a height of 1.8m above the patio level, to prevent unacceptable overlooking of both neighbouring dwellings.

7.3.18 Overall, having regard to the appeal approved scheme and the separate extant permission for the deeper rear projection, the development as constructed is not considered to result in unacceptable harm to the neighbouring residential amenity as set out above.

7.3.19 In summary, subject to conditions the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.4 Wildlife and Biodiversity

7.4.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.4.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.5 Mandatory Biodiversity Net Gain

7.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the ‘biodiversity gain condition’ requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an

exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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

7.5.3 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

7.6 Trees and Landscaping

7.6.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

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

T1 – Cypress – Fell and remove stump

T2 – Cypress – Fell and remove stump

T3 – Yew – Fell and remove stump

G4 – Thuja plicata x 11 – Fell and remove stump

T5 – Apple – Fell and remove stump

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

7.7 Rear amenity

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

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

7.8 Highways, Access and Parking

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

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

7.9 Permitted Development Removal

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

Part 1

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

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

8 Recommendation

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

C1 The parts of the development hereby permitted and not begun shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 6043 011 (Pre Existing Floor Plans), 6043 020 (Pre Existing Elevations), 6043 310 A (Pre Existing & Proposed Site Plan), 6043 311 REV B (Proposed Floor Plans), 6043 310 (Pre Existing and Proposed Block Plan), 6043 312 REV F (Amended Proposed Elevations), TRDC01 (Location Plan)

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

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

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 Before the first occupation of the building/extension hereby permitted the window(s) in the first-floor side elevations adjacent to No. 9 and 13 Pembroke Road shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

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

C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first-floor side elevations or roof slopes of the extension/development hereby approved.

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

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

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

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

Part 1

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

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

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

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

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

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

8.2 Informatives

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

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

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

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

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

{\b (a)} Making a Non-Material Amendment
{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-

infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home

I2 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.

I3 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.

I4 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.

I5 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.

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Figure 1: July 2024 Pre-existing rear elevation



Figure 2: July 2024 Pre-existing Front Elevation



Figure 4: February 2026 - Front Elevation



Figure 3: February 2026 - Rear Elevation



Figure 5: February 2026 - Outbuildings permitted via 25/1083/CLPD

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PLANNING COMMITTEE – Thursday 19 March 2026

26/0073/RSP – Part-Retrospective: Construction of two storey side extension, loft conversion including hip to gable extension and rear dormer and front/rear rooflights at 9 THE CRESCENT, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3DU

Parish: Croxley Green Parish Council
Ward: Dickinsons
Expiry of Statutory Period: 20.03.26
Case Officer: Lilly Varnham

Recommendation: That Part Retrospective PLANNING PERMISSION BE GRANTED subject to conditions.

Reason for consideration by the Committee: Called in by Parish Council for the reason set out at 4.1.2 below.

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

26/0073/RSP | Part-Retrospective: Construction of two storey side extension, loft conversion including hip to gable extension and rear dormer and front/rear rooflights | 9 The Crescent Croxley Green Rickmansworth Hertfordshire WD3 3DU

1 Relevant Planning and Enforcement History

1.1 25/1620/CLPD - Certificate of Lawfulness Proposed Development: Loft conversion including hip to gable roof extension with rear dormer and front rooflight; Demolition of existing outbuilding and erection of outbuilding – Permitted. Loft works currently being implemented.

2 Description of Application Site

2.1 The application site is located on The Crescent, Croxley Green. The Crescent is characterised by a number of semi-detached properties of similar architectural style and design, some of which appear to have been extended or altered.

2.2 The application dwelling is a two-storey semi-detached dwelling, sited on the south western side of The Crescent. The existing dwelling has a dark tiled hipped roof and an exterior finish consisting of pebbledash render and brown brick. The dwelling does not appear to have been previously extended; however, a pre-existing detached garage to the side of the site has recently been demolished and at the time of the officer site visit it was noted that the loft works subject of 25/1620/CLPD were being implemented on site.

2.3 To the front of the dwelling is an of hardstanding and to the rear is an amenity garden predominantly laid as lawn.

2.4 The adjoining neighbour at No. 10 is also a two-storey semi-detached dwelling, this neighbour benefits from an existing single storey side extension. The neighbour to the north is No. 8, also a two-storey semi-detached dwelling, this neighbour benefits from a single storey side and rear extension and a detached outbuilding.

2.5 The rear boundary of the application site adjoins the Dickinson Square Conservation Area.

3 Description of Proposed Development

3.1 This application seeks part retrospective planning permission for the construction of a two storey side extension, loft conversion including hip to gable extension, rear dormer and front/rear rooflights.

3.2 The proposal includes a loft conversion to the main dwelling, facilitated by a hip to gable extension, rear dormer window and a front rooflight. The dormer would have a total depth of approximately 3.5m and a width of approximately 5.4m. the dormer would have a flat roof with a total height of approximately 2.5m. Two windows are proposed within the rear elevation of the dormer. One rooflight is proposed within the front roofslope of the dwelling. It is noted that this work is currently being implemented at the application site and benefits from a lawful development certificate (25/1620/CLPD). As these works are not substantially complete, they have been included in the description of works for this current application, and the application is being considered as part retrospective.

3.3 The proposed two storey side extension would remain be set back from the main front wall of the dwelling by 0.5m and would not project beyond the existing rear building line. The extension would retain a minimum of 1m spacing to the splayed flank boundary with No. 8 The Crescent at both the ground and first floor level. The ground floor footprint would be splayed, following the nature of the boundary with the spacing increasing to the boundary as it splays away from the proposed development. The extension at the ground floor would have a total depth of approximately 7.1m and a width of approximately 2.5m to the front and 6m to the rear. At the first floor the extension has a depth of approximately 7.1m and a width of 2.5m.

3.4 The extension would be minimally set down (0.2m) from the ridge line of the dwelling at would have a gabled roof sitting at a total height of approximately 7.9m, the eaves height would be consistent with the existing eaves of the dwelling. The ground floor would have a flat roof at a total height of approximately 2.8m.

3.5 Fenestrations are proposed within the front and rear of the proposed extension at both ground and first floor level. A door is proposed within the ground floor side elevation facing No. 8. No first-floor flank windows are proposed. Rooflights are proposed within the front and rear roofslope of the extension.

3.6 Amended plans were requested and received during the course of the application omitting the rear dormer from the roofslope of the proposed two storey side extension. The spacing from the extension to the boundary was increased and two rooflights were added to the front and rear roofslope of the two-storey side extension.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid – [No response received]

4.1.2 Croxley Green Parish Council – Object.

The proposed two storey side extension should have a hipped roof to ensure symmetry with the attached house and restore the street scene in accordance with CGNP. The proposed extension to the rear dormer is ungainly and permits close overlooking of the adjoining gardens and houses in Cherry Croft. The proposed new loft extension would be outside the total permitted development allowed after taking into account the previous application for lawful development. CGPC supports neighbours comments. CGPC objects to this proposal and requests call in.

4.1.3 Conservation Officer – The Conservation Officer was verbally consulted on the application and made the following comment:

Cherry Croft would appear to be a modern addition to the Conservation Area, therefore given its context the development is considered to have a neutral impact on its setting.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 13

4.2.2 No of responses received: 10 [10 objections received, 1 neutral comment received]

4.2.3 Site Notice Posted: 29.01.2026, Expired: 19.02.2026

4.2.4 Press Notice Published: 06.02.2026, Expired: 27.02.2026

4.2.5 Summary of Responses:

Neutral Comment:

- Give residents 24 hours' notice of deliveries by large vehicles or builders blocking driveways.

Objection(s):

- Plans different to permitted development plans.
- Concerns regarding privacy of upstairs windows looking straight into bedrooms due to angle/relationship with application site.
- Loft and upstairs extension will block light and overshadow conservatory.
- Building close to boundary with side door looking into amenity space.
- Imposing.
- Other corner houses in cul-de-sac have ground floor side extension, large extension would be out of character.
- Driveway blocked.
- Materially inaccurate representation of existing property. Incorrect baseline drawings misleads planning authority and prevents a lawful assessment of the proposal.
- Unacceptable harm to neighbouring residential amenity. Loss of outlook and sky visibility. Overbearing and enclosing due to scale and proximity. Substantial loss of privacy from direct overlooking into neighbouring gardens and habitable rooms.
- Fails to respect established spatial relationships and reasonable enjoyment of neighbouring properties.
- Request council to investigate compliance with relevant permissions, permitted development limitations and building regulations.
- No consultation on roof extension which adds two windows and substantial increase in the building's height. This is inappropriate and falls short of expected practice.
- Considerable overlooking into rear rooms. Proposed design undermines privacy by adding 5 new windows facing directly into home.
- Roof extension of this scale would dominate boundary and create an intrusive, overbearing structure that would materially harm enjoyment of home and garden.
- View out of conservation area would seriously impact this.
- Reduce natural light to rear rooms.
- While we do not object to a side extension, the proposed additional top floor would create an overbearing form directly overlooking into garden.
- Residents of Cherry Croft were not notified of the current loft extension works, some of which appear to have been undertaken in preparation for this planning application.
- Not be in keeping with character of the surrounding properties, particularly in terms of roof style, scale and proximity to existing boundaries.
- Overbearing structure, resulting in overshadowing of neighbouring properties in Cherry Croft. Consequent reduction in natural light and visual outlook.
- Substantial loss of privacy.

- No. 10 has a separate planning application for a loft conversion and extension. When considered cumulatively, these developments would exacerbate the issues of overlooking and loss of privacy due to the increased number of windows.
- Intrusiveness and visibility of the extension / overbearing nature.
- Scale, bulk and siting of the proposed building not in keeping with the prevailing pattern of development in Cherry Croft.
- Material reduction in natural light.
- Reduce sense of outlook and openness currently enjoyed by neighbouring occupiers. Development would create an oppressive and dominant presence to the detriment of visual amenity.
- Revised plans still overbearing, overlooking from first floor due to angles of properties.
- Other corner of The Crescent only has a single storey extension due to proximity of houses.
- Parking concerns.
- Despite amendments proposal remains excessive in scale and bulk. Visually dominant and overbearing structure.
- Increased sense of enclosure. Loss of outlook.
- Overlooking concerns.
- If approved, consideration of glazing specifications and robust landscaping plan should be considered.
- Maintain previous objection. Two new windows at top of building and two additional windows on side elevation would directly overlook property, garden and bedrooms.
- Due to height, depth and proximity to the boundary extension would be overbearing and visually intrusive. Sense of enclosure. Significant reduction in outlook.
- Loss of privacy and light. Adversely affect views from property which is a Conservation Area.
- Concerns that work continues regardless of application.
- Overbearing impact and loss of light.
- Excessive bulk and massing.
- Privacy concerns.
- Ongoing works and whether they are authorise and whether this matter has been referred to Planning Enforcement.
- Amended scheme does not overcome fundamental harm caused by excessive scale and overbearing massing.
- Significant and direct impact on multiple habitable rooms.
- If minded to approve robust landscaping condition should be imposed requiring boundary screening of sufficient height and density to mitigate overlooking and protect neighbouring privacy.

4.3 Officer Comment – Comments from the neighbours are noted. With regards to comments around consultation for the Lawful Development Certificate, to clarify there is no requirement for the LPA to consult for this development type and there is no provision within the relevant part of the GDPO for comments to be taken into consideration. The application under reference 25/1620/CLPD sought a lawful determination based on whether the proposal complies with the requirements of the General Permitted Development Order 2015, as amended and was consented on 14.11.2025. This Certificate permitted a loft conversion, including hip to gable extension, rear dormer window (with two rear windows) and a front rooflight. The LPA are of the view that the works currently being implemented on site are being lawfully implemented. They have however been re-included in the assessment of this application given that the works are not substantially complete and the application is therefore part retrospective. All other material planning considerations including the impact on character and amenity will be discussed in the relevant sections of this report below.

5 Reason for Delay

5.1 No delay.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.
The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

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

The Environment Act 2021.

6.2 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

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

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

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM13, Appendix 2 and Appendix 5.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018). Relevant policies include: CA2, Appendix B and C.

Other

Dickinson Square Conservation Area Appraisal (2014)

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

7 Planning Analysis

7.1 Design and Impact on the Host Dwelling, Street Scene and setting of the adjacent Conservation Area

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.1.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking. The Design Criteria at Appendix 2 sets out that two storey side extensions may be positioned on the flank boundary provided that the first-floor element is set in by a minimum of 1.2 metres. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In high density areas an absolute minimum of 1 metre will be considered.

7.1.4 With regards to dormer windows, the design criteria 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. Hip to gable extensions are discouraged in the case of semi-detached houses as it is considered that this unbalances the pair and results in a loss of symmetry. In some cases, roof forms in a street may be uniform and therefore this type of alteration may erode the group value of the street and will not be supported by the Council.

7.1.5 Policy CA2 of the Croxley Green Neighbourhood Plan sets out that domestic extensions requiring planning consent should seek to conserve and enhance the character areas described in Appendix B through the careful control of massing, alignment and height. Extensions that have an overbearing or adverse visual effect on the Character Area in which it is located will be resisted. The application site is located within Character Area 4. Proposal should take account of the guidelines in Appendix C. Appendix C sets out that in the case of semi-detached houses any side extension should take account of the effect on the streetscene of a lop-sided extension. Roof extensions should not involve the raising of the roof ridge, a change from hip roof to gable (other than a "Sussex hip" or "half hip" or the construction of front dormers which are out of scale with the host building.

7.1.6 The hip to gable extension would be readily visible from the streetscene by virtue of its siting at roof level. The application site occupies a corner plot within the cul-de-sac. As a result of its position, public views of the hip to gable extension would be limited to the cul-de-sac and those properties to the rear rather than wider views. The loft conversion, incorporating the

hip to gable extension and rear dormer window currently being implemented on site has been found to be lawful under Lawful Development Certificate reference 25/1620/CLPD.

7.1.7 Whilst not the prevailing character within the cul-de-sac there are other examples of hip to gable extensions and rear dormers within the immediate streetscene including No. 7, 6, 4 and 3, it should also be noted that No. 3 also benefits from a two-storey side extension. As such, given the character of the area, the proposed hip to gable roof form is considered to be an acceptable addition to the street scene that would not result in any harm.

7.1.8 The dormer window would be a large structure, which would not be subordinate to the host dwelling and would therefore fail to meet the criteria at Appendix 2 of the DMP LDD. However, it is acknowledged that the dormer benefits from deemed planning permission and this provides a valid fallback position in the context of the application site, and accordingly would be given significant weight. As such, the lawful development certificate is a material consideration which would in this case outweigh the harm to the dwelling and character of the area caused by the size of the rear dormer window. There are a number of other dormer windows of a similar scale within the immediate vicinity of the site, and as above, an identical dormer window has been found to be lawful, it is not considered that the dormer would result in such demonstrable harm to warrant refusal of planning permission. The material circumstances in respect of the lawful development certificate would outweigh any adverse visual impact caused. In the event permission were refused, the dormer would still be constructed as it benefits from planning permission by virtue of the General Permitted Development Order.

7.1.9 As above, the proposed development includes an additional roof volume associated with the roof of the two-storey side extension of approximately 9.78m^3. When considered alongside the 40.1m^3 of the roof enlargement previously approved (hip to gable and rear dormer) under a Lawful Development Certificate, the cumulative volume of roof additions would amount to approximately 49.88m^3. In this context, officers consider that the dwelling has effectively exhausted the scope for further roof enlargements under permitted development. As such, it is not considered reasonable or necessary to remove permitted development rights under Class B, as it is unlikely that any further built form could be accommodated within the remaining permitted development allowances.

7.1.10 The proposed two storey side extension would remain set back from the front elevation of the dwelling by approximately 0.5m and would be set down from the main ridge line, ensuring it appears as a subordinate addition to the host dwelling. A minimum separation of 1m would be retained to the flank boundary with No. 8. Whilst this falls below the 1.2m separation typically sought under the council's design criteria, the guidance confirms that in higher density areas a reduced separation of 1m may be considered acceptable. The application site is considered to be located within a higher density area, where plot widths and spacing between dwellings are generally modest. In this context, the proposed 1m separation is considered proportionate. Furthermore, the spacing increases along the boundary as it splays away from the narrowest point, reducing any perception of enclosure or undue bulk.

7.1.11 It is also noted that there is an example of a two-storey side extension within the cul-de-sac at No. 3, as above the streetscene is also varied. It is therefore not considered that the development would appear unduly out of character when read in this context and owing to the spacing retained it is considered that the development would not result in the creation of a terracing effect. In terms of its overall bulk and massing, owing to the set back from the front elevation, its spacing to the boundary and set down from the ridge line it is considered that the development would remain subordinate to the host dwelling and would be of a scale, form and pattern of development which would not give rise to an incongruous or unduly prominent development such to justify the refusal of planning permission in this regard.

7.1.12 The proposed windows within the front, rear and side elevation of the extension are considered to reflect the style and appearance of the existing fenestrations and would not appear unduly out of character. The rooflights within the front and rear roofslope of the main dwelling and within the roofslope of the side extension are considered to be large, however, would be proportionate in number with the remainder of the roofslope remaining legible. It is also noted that there are examples of rooflights within the immediate context of the application site and thus on balance it is not considered that these additions in this case would appear unduly out of character.

7.1.13 In addition to the above, the extension would be constructed in materials to match the existing dwelling which would further retain its character.

7.1.14 Whilst the application site is not located within the Conservation Area, the rear boundary adjoins the boundary with the Dickinson Square Conservation Area. The properties to the rear are located within Cherry Croft. The Conservation Officer was verbally consulted on the proposal and notes that Cherry Croft appears to be a later addition to the Conservation Area, and in terms of its setting raised no in principle concerns and advised that the development would have a neutral impact on the setting.

7.1.15 In summary, the proposed development would not result in any adverse harm to the character or appearance of the streetscene, area or adversely affect the setting of the Dickinson Square Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013) and Policy CA2, Appendix B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.2.3 The proposed loft conversion, including hip to gable extension and rear dormer window is not considered to be readily visible from the neighbour at No. 8 given that the rear of the host dwelling is angled away from this neighbour. Whilst it introduces additional bulk and massing at roof level, given the relationship between the two dwellings it is not considered that this would result in an overbearing form of development or harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling. Two windows are proposed within the rear elevation of the dormer, which would predominantly angle views to the rear, thus it is not considered that this would result in harmful overlooking of this neighbouring dwelling.

7.2.4 In relation to the adjoining neighbour at No. 10, it is noted that there is a pending application via LPA reference 26/0126/FUL for a part single, part two storey side extension. This application has not been determined and therefore weight cannot be attached to this. In any case, whilst the proposed rear dormer would add bulk at roof level adjacent to the boundary with this neighbour its height and siting are such that it would not appear overbearing or visually intrusive. Officers also acknowledge that this is currently being lawfully implemented on site in accordance with the Lawful Development Certificate approved under reference 25/1620/CLPD which is considered material to this assessment. It is not considered that this element would give rise to an overbearing form of development or harmful loss of light as experienced by the occupiers of this neighbouring dwelling. The rear windows would

introduce fenestrations at the second-floor level which did not previously exist and it is therefore acknowledged that both perception and actual overlooking would increase. However, views would predominantly be directed outward or towards the rear garden of the neighbouring dwelling. As such, it is not considered that the additional fenestrations at this level would facilitate harmful overlooking of this neighbour such to justify a refusal in this regard.

7.2.5 The loft conversion including hip to gable extension and rear dormer window would be readily visible from those properties to the rear on Cherry Croft, notably No. 4-7 whose rear boundaries adjoin the rear of the application site. Whilst the development would be visible, sufficient spacing would be retained to the boundary with these neighbours with a minimum of approximately 20m from the rear of the extension to the rear elevation of No. 5 Cherry Croft. As above the application site benefits from a lawful development certificate for the hip to gable extension and rear dormer. Given the existing relationship between the application site and these neighbouring dwellings, it is considered that there is an inherent degree of overlooking particularly at first floor level. Whilst the additional windows at the roof level would increase both perceived and actual overlooking given that windows did not previously exist at this level. However, views are considered to be directed outwards, and whilst it is acknowledged that overlooking may increase, it is not considered that these views would result in harmful overlooking beyond that of the inherent overlooking that already exists at the first-floor level. In light of the above, on balance it is not considered that the proposal would result in an overbearing form of development or harmful loss of light to the residential amenities of the occupiers of these neighbouring dwellings such to justify a refusal of permission in this regard.

7.2.6 The proposed two storey side extension would be sited closest to the boundary with No. 8 The Crescent. The application site occupies a corner plot, meaning there is an existing angled relationship with this neighbour. The side extension would be set back from the front elevation of the host dwelling, and it would remain set off the shared boundary by a minimum of 1m at both ground and first floor level with the spacing increasing as the boundary splays. The roof form would be gabled and would be set down from the main ridge line of the dwelling. It is considered that the spacing to the boundary and the set back from the front elevation would to some extent reduce the perceivable bulk and massing, officers do however acknowledge the visual impact. However, owing to the set down from the ridge line, the separation retained to the boundary and the extensions set back from the front elevation it is not considered that the development would give rise to an overbearing form of development of harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling such to justify a refusal of permission in this regard.

7.2.7 With regards to the ground floor fenestrations within the front and rear of the extension these would predominantly have outlook over the application site's frontage and rear amenity space and are not considered to facilitate additional overlooking beyond that of the existing fenestrations. The door within the ground floor side elevation would serve the utility room and whilst this would face towards the boundary with No 8, owing to the separation from the boundary, the existing boundary treatments and its siting at the ground floor level it is not considered that this door would give rise to unacceptable overlooking of this neighbour.

7.2.8 Officers acknowledge that concerns have been raised regarding the first-floor windows within the extension. The window within the side extension would predominantly have outlook over the application site frontage, and the highway/site frontages of the neighbouring properties. It is noted that this window would serve a habitable room (a bedroom) and given the angled relationship between the host dwelling and the neighbour at No. 8 it is considered that this may result in an increased perception of overlooking given that the window would be closer to the boundary. However, given the site context it is considered that there is an inherent degree of overlooking between neighbouring properties particularly on the corner plots. As above, it is considered that views would predominantly be directed over the site frontages of neighbouring dwellings as opposed to direct

overlooking of first floor habitable rooms. Thus, on balance, it is not considered that this window would facilitate additional or harmful levels of overlooking of this neighbour such to justify a refusal in this regard.

7.2.9 The properties to the rear of the site on Cherry Croft have a back-to-back relationship with the application site. There is a minimum separation distance of approximately 20m from the rear elevation of the extension/host dwelling to No. 5 Cherry Croft, this increase to approximately 22m to No. 4 and No. 6, approximately 25m to No. 7 and approximately 28m to No. 3. The proposed side extension would not extend beyond the current rear building line of the application dwelling, whilst the development would be visible from the rear of these properties, appropriate spacing would be retained to the boundaries. The development is read in the backdrop of existing development to the northwest and east with the neighbouring dwellings adjacent and on the opposing side of The Crescent visible from the rear of these sites. Given the separation retained to the boundaries and the set down from the ridge it is not considered that the proposed extension would result in demonstrable harm to the residential amenities of the occupiers of these neighbouring dwellings such to justify a refusal in this regard. Whilst it would introduce an additional window within the rear elevation at the first-floor level, it is not considered that this would facilitate additional levels of overlooking beyond that of the existing first floor rear windows.

7.2.10 The rooflights in the front and rear roofslope of the side extension would serve loft storage within the roofspace and are therefore not considered to result in overlooking of any neighbouring dwelling. The rooflight within the main roofslope of the host dwelling would serve the loft accommodation, it is considered that views would largely be over the application site frontage and adjacent highway and are not considered to give rise to unacceptable overlooking of any neighbour.

7.2.11 In summary, subject to conditions the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.3 Wildlife and Biodiversity

7.3.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.3.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.4 Mandatory Biodiversity Net Gain

7.4.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the ‘biodiversity gain condition’ requiring development to

achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

7.4.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

7.5 Trees and Landscaping

7.5.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.5.2 The application site is not located within a Conservation Area and there are no trees protected by a Tree Preservation Order within the site. The rear boundary of the application site adjoins the Dickinson Square Conservation Area where all trees are afforded protection by virtue of the Conservation Area designation. The development is sited to the side of the dwelling where there are no trees present. The application form declares that no trees or hedges need to be removed or pruned in order to carry out the proposal and is therefore considered acceptable in this regard.

7.6 Rear amenity

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

7.6.2 The existing dwelling has three bedrooms at the first-floor level. It is acknowledged that the existing floor plans show one additional bedroom at loft level, these works are currently being implemented following the permitted Lawful Development Certificate via 25/1620/CLPD. At the time of the officer site visit these works were not substantially complete. Therefore, for the purposes of this assessment, the starting point would be that the dwelling has 3 bedrooms.

7.6.3 The proposal therefore would increase the number of bedrooms within the dwelling by two (one in the loft and the other in the proposed side extension), resulting in a five-bedroom dwelling.

7.6.4 Appendix 2 of the DMP LDD sets out that five-bedroom dwellings would require 126sqm of rear amenity space. The application site would retain approximately 137sqm of rear amenity space, which would comply with the guidelines above. The proposal is therefore considered acceptable in this regard.

7.7 Highways, Access and Parking

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

7.7.2 The existing dwelling has three bedrooms at the first-floor level. It is acknowledged that the existing floor plans show one additional bedroom at loft level, these works are currently being implemented following the permitted Lawful Development Certificate via 25/1620/CLPD. At the time of the officer site visit these works were not substantially

complete. Therefore, for the purposes of this assessment, the starting point would be that the dwelling has 3 bedrooms.

7.7.3 The proposal therefore would increase the number of bedrooms within the dwelling by two (one in the loft and the other in the proposed side extension), resulting in a five-bedroom dwelling.

7.7.4 Appendix 5 of DMP LDD sets out that four or more-bedroom dwellings require 3 assigned spaces within the dwelling's curtilage. The application site has an existing driveway with off street parking provision for two vehicles. No increase in provision is proposed and there would therefore be a shortfall of one space. The Croxley Green Permit Parking Zone exists on local roads adjacent to the application site, as well as double yellow lines which would limit parking availability in the immediate vicinity and therefore opportunities for injudicious parking. Whilst the shortfall is noted it is not considered to be significant in this regard given the location of the site and its proximity to local amenities/public transport including Croxley Station which is approximately a 3-minute walk from the application site. The proposal is therefore considered acceptable in this regard.

8 Recommendation

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

C1 The parts of the development hereby permitted and not begun shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 0126-01, 0126-02, 0126-03 A

Reason: For the avoidance of doubt, and in the proper interests of planning and to safeguard the setting of the character and appearance of the Dickinson Square Conservation Area in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2, Appendix B and C of the Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018).

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 ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first-floor side elevations or roof slopes of the extension/development hereby approved.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1

and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

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

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

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

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

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

{\b (a)} Making a Non-Material Amendment
{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is

available at: https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home

I2 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.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.

I5 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.

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26/0073/RSP – 9 The Crescent Site Photos

Preexisting (October 2025)



Figure 1: October 2025 Pre Existing Front Elevation



Figure 1: October 2025 Pre Existing Rear Elevation

February 2026





Figure 2: February 2026 Rear Elevation





Figure 3: February 2026 Front Elevation and Rear View



Figure 3: February 2026 Side Elevation

View from Neighboring Sites – Cherry Croft



Figure 4: View from 5 Cherry Croft Rear Garden



Figure 5: View from 5 Cherry Croft First Floor Rear Window



Figure 6: View from 7 Cherry Croft Rear Garden





Figure 7: View from 7 Cherry Croft First Floor Rear Window