
PLANNING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Thursday, 20 August 2026 at 7.30 pm in the Penn Chamber, Three Rivers House, Rickmansworth WD3 1RL.

Members of the Planning Committee:-

Councillors:

Chris Whately-Smith (Chair)
Oliver Cooper
Stephen Cox
Raj Khiroya
Chris Mitchell

Elinor Gazzard (Vice-Chair)
Debbie Morris
Reena Ranger OBE
Tom Smith

*Joanne Wagstaffe, Chief Executive
Wednesday, 12 August 2026*

The Council welcomes contributions from members of the public on agenda items at 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 meeting. 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 - 12)

To confirm as a correct record the minutes of the Planning Committee meeting held on 16 July 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. 25/2168/OUT - Outline application: Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters) at Land Adjacent To Woodlands Cottage, Oxhey Lane, Carpenders Park, Watford, Hertfordshire

(Pages 13 - 130)

Outline application: construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters) at Land Adjacent To Woodlands Cottage, Oxhey Lane, Carpenders Park, Watford, Hertfordshire.

Recommendation: that authority is delegated to the Head of Regulatory Services to grant planning permission, following completion of a S106 Agreement (securing the Heads of Term including affordable housing provision, travel plan, contributions to infrastructure including education, healthcare and waste infrastructure and monitoring fees) subject to conditions and to make any minor amendments to the Heads of Terms and Planning Conditions in consultation with the Planning Committee Chair.

6. 26/0645/FUL - Demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration at 75 Nightingale Road, Rickmansworth, Hertfordshire WD3 7BU

(Pages 131 - 162)

Demolition of existing two storey side extension, single storey rear extension and front porch; construction of two storey side extension and single storey rear extension, loft conversion including alterations to roof form, with front/rear dormers, rear Juliet dormer and front/side rooflights; internal alterations and alterations to fenestration at 75 Nightingale Road, Rickmansworth.

Recommendation: that planning permission is approved.

7. **26/1042/FUL - Loft conversion including hip to gable roof extension; construction of a rear dormer; installation of rooflights and removal of chimney stack, single storey front extension and front porch, alterations to fenestration, alterations to front amenity garden and construction of front pedestrian gate at 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire WD3 3QN** (Pages 163 - 178)

Loft conversion including hip to gable roof extension; construction of a rear dormer; installation of rooflights and removal of chimney stack, single storey front extension and front porch, alterations to fenestration, alterations to front amenity garden and construction of front pedestrian gate at 36 Girton Way, Croxley Green, Rickmansworth.

Recommendation: that planning permission be granted subject to conditions.

8. **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

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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, 16 July 2026 from 7.30 - 9.17 pm

Present: Councillors Chris Whately-Smith (Chair), Elinor Gazzard, Oliver Cooper, Stephen Giles-Medhurst OBE, Chris Mitchell, Debbie Morris, Reena Ranger OBE and Tom Smith

Also in Attendance:

Councillor Ian Campbell, Councillor Vicky Edwards, Parish Councillor Guy Parks (Croxley Green Parish Council), Parish Councillor Jon Bishop (Chorleywood Parish Council) and Councillor Ciaràn Reed

Officers in Attendance:

Lauren Edwards, Principal Planning Officer
Emma Lund, Senior Committee Officer
Matthew Roberts, Development Management Team Leader
Kimberley Rowley, Head of Regulatory Services
Lilly Varnham, Senior Planning Officer

PC156/25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Raj Khiroya and Stephen Cox.

Councillor Stephen Giles-Medhurst replaced Councillor Raj Khiroya for this meeting only.

PC157/25 MINUTES

The minutes of the Planning Committee meeting held on 18 June 2026 were confirmed as a correct record and signed by the Chair.

PC158/25 NOTICE OF URGENT BUSINESS

There were no items of urgent business.

PC159/25 DECLARATIONS OF INTEREST

Councillor Reena Ranger declared a non-pecuniary interest in agenda item 8 (26/0639/RSP – 38 Bedford Road, Moor Park, Northwood) as she lived within the neighbour consultation area for the application. Councillor Ranger left the meeting whilst the application was considered and did not participate in the debate or vote.

Councillor Chris Mitchell declared a non-pecuniary interest in agenda item 9 (26/0678/FUL – 16A Cophorne Road, Croxley Green, Rickmansworth) as he was a friend of a resident of a

neighbouring property. Councillor Mitchell left the meeting whilst the application was considered and did not participate in the debate or vote.

PC160/25 25/1831/RSP - PART RETROSPECTIVE: CHANGE OF USE OF LAND FOR THE STATIONING OF CARAVANS FOR RESIDENTIAL PURPOSES FOR 5 NO. GYPSY PITCHES (10 STATICS) INCLUDING FORMATION OF HARDSTANDING AND LANDSCAPING AT LITTLE LILY, TOMS LANE, KINGS LANGLEY, HERTFORDSHIRE WD4 8NJ

The application was part retrospective for change of use of land for the stationing of caravans for residential purposes for 5 no. gypsy pitches (10 statics) including formation of hardstanding and landscaping at Little Lily, Toms Lane, Kings Langley.

For the benefit of the committee, the Planning Officer summarised that the application followed the grant of planning permission in 2025 for a change of use of land for the stationing of caravans for residential purposes for five pitches with a brick-built day room. When assessed against national planning policy at the time, the development was considered to comprise inappropriate development in the Green Belt. However, there were Very Special Circumstances which led to its approval, subject to a personal condition to named individuals and their resident dependents. The principle of the use of the land as a traveller site had therefore already been established.

With regard to the current application, the site was no longer considered to be inappropriate in the Green Belt following the introduction of the December 2024 version of the NPPF. Instead, the site was considered to be Grey Belt whilst also meeting paragraph 155 of the NPPF. On this basis, the officer recommendation excluded the personal condition, as personal circumstances were no longer material to the acceptability of the scheme.

In terms of the differences between the previously permitted scheme and the current application, the Planning Officer clarified that there would be no increase in the number of pitches, which would remain at five. However, each pitch would no longer include one static caravan and one touring caravan, but instead two static caravans, with one providing residential accommodation and the other ancillary day room facilities. Accordingly, the previously permitted brick-built day room was no longer proposed as part of this application. In total the application sought to permit ten static caravans across the application site, equating to the five pitches as previously permitted, with recommended conditions to control the use and number of caravans.

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

- Concerns had been raised locally about both the number of caravans and the number of people who would be residing at the site. The Planning Officer confirmed that an existing enforcement case was open, and additionally that the site would likely be subject to ongoing monitoring by Environmental Health as part of the regular licencing arrangements for traveller sites. In the event that it was found during such a visit that residency or accommodation limits were being exceeded, then the recommended conditions would enable the local planning authority to serve breach of condition notices, against which there was no right to an appeal. The Planning Officer also commented that the site layout was constrained by the distances between the caravans themselves. Any additional caravans above the permitted number for the site would potentially breach fire safety regulations and result in enforcement action on the grounds of fire safety concerns.
- With regard to residents' concerns about noise and disturbance, the Planning Officer reported that these were matters which could be addressed by Environmental Health, rather than planning considerations.

- A Committee Member commented that the previous approval had been for five families, who would likely be quieter than groups of individuals. The Planning Officer responded that whilst the personal condition was no longer applicable, those residing at the site would still need to meet the definition for Gypsies and Travellers set out within the Planning Policy for Traveller Sites and this was controlled by condition. No change was proposed to the number of pitches (5) which had already been approved. Additionally, Condition 4 sought to prevent and control any non-residential uses of the site.
- In response to a Committee Member's question about the potential for caravans to be sited very close to the back boundary with the nearest residential neighbour, and the potential for this to cause noise and disturbance to the neighbour, the Planning Officer clarified that boundary planting was proposed in order to mitigate privacy issues. Several Committee Members drew attention to the need to ensure that this planting scheme was implemented. However, with Gypsy and Traveller sites the permission arguably related to use of the land, and so the static caravans would be able to be re-positioned or re-orientated within the site. However, should there be any attempt to move too many of the caravans close to the boundary this would contravene fire regulations (which required the caravans to be kept at least 6m apart), and probably also the site licence. In response to a further question, the Planning Officer confirmed that a requirement to submit details of the boundary planting (principally in relation to the north-western boundary with the nearest residential neighbour) could be conditioned.
- A Committee Member raised concerns about the over-intensification of the site and expressed the view that the provision of 10 static caravans would result in greater occupancy than would the case with one static caravan and one touring caravan per pitch, and additionally that the static caravans may be used to accommodate more people than was intended. The Committee Member stated that the site had already been subject to significant environmental health problems, including a rat infestation due to the failure to dispose of rubbish, and site access issues, both of which would be exacerbated by the over-intensification. Additionally, removing the touring caravans in favour of static caravans represented a move away from the principles and rules for gypsy and traveller sites and would make future control of the use of the site more difficult. The Committee Member also commented that whilst the weight given to the emerging local plan was limited, it set out that the size and scale of gypsy and traveller sites (either alone or in combination with other sites) should respect the size and density of the local settled community and not be dominant, which was not considered to be the case with this application.
- The Planning Officer responded that there was potential to condition bin storage and waste management on site and to require the placement of bins away from residential boundaries to facilitate collection by waste management services. However, the application needed to be determined according to what was proposed and not what might (or might not) happen. It was suggested that the wording of Condition C2 could be tightened to require 'no more than 5 caravans to be *solely* used as primary living accommodation and no more than 5 caravans to be used *solely* to accommodate ancillary day room facilities.' The Planning Officer also highlighted that there was a control in the fact that should the static caravans which were provided for day amenity instead be used for residential accommodation then the site would lack sufficient amenity, rendering the accommodation level sub-standard. In further debate it was suggested that the condition should refer only to accommodation (not 'primary accommodation') and that the reason for the condition should clarify why the day amenity provision was required.
- A number of Committee Members highlighted the need to restrict the over-use of the site. Concerns were also raised with regard to the use of large vehicles at the site, parking arrangements, and the potential disruption and loss of amenity to neighbouring residents arising from noise. In response to a question, the Planning Officer confirmed that an emergency vehicle access route would be required to be provided under the terms of the site licence.

- A Committee Member expressed the view that unless the development addressed unmet need it would not be appropriate development in the Green Belt. The issue of whether or not the proposal would meet unmet development need was therefore key. Given that the emerging Local Plan had identified sufficient pitches across the district to meet the existing need, it was not considered that the additional caravans proposed within this application were required and therefore that it represented over-intensification. In response, the Planning Officer reported that officers were of the opinion that the site was Grey Belt and met the tests at Paragraph 155 of the NPPF. Additionally, as the emerging Local Plan had not yet reached the Regulation 19 stage and there was no clarity about when it would be adopted, there was still unmet need on the basis of the current evidence base. This view had been supported by recent appeal decisions.

Councillor Giles-Medhurst moved, and Councillor Mitchell seconded, that the application be refused due to the impact on neighbouring amenity and impacts on visual amenity of the area through the intensification of additional static caravans across the site in conjunction with associated paraphernalia and activities, a lack of soft landscaping and poor waste management.

Councillor Cooper moved that the reasons for refusal should also include that the proposal was inappropriate development in the Green Belt as it did not meet unmet need. This was not accepted by the mover of the substantive motion on the basis that the proposal did not change the existing capacity of the site. The amendment was not seconded and therefore fell.

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

RESOLVED:

That the application be refused due to the impact on neighbouring amenity and impacts on visual amenity of the area through the intensification of additional static caravans across the site in conjunction with associated paraphernalia and activities, a lack of soft landscaping and poor waste management.

PC161/25 26/0377/LBC - LISTED BUILDING CONSENT: REFURBISHMENT OF EXISTING K6 TELEPHONE KIOSK INCLUDING MINOR REPAIRS, REPLACEMENT OF GLAZING, REINSTATEMENT OF MISSING SIGNAGE, INSTALLATION OF REMOVABLE TRANSPARENT STAINED-GLASS-EFFECT COMMUNITY ARTWORK PANEL TO THE INTERNAL FACE OF GLAZING AT K6 TELEPHONE KIOSK, OPPOSITE ALL SAINTS CHURCH, CROXLEY GREEN, HERTFORDSHIRE WD3 3AN

The application was for listed building consent for refurbishment of existing K6 telephone kiosk including minor repairs, replacement of glazing, reinstatement of missing signage, installation of removable transparent stained-glass-effect community artwork panel to the internal face of glazing at K6 Telephone Kiosk, Opposite All Saints Church, Croxley Green.

There was no officer update.

Parish Councillor Guy Parks of Croxley Green Parish Council spoke in favour of the application.

Points raised by the speaker included that the proposal, which had been produced by members of Croxley Green Parish Youth Council who had been involved with all aspects of its inception and development, would re-purpose the telephone kiosk as a community art installation; the project had given youth council members valuable experience of local democracy, heritage conservation and project management, while enabling them to make a lasting contribution to their community; a community art competition would be held following the restoration of the kiosk inviting local children and young people to create stained glass inspired designs celebrating the heritage, landscape and culture of Croxley Green; the

proposal would enable the unused asset to be transformed into an attractive and welcoming landmark; and the installation would be entirely reversible, ensuring no harm to the Grade 2 listed asset and allowing future generations to refresh the artwork.

Committee Members were supportive of the proposal, which was considered to be a worthwhile project which would bring a welcome new purpose to the asset.

Councillor Mitchell moved, and Councillor Ranger seconded, that listed building consent be granted subject to conditions. On being put to the vote this was carried, the voting being unanimous.

RESOLVED:

That listed building consent be granted subject to conditions.

PC162/25 26/0537/FUL – CONSTRUCTION OF PART SINGLE, PART TWO STOREY FRONT AND SIDE EXTENSION, SINGLE STOREY REAR EXTENSION; INSTALLATION OF WINDOWS TO SIDE ELEVATION AT 63 WATFORD ROAD, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE, WD3 3DS

The application was for construction of a part single, part two storey front and side extension, single storey rear extension, and installation of windows to side elevation at 63 Watford Road, Croxley Green, Rickmansworth.

There was no officer update.

Parish Councillor Guy Parks of Croxley Green Parish Council spoke against the application.

Points raised by the speaker included: the old crossover had not been removed and was still in use in addition to the new crossover. Therefore, there had been a change to parking arrangements which was not reflected in the application; by bringing the extension right up to, or within 300m of, the boundary with a new blank elevation with only one upper window to a habitable room, the wide aspect and original harmonious street scene of Dickinson Square would be lost; the setback and wide aspect should be retained and the house should continue to have windows facing Dickinson Square; and extensions to the house could be carried out in other less aesthetically damaging ways further back from the pavement.

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

- In response to the comment made by the speaker about the status of the original crossover, a Committee Member commented that the Highways Authority had raised the dropped kerb and therefore it had potentially been included in the plans in error. The Planning Officer clarified that the acceptability of the scheme was not dependent on the removal or closing up of the dropped kerb.
- It was noted that the Conservation Officer had no objection to the proposal.

Councillor Morris moved, and Councillor Whately-Smith seconded, that planning permission be granted subject to conditions. On being put to the vote this was carried, the voting being 6 in favour, 0 against, 2 abstentions.

RESOLVED:

That planning permission be granted subject to conditions.

PC163/25 26/0639/RSP – PART RETROSPECTIVE: CONSTRUCTION OF SINGLE STOREY SIDE EXTENSION TO CREATE A GARAGE, AND INSTALLATION OF SOLAR

PANELS AT 38 BEDFORD ROAD, MOOR PARK, NORTHWOOD, HERTFORDSHIRE HA6 2AZ

Councillor Ranger left the meeting.

The application was part retrospective for construction of a single storey side extension to create a garage, and installation of solar panels at 38 Bedford Road, Moor Park, Northwood.

There was no officer update.

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

- A Committee Member commented on the design of the existing gates, which were not considered to be aesthetically pleasing, although it was acknowledged that they did not form part of the application under consideration and were lawful.
- A Committee Member highlighted that the addition of the garage would result in a plot width coverage 87.5%, as opposed to the 80% maximum set out in the Moor Park Conservation Area Appraisal. Additionally, the Moor Park Conservation Area Appraisal stipulated that there should be a 1.5m gap between the closest edge of the structure and the boundary, whereas in this application it was significantly less than that. The Planning Officer confirmed that the Conservation Officer had no objection to the proposal.

Councillor Whately-Smith moved, and Councillor Cooper seconded, that part-retrospective planning permission be granted subject to conditions. On being put to the vote this was carried, the voting being 6 in favour, 0 against, 1 abstention.

RESOLVED:

That part-retrospective planning permission be granted subject to conditions.

Councillor Ranger re-joined the meeting.

PC164/25 26/0678/FUL - DEMOLITION OF EXISTING GARAGE AND OUTBUILDING, CONSTRUCTION OF TWO STOREY FRONT AND SIDE EXTENSIONS; SINGLE STOREY SIDE AND REAR EXTENSIONS; OMISSION OF REAR BALCONIES AND REPLACEMENT WITH REAR JULIET BALCONIES, INTERNAL ALTERATIONS AND ALTERATIONS TO FENESTRATION; ALTERATIONS TO DRIVEWAY; EXTENSION OF REAR PATIO AREA; ALTERATION OF EXTERNAL MATERIALS INCLUDING RENDER AND CLADDING; ALTERATION OF FRONT ENTRANCE AT 16A COPTHORNE ROAD, CROXLEY GREEN, RICKMANSWORTH, HERTFORDSHIRE WD3 4AE

Councillor Mitchell left the meeting.

The application was for demolition of existing garage and outbuilding, construction of two storey front and side extensions; single storey side and rear extensions; omission of rear balconies and replacement with rear Juliet balconies, internal alterations and alterations to fenestration; alterations to driveway; extension of rear patio area; alteration of external materials including render and cladding; alteration of front entrance at 16A Copthorne Road, Croxley Green, Rickmansworth.

The Planning Officer provided an update that following publication of the report, officers had undertaken a site visit to the neighbouring property, 18A Copthorne Road, in order to further review the relationship between the application site and the neighbouring property. Observations from the visit had been considered, and officers were satisfied that the assessment and conclusions as set out in the report remained unchanged.

A neighbouring resident spoke against the application.

Parish Councillor Guy Parks of Croxley Green Parish Council spoke on the application.

Points raised by speakers against the proposal included: there would be a harmful impact on the neighbouring property in terms of reduction in daylight, unbalanced mass, outlook, openness and a sense of enclosure; there had been no BRE daylight assessment, sunlight study or other quantitative analysis; and there was a lack of evidence to demonstrate that the harmful impacts which had been identified were no longer harmful following the amendments made during the course of the application.

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

- In response to points raised by speakers, the Planning Officer reported that whilst concerns had been raised at the pre-application stage with regards to depth, height and spacing to the boundary, it was the view of officers that these concerns had been addressed through the amended plans received during the course of the application. The height of the single storey rear extension had been reduced, and the two storey built form was set down from the ridge with the first floor being set back from the ground floor footprint. Officers acknowledged that the proposal would be visible from habitable windows of the neighbouring property. However, two of the affected rooms benefitted from dual aspects being at the ground floor, which reduced the reliance on the outlook in the direction of the proposed extension. The remaining window served a room identified as an office / bedroom. Whilst the proposal would inevitably introduce some additional built form into the outlook from this window, having regard to the separation distance set down from the ridge and the overall scale and design of the extension, officers did not consider that the visual impact would be so significant as to result to unacceptable harm to the living conditions of neighbouring occupiers.
- The Planning Officer clarified that the c1.5m gap to the flank boundary with 18A was in excess of the Council's design criteria and also confirmed that a 45 degree assessment had been made as set out in section 7.2.7 of the report.

Councillor Whately-Smith moved, and Councillor Gazzard seconded, that planning permission be granted subject to conditions. On being put to the vote this was carried, the voting being 4 in favour, 0 against, 3 abstentions.

RESOLVED:

That planning permission be granted subject to conditions.

PC165/25 ITEM WITHDRAWN 26/0692/FUL - REMOVAL OF SINGLE STOREY FRONT EXTENSION AND, CONSTRUCTION OF SINGLE STOREY SIDE/REAR EXTENSION, REMOVAL OF CHIMNEYS; ALTERATION TO FENESTRATION INCLUDING RELOCATION OF ENTRANCE DOOR, EXTERNAL MATERIALS INCLUDING RENDER AT 42 MARLIN SQUARE, ABBOTS LANGLEY, HERTFORDSHIRE WD5 0EG

This item was withdrawn from the agenda prior to the meeting.

CHAIR

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PLANNING COMMITTEE – Thursday 26 February 2026

25/2168/OUT - Outline application: Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters) at LAND ADJACENT TO WOODLANDS COTTAGE, OXHEY LANE, CARPENDERS PARK, WATFORD, HERTFORDSHIRE.

Parish: Watford Rural

Ward: Carpenders Park

Expiry of Statutory Period: 23 March 2026
Extension of time agreed 28 August 2026.

Case Officer: Suzanne O'Brien

Development type: Major Dwellings

Recommendation: That authority is delegated to the Head of Regulatory Services to grant planning permission, following completion of a S106 Agreement (securing the Heads of Term set out at 7.21 below including affordable housing provision, travel plan, contributions to infrastructure including education, healthcare and waste infrastructure and monitoring fees) subject to conditions AND to make any minor amendments to the Heads of Terms and Planning Conditions in consultation with the Planning Committee Chair.

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee due to the size of the application and highways impact.

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=T7AT05QFJ9300>

Executive Summary

This report makes a full assessment of planning application 26/2168/OUT, Outline consent for the construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters).

The assessment has considered all relevant material planning considerations, including the provisions of the National Planning Policy Framework (NPPF) and The Three Rivers Local Development Plan. The responses from consultees have also been considered, and a list of all consultees is included at section 4 of the report with their full comments provided in **Appendix 1**. With the exception of the Conservation Officer who has commented that the proposal would result in a lower level of less than substantial harm to the setting of the nearby Grade II Listed Building no objections were raised by the consultees.

The primary planning considerations include the principle of the development in the Green Belt; impact on landscape and impact on green infrastructure, character and heritage; housing provision; highways and access considerations and residential amenity. Officers have assessed these matters and all other planning considerations and conclude that the proposal is acceptable.

In relation to Green Belt, officers consider that the site is Grey Belt and the proposal accords with clauses (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. A lower level of less than substantial harm to the setting of the neighbouring Grade II Listed Building was identified however public benefits would outweigh this harm. Subject to conditions/ S106 legal

agreement there are no objections on highways, amenity or other grounds. The site is allocated (Site CFS13) in the emerging Regulation 19 Site Allocations.

Considering the character of the site and sustainable location no significant adverse impacts or reasons for refusal of the scheme have been identified.

The benefits of the scheme, which are considered at section 7.22, include the need for housing, the need for affordable housing and compliance with the 'Golden Rules'. These hold substantial and significant weight in favour of the development.

Overall, the report clearly demonstrates that the benefits of the scheme, when assessed against the policies in the Framework, clearly outweigh the lower level of less than substantial harm to the heritage asset.

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

1. Relevant Planning History

- 1.1 No relevant planning history.

2. Description of Application Site

- 2.1 The site is approximately 2.7 hectares in area and sited within the Metropolitan Green Belt located adjacent to Watford Heath and the boundary with Watford Borough Council. The site subject to this application predominantly consists of open grazing land with associated low level built form to facilitate the existing grazing of the land. It has an open frontage along Oxhey Lane allowing views of the residential development that adjoins the eastern boundary. The eastern boundary contains a vegetation buffer between the field and residential properties. The site contains protected trees sited within the south eastern corner of the site.
- 2.2 The site adjoins residential properties along the northern and eastern boundaries (both within Watford Borough Council) with the southern boundary adjoins Auburn Mere Residential Home and Woodlands Cottages (sited within Three Rivers). Woodlands Cottages consist of a set of four adjoining two storey cottages where the rear elevations run parallel with the south eastern boundary of the site; the rear amenity spaces adjoins the application site.
- 2.3 The site is located within close proximity to a number of heritage assets including the Watford Heath Conservation Area, that adjoins the northern boundary. A number of locally listed buildings, including the neighbouring property, are sited within the adjacent Conservation Area. To the south west on the opposite side of Oxhey Lane are Oxhey Grange and Oxhey Grange Lodge, both of which are Grade II Listed Buildings.
- 2.4 A pipeline buffer runs parallel to the northern western and north eastern boundaries of the site.

3. Description of Proposed Development

- 3.1 This application seeks outline planning permission for the; 'Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure with Appearance, Layout, Landscaping and Scale as reserved matters'.
- 3.2 A new pedestrian and vehicular access onto Oxhey Lane would be implemented which would be sited approximately 67m from the north western boundary of the site. The access is being formally considered under this Outline application.
- 3.3 The proposed development would provide up to 70 residential dwellings. As this is outline only, the application is supported by a 'Building Heights' Parameter Plan that indicates that

the development would consist of a mix of 2, 2.5 and 3 storey buildings set back within the site with open green space sited between the development and Oxhey Lane. The above-mentioned parameter plan and Design Code indicate that the 2 storey development would front onto the open space with the 2.5 storey sited behind and the 3 storey development located centrally in the site. The application is also supported by an illustrative master plan and Land Use Parameter Plan to show how the site could be developed. As all matters regarding appearance, layout and scale are reserved this is for illustrative purposes only.

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

- Application Form
- Proposed plans – including parameter plans and indicative plans
- Air Quality Assessment (Ardent Consulting Engineers, November 2025)
- Arboricultural Implications Report (SJA trees, November 2025)
- Archaeological Desk Based Assessment (rps Group, November 2025)
- Biodiversity Net Gain Report (EPR, November 2025)
- Biodiversity Checklist
- Ecological Impact Assessment (EPR, November 2025)
- Design and Access Statement (Adam Architecture, December 2025)
- Design Code (Adam Architecture, December 2025)
- Flood Risk Assessment and Drainage Strategy Report (ADC, November 2025)
- Heritage Statement (Montagu Evans, December 2025)
- Landscape Visual Impact Assessment and Green Belt Assessment (golby + luck landscape architects, November 2025)
- Preliminary Risk Assessment (IDOM, November 2025)
- Planning Statement (Savills, December 2025)
- Statement of Community Involvement (Savills, December 2025)
- Sustainability and Energy Statement (Blue Sky Unlimited, November 2025)
- Transport Statement (ADC Infrastructure, November 2025)
- Travel Plan (ADC Infrastructure, November 2025)
- Agricultural Land Classification (Savills, June 2025)
- Affordable Housing Statement (Savills, 2026)

4. Consultation

4.1 A summary is provided below, with the full comments set out in **Appendix 1**.

Wafford Rural Parish Council	1.1.1	Objection
Three Rivers Development Plans Officer	1.1.2	Comment
Herts County Council Archaeology Officer	1.1.3	No objection
London Underground	1.1.4	No objection
British Pipeline Agency	1.1.5	No objection
National Highways	1.1.6	No objection
Herts County Council Fire and Rescue	1.1.7	No objection
Three Rivers Leisure Officer	1.1.8	No objection
Herts County Council Highways Authority	1.1.9	No objection
Conservation Officer	1.1.10	Heritage harm identified
Herts County Council Minerals and Waste	1.1.11	No objection
East of England Ambulance Service	1.1.12	Comment
Three Rivers Housing Officer	1.1.13	No objection
Herts County Council Growth and Infrastructure	1.1.14	No objection
Affinity Water	1.1.15	No objection
Thames Water	1.1.16	No objection
Watford Environmental Health Officer	1.1.17	No objection
Herts and West Sussex Integrated Care Board	1.1.18	No objection

Cadent Gas	1.1.19	No objection
Watford Borough Council	1.1.20	No objection
Herts County Council Ecology	1.1.21	No objection
Three Rivers Landscape Officer (Arboricultural)	1.1.22	No objection
Herts Lead Local Flood Authority	1.1.23	No objection
Hertsmere Borough Council	1.1.24	Comment
Natural England	1.1.25	No comments received
Network Rail	1.1.26	No comments received
Designing Out Crime Officer	1.1.27	No comments received
Three Rivers Waste and Environmental Protection	1.1.28	No comments received
Environmental Health Officer	1.1.29	No comments received
Three Rivers Transport and Parking Officer	1.1.30	No comments received

4.2 Public/Neighbour Consultation

Number consulted: 122

No of responses received: 54 representations objecting to the proposed development

Site Notice(s): Displayed 20/01/26 Expired 10/02/26

Press Notice: Published 16/01/26 Expired 06/02/26

Summary of Responses:

Loss of Green Belt/impact on character of area and heritage assets:

70 dwellings would be out of character, overdevelopment and would significantly harm Oxhey Lanes residential nature and the surrounding area; Site is where openness and character of the landscape are important; Loss of open land which would cause harm to visual amenity and character of the area; Contrary to Green Belt objectives, purposes and local planning policies; Openness of the field contributes to the rural setting of the area; Harm to setting and significance of the heritage assets including adjacent Grade II Listed buildings; Loss of Green Belt; A breathing space is necessary before Greater London begins; Three storey buildings not suitable for Conservation Area; Inappropriate development that would permanently erode the openness of the landscape and physical separation between South Oxhey and neighbouring settlements; Development further blurs the line between Watford, Three Rivers and London; Green Belt open site demarcates the boundary between Watford and Three Rivers; Represents urban sprawl; Would erode Watford Heath Conservation Area; 2.5/3 storey dwellings will be out of keeping with bungalows; Loss of open countryside; Has not demonstrated very special circumstances; Overdevelopment; Loss of openness will devalue historic character of Watford Heath; Would change semi rural character; Development with other development would merge towns; Not grey belt; Edge of settlement expansion weakening Green Belt permanence; Golden rules do not apply; Impacts of development would be widely experienced.

Infrastructure:

Local infrastructure, which include schools, hospitals, dentist, healthcare services, drainage, and public transport, are already under huge strains with no evidence identifying that existing infrastructure can accommodate a development of this scale; Insufficient local infrastructure to support existing community including lack of school places and difficulty securing doctor's appointments; Shops at Villers Road is too far to walk; Area ran out of drinking water; Lack of sewerage.

Impact on Highway/Transport:

Proposal will increase traffic and congestion on already heavily congested road with heavy queuing; It is a dangerous crossing across Oxhey Lane development will make this worse; Concerns over safety of pedestrians, cyclists and road users due to lack of pavement and poor visibility due to more vehicles; Cumulative impact will place an intolerable burden on the local road network, infrastructure and services; Unsustainable; Exit onto Oxhey Lane is dangerous; Lack of parking will impact on surrounding roads; Site is not sustainable and there will be a heavy reliance on cars; Trains are oversubscribed; Buses are inadequate; Records of collisions along Oxhey Lane; Pinner Road, narrow bridge at Watford Heath and Bushey Arches currently unable to cope with the traffic; Temporary road works cause huge traffic jams; Highways have objected to the scheme; Transport assessment underestimates car use.

Residential Amenities:

Greater levels of noise, air pollution and general disturbance affecting residents along Oxhey Lane and nearby properties; Impact on neighbours amenity through construction noise and dust; Construction of 2.5 to 3 storey development would result in an invasion of the residents of Elm Avenues privacy; Woodland Cottages are on lower ground to the application site concerns dwellings will affect amenities and overlook these neighbouring properties; Loss of privacy; Removal of existing green space would reduce natural screening and increase visual intrusion; High density development on the site is unacceptable; Visual screening will take years to grow; Significant impact on useability of neighbouring gardens.

Environment:

Increase risk of flooding; Concerned about negative impact of wildlife and biodiversity; Area around Oxhey Lane prone to flooding additional development could exacerbate the problems; Land behind Woodlands Cottages is frequently waterlogged and building on the land will exacerbate the problem and affect neighbouring homes; Loss of wildlife corridors along Oxhey Lane; Site is home to lots of wildlife; Loss of vegetation; No clear evidence of adequate ecological mitigation or BNG; Increased concrete will result in flooding of neighbouring properties; Increased activities will affect wildlife; Increased pollution; Within a Ground Source Protection Zone risk of ground water pollution; Site adjoins woodland trust land which shelters wildlife; Development should incorporate swift bricks.

Other:

Cumulative impact of the proposed and other schemes in the area has not been appropriately addressed; True impact of each individual application cannot be adequately considered; Site could not accommodate the parking required to serve the development; Inadequate consultation with community; Not clear if proposal will be affordable; Sustainable drainage may not be suitable in the future; Gas pipeline risk; Devalue properties; Boundary includes no man's land; Loss of green space would adversely affect health and wellbeing; Allowing development would risk prejudicing plan led approach; Inadequate parking result in congestion and obstruction in surrounding roads; Sustainability appraisal is based off assumptions

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 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.

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.

S72 of the Planning (Listed Building and Conservation Area) Act 1990 requires LPAs to have special regard to the desirability of preserving the character and 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 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
- 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 Development 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), Appendix 4 (Noise Exposure Categories for Residential Development) 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)
Landscape Sensitivity Assessment (2019)

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

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

Draft Stage 4 Green Belt Review (2025).

The Local Plan 2026-2042 reached publication stage on 31 July 2026, with the Regulation 19 consultation taking place from 31 July 2026 – 25 September 2026. The Local Plan is presented in two parts. Part I contains detailed planning policies and supplementary appendices, which will be used for determining development proposals. Part II details the site allocations (including site specific requirements), supporting the delivery of the planning policies. The Local Plan 2026-2042 (pre-submission version, July 2026) can be afforded limited weight.

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. 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.*

7.1.2 The Spatial Strategy within the Core Strategy states that new development will be directed towards previously developed land in the urban area of the Principal Town (Rickmansworth) and Key Centres which are identified as most sustainable locations in the district. The site is not within a defined settlement and is not previously developed land.

7.1.3 The development proposes the construction of up to 70 residential units. The Council cannot currently demonstrate a five-year supply of housing land as required by the NPPF and currently has a 1.2-year housing land supply. The delivery of 70 dwellings would make a 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. Although the site is located outside of the defined settlements of Three Rivers, it adjoins the boundary of Watford Borough Council (WBC) and is considered to be in a sustainable location in the context of the facilities and services sited within WBC. As such, there are no in principle objections to the development of the site in accordance with Policy CP2 of the Core Strategy.

7.1.4 *Existing Use:* As noted above, the land is predominantly greenfield and used for grazing surrounded by residential development. The Government's 'A Green Future: Our 25 Year Plan to Improve the Environment' sets out the government's 25 year plan to improve the health of the environment by using natural resources more sustainably and efficiently and includes plans to protect the 'best' agricultural land. The Agricultural Land Classification identifies the site to consist of Grade 3b land with Grades 1 and 2 being the highest grade. The site is limited in area and contained by development and the highway. As such, it is not considered that the development would be sited on land considered to be 'best' agricultural land.

7.2 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 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.

7.2.3 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 current NPPF in relation to inappropriate development are not materially different between the two. On that basis, it is considered that Policy DM2 is in accordance with the NPPF and may be afforded weight. The NPPF is considered to contain national policy and therefore relevant guidance and is a material consideration in the assessment of this application.

7.2.4 NPPF Paragraph 142 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 identifies 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.

7.2.5 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.

7.2.6 NPPF 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 NPPF 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 This application seeks outline consent for the construction of up to 70 dwellings with associated access and infrastructure.

7.2.9 The proposed development does not fall into any of the exceptions set out within NPPF paragraph 154. It is therefore necessary to consider the development in relation to paragraph 155 of the NPPF which relates to ‘grey belt’. Paragraph 155 states ‘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.’

7.2.10 Grey Belt is defined within Annex 2 of the NPPF:

‘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.’

7.2.11 The site is ‘any other land’ as it is not ‘previously developed’. For it to be considered Grey Belt it needs to not strongly contribute to any of the purposes (a), (b) or (d) in NPPF paragraph 143. The Planning Practice Guidance (PPG) provides guidance in respect of consideration of the contribution land makes to purposes (a), (b) or (d).

7.2.12 The contribution the site makes to the purposes of including land within Green Belt has been reviewed within the Stage 1 and Stage 2 Green Belt Reviews. The application site is located within Parcel E5 of the Stage 1 Green Belt Review Strategic Analysis (2017) and part of a larger parcel (Parcel WE7) of the Stage 2 Green Belt Review.

7.2.13 The contents of the Stage 1 and Stage 2 Green Belt Reviews are published documents that hold weight in the assessment of whether the application site contributes to the purposes of including land within Green Belt. The Stage 1 and 2 Reviews were carried out prior to the updates to the NPPF which introduced the concept of Grey Belt, and prior to the publication of the related parts of the NPPG which provide guidance on how sites should be assessed against whether they strongly contribute to the purposes a), b) and d). Below sets out the assessment of the site’s contribution to purposes a), b) and d) based on the individual site circumstances as assessed following site visits and against the criteria set out within the NPPG alongside the evidence as set out within the published Green Belt Reviews.

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

7.2.14 The PPG identifies that assessment areas that contribute **strongly** to preventing urban sprawl 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).'

7.2.15 The PPG identifies that 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, 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

7.2.16 The PPG identifies that 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

7.2.16 The site adjoins Watford which is a large built up area. The site itself is predominantly open in character, with the exception of a small single storey building supporting the use of the land for grazing, however the site is enclosed by residential development (including Auburn Mere) along all three sides with Oxhey Lane enclosing the south western boundary. Although the site is open in nature, due to its containment by existing development the proposal would not result in an incongruous pattern of development, for example an extended 'finger' of development, into the Green Belt.

7.2.17 Based on the analysis above the site makes a weak contribution to purpose in preventing urban sprawl of the large built up settlement of Watford. The weak contribution the site plays in relation to purpose a) is supported by the Stage 2 Green Belt Review which identifies the containment of the site and states that Parcel WE7 makes only a limited contribution to purpose a).

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

7.2.18 The PPG states that assessment areas that contribute **strongly** to preventing neighbouring towns merging into one another are assessment areas that 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

7.2.19 The PPG states that 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

7.2.21 The PPG identifies that assessment areas that make only a **weak** or no contribution 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

7.2.20 The site is open in nature however, the site is visibly contained by development. The site is small in nature and does not form part of a substantial part of a gap between Watford and Carpenders Park and the development of the site would not result in the loss of visual separation of towns. Bushey and Harrow are other nearest adjacent towns but would not serve to close the gaps between Watford and these towns.

7.2.21 Notwithstanding the above assessment of the site's contribution to purpose b), the Stage 1 Green Belt Review identifies that Parcel E5 significantly contributes to purpose b) stating that the land 'Locally, forms part of the remaining gap between Watford Heath and South Oxhey'. The PPG makes it clear that purpose b) 'relates to the merging **of towns, not villages**' this is a different assessment to whether a place is a large built up area as for the assessment of purpose a). It is acknowledged that Watford Heath forms part of Watford which is considered a town. The Stage 1 Green Belt Review identified the following as neighbouring towns:

- Watford and Hemel Hempstead;
- Watford and St Albans;
- Watford and Rickmansworth;
- Rickmansworth and Northwood;
- Watford and Northwood;
- Watford and Pinner;
- Watford and Bushey; and
- Watford and Radlett.

7.2.25 The assessment for Stage 2 Review for parcel WE7 clearly states 'Carpenders Park and South Oxhey is not considered a town in its own right'. Carpenders Park and South Oxhey are a large built up area but are not considered a town. As such, the application site makes a weak contribution to purpose b) in preventing towns from merging.

7.2.26 The proposed development would not merge Watford with any of the identified towns set out within the Green Belt Reviews. The site therefore makes a weak contribution to purpose b.

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

7.2.27 The Green Belt reviews identify that there are no identified historic towns within Three Rivers or Watford, as such purpose d) is not applicable to the assessment of Grey Belt.

7.2.28 In summary, the site makes a weak contribution to purposes (a), (b) and (d).

7.2.29 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'.

7.2.30 Footnote 7 of the NPPF is provided below. The assets that are not applicable in this case have been struck through and those that do apply have been bolded:

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.~~

- 7.2.31 Impacts on the designated heritage assets and areas at risk of flooding are considered in full below, however, none are considered to provide a strong reason for refusing or restricting development.
- 7.2.32 The application site is therefore considered to meet the NPPF definition of Grey Belt.
- 7.2.28 Further, the application site (Site CFS13) is identified in the publicly available emerging Local Plan Site Allocations document as being Grey Belt.
- 7.2.29 It is concluded that the site falls within the definition of Grey Belt. Consideration is therefore had to Paragraphs 155-157 of the NPPF.
- 7.2.30 NPPF 155 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.”
- 7.2.31 In respect of (a) the development would utilise Grey Belt land. Consideration is therefore required to be had to whether the development would fundamentally undermine the purposes taken together of the remaining Green Belt across the area of the plan. The five purposes of Green Belt are set out at 7.2.4 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.
- 7.2.34 In relation to purpose (c), the site is a greenfield site predominantly used for grazing, and therefore development of the site would run counter to the aim of safeguarding the countryside from encroachment. Although the site is visibly open from public vantage points along Oxhey Lane it is visually contained by existing residential development. Thus, the site has urbanising influences where its containment by residential development would prevent the development from resulting in encroachment into the countryside.
- 7.2.35 The application site sits in Area 1 of the assessment area as set out in the recently publicly available Stage 4 Green Belt Review. The Stage 4 Green Belt Review identifies areas of fundamental importance. Area 1 is considered an area of fundamental importance. The explanation for this assessment identifies: *‘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’.*

- 7.2.35 The development of the application site would not undermine the important role that Area 1 plays in maintaining the wider gap between Watford, South Oxhey, Carpenders Park and Harrow and London. As such, the development of the 2.7-hectare site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area.
- 7.2.36 In respect of Para 155 (b) the council's published 1.2-year housing land supply position is material to this consideration in terms of the assessment of whether the development would meet unmet need. The proposed development would provide both market and affordable housing that would serve to meet unmet needs both in the delivery of housing, mix and unit size.
- 7.2.37 In respect of Para 155 (c) the application site is located on the edge Watford Heath which is a residential settlement that forms part of the town of Watford. The site is located within walking distance of Bushey Station (Bushey Station approximately 16 minute walk) and amenities provided in the nearby roads of Villers Road. These are accessible on foot via lit footpaths. The proposal would not include any off-site improvements to the footpaths leading to the site however the existing contains a lit footpath where the adjacent road is 30mph. The proposal would also include contributions towards improving the existing bus services, where there is a bus stop just to the north of the application site. As a result of the combination of the location of the site within walking distance of amenities and public transport within Watford, combined with the monetary contributions, the proposal would meet the sustainability requirements of (c) taking into consideration the requirements of paragraphs 110 and 115 of the NPPF. The sustainability of the site is discussed in more detail in the relevant section below.
- 7.2.38 In respect of para (d) of 155 of the NPPF, this references Para 156 which states:
- '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.'
- 7.2.39 In respect of paragraph 156 (a), the development is proposing 50% affordable homes, with a mix of 71% rented (mix of 70% social rent and 30% affordable rent (capped at LHA)) and 29% shared ownership. The proposal would meet the requirements of paragraph 156(a) of the NPPF. The quantity, tenure mix and unit sizes of the affordable housing provision is discussed in greater detail in Section 7.4 of this report.
- 7.2.40 In respect of (b), the development would provide monetary contributions towards off site infrastructure which would be secured by S106 obligations including monetary contributions to education, waste transfer and healthcare facilities. The infrastructure provisions are set out in detail in Section 7.21 of this report. The proposed development would provide necessary improvements to local infrastructure in accordance with paragraph 156 (b).
- 7.2.41 In respect of (c), the development would provide new green spaces on site including a play area that due to its siting would be accessible for occupants outside of the site. Merry Hill and open space would be accessible on foot from the application site. The proposal would therefore meet paragraph 156(c).

- 7.2.42 It is considered that the proposed development would comply with the Golden Rules. In accordance with NPPF paragraph 158 **significant weight** should be given in favour of the grant of permission.
- 7.2.43 The proposed development would be on Grey Belt land and would meet the requirements as set out in paragraph 155 and 156 of the NPPF. The proposal would therefore represent an appropriate form of development within the Green Belt. An assessment of impacts on openness is therefore not required as the proposal is considered an acceptable form of development within the Green Belt in accordance with Policy CP11 of the Core Strategy, Policy DM2 of the DMP LDD and NPPF.
- 7.3 Impact on Character
- 7.3.1 Paragraph 131 of the NPPF states that; “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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”.
- 7.3.2 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'.
- 7.3.3 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'.
- 7.3.4 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 In terms of new residential development, Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that the Council will protect the character and residential amenity of existing areas of housing from forms of new residential development which are inappropriate for the area. Policy DM1 states that development will only be supported where it can be demonstrated that the proposal will not result in:
- i. Tandem development
 - ii. Servicing by an awkward access drive which cannot easily be used by service vehicles
 - iii. The generation of excessive levels of traffic
 - iv. Loss of residential amenity
 - v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.).

- 7.3.4 Development Plan Policy DM7 requires development proposals to make a positive contribution to the surrounding landscape. It notes that 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 policy also states that the council will support proposals that: contribute to the delivery of Green Infrastructure. In regard to Green Infrastructure Core Strategy Policy CP9 states: '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'.
- 7.3.5 This application is submitted in outline, with only matters of access for detailed consideration. The application is accompanied by a Land Use Parameters Plan (ref. 6517-0003 Rev 06) and Building Heights Parameters Plan (ref. 6517-0006 Rev 05) which demonstrate the extent of built area and green space and the parameters of the building heights. In the event that Outline planning permission was granted, a condition would require that the subsequent Reserved Matters accords with the Land Use Parameters Plan and Building Heights Parameters Plan.
- 7.3.6 The application is also accompanied by an illustrative masterplan which accords with the Land Use Parameters Plan and demonstrates how the site could be developed, with open space and sustainable drainage to the south west and built development north east with a series of roads and walking/cycling routes. 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.
- 7.3.7 As identified on the Building Heights Parameters Plan, the development would include buildings ranging from 2 storey to 3 storeys in height. It is noted that the character of the surrounding development consists of single and two storey development. However, the proposal would have an integrated approach where the two storey development would be concentrated closer to the front of the site (south east aspect) with the 3 storey having a central location and 2.5 storey development behind. The wider area of Oxhey Village consists of a variety of house types including two storey and three storey flatted development. In light of this, at this time there are no in principle objections to the heights proposed. The scale of built form would however be subject to careful consideration with regards to design, spacing, layout and orientation of the built form at reserved matters stage. The Planning Statement at paragraph 3.11 states that *'it should be noted that the building height parameters are stated as maximums. There is no requirement for residential dwellings to be delivered at these maximum heights'*.
- 7.3.8 It is acknowledged that the character of the site itself would change as a result of the proposed development, with the existing open field replaced by a new residential development with associated open space and infrastructure. Notwithstanding, although the site is open in nature it is characterised by urban influences by the residential development that encloses the site. The site is located within the national Northern Thames Basin Character area and at a local level the Bushey Hill Pasture Landscape Area. The application site was subject to assessment within the Landscape Sensitivity Assessment (2019) (site reference CFS13) that forms part of the emerging local plan evidence base. The assessment identifies the site as having medium to low sensitivity to built development stating:
- 'Although there are some valued features that are characteristic of the Bushey Hill Pastures Landscape Character Area (grazing, equestrian activity, urban containment, mature vegetative screening) and open views into the site from Oxhey Lane and private residential views from Elm Avenue, the overall sensitivity of the site may be reduced by the flat low lying landform and built development within the immediate surrounding area.'*
- 7.3.9 The submitted Landscape Visual Impact Assessment (LVIA) judges the effect on the landscape character of the site to be moderate and moderate to minor due to the loss of open land from close range and private views. Any identified harm, although as being identified

as moderate to minor does not mean that the resultant development would be unattractive or inappropriate.

- 7.3.9 There are already views of built development from public vantage points along Oxhey Lane through the site. The proposal would result in the built form being more prominent from public vantage points however visibility does not mean this will be harmful. The parameters plan identifies that green space between the development and Oxhey Lane would serve to maintain the historic open character of the site and provide a relief between the built form and the highway. The indicative layout of the provision of two storey development along the green space with higher development concentrated behind and highest development with a central position would integrate better with the existing built form. It is considered that the introduction of residential development on this site would not be inappropriate or contrived within the setting.
- 7.3.10 The application is supported by a Design Code which includes a regulatory plan that identifies areas within the site that would require more design control at Reserved Matters stage. The Design Code identifies that the lower density development would be sited along the frontage facing onto the green space that would run alongside Oxhey Lane. The Design Code identifies that consideration has been had to the existing character of the site, heritage assets and character of the area. An appropriately worded planning condition requiring compliance with the Design Code is considered necessary to ensure that subsequent Reserved Matters applications are appropriately informed.
- 7.3.11 Overall, taking into consideration the enclosed nature of the site and suburban influences the proposed development would not result in any significant unacceptable harm to the overall character of the surrounding area including street scene or landscape character. The proposal would be in accordance with Policies CP1, CP3 and CP12 of the Core Strategy, Policies DM1, DM7 and Appendix 2 of the DMP LDD and NPPF.

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 Housing	20%	32%	35%	12%

- 7.4.2 The housing mix is not a matter being determined at Outline stage and would be determined at Reserved Matters stage taking into consideration up to date housing needs.

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 should 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 In light of the requirements of paragraph 155 of the NPPF (as referenced within the Green Belt Section above) the application proposes to deliver 50% of the dwellings as affordable units, with the remaining 50% being provided as open market dwellings. The scheme 50% affordable housing provision with a split of 71% rented (the Applicant confirms that a total of 70% of the rented accommodation will comprise Social Rent, with the remaining 30% comprising Affordable Rent), and 30% ownership products. Based on the provision of 70 units table below identifies the number of units that would be delivered per tenure:

Tenure	Proposed mix
Social Rent	18
Affordable Rent	7
Shared Ownership	10
Total	35

7.5.4 The site is located within Green Belt where paragraph 155d requires the development to meet the golden rules (as discussed within the Green Belt Section 7.2 of this report). Paragraph 67 of the NPPF states:

‘As part of the ‘Golden Rules’ for Green Belt development set out in paragraphs 156-157 of this Framework, a specific affordable housing requirement (or requirements) should be set for major development involving the provision of housing, either on land which is proposed to be released from the Green Belt or which may be permitted on land within the Green Belt. This requirement should:

- a) be set at a higher level than that which would otherwise apply to land which is not within or proposed to be released from the Green Belt; and
- b) require at least 50% of the housing to be affordable, unless this would make the development of these sites unviable.’

7.5.5 The delivery of 50% affordable housing would deliver a higher level of affordable housing than that which would otherwise apply to land which is not within Green Belt or proposed to be released from Green Belt.

7.5.6 In terms of mix the proposal would deliver 71% rented accommodation (mix of social and affordable rent) and 29% shared ownership. It is recognised that the tenure mix split would not strictly accord with Policy CP4 of the Core Strategy (adopted October 2011), however, it fully accords with the draft affordable housing policy within the Emerging Local Plan which has been drafted in consultation with Housing colleagues and with regard to the South-West Herts Local Housing Needs Assessment Update (March 2024) and is therefore considered an up to date position in terms of the affordable housing needs of the District. The proposed provision of 50% affordable housing of the tenure mix proposed would also meet the Green Belt Golden Rules.

7.5.7 The tenure would be secured via the S106 Agreement at Outline stage. Although a mix has been identified within the Affordable Housing Statement the mix (in terms of unit sizes) would be 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 Reserved Matters application.

- 7.5.8 The affordable housing contribution proposed is considered acceptable based on existing housing needs.
- 7.6 Impact of proposal 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 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.”
- 7.6.3 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.”
- 7.6.4 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...”
- 7.6.5 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.
- 7.6.6 There are no heritage assets, either designated or non-designated on the site; however three heritage assets have been identified as having the potential to be impacted by the development of the Site:
- Oxhey Grange (Grade II, List Entry Number 1101593)
 - Oxhey Grange Lodge (Grade II, List Entry Number 1174337)
 - Watford Heath Conservation Area which the north western boundary adjoins (the Conservation Area contains Locally Important Buildings, including the adjoining neighbouring dwelling).
- 7.6.7 The Conservation Officer has confirmed that the site only makes a limited contribution to Oxhey Grange itself in terms of setting, due to the physical separation of the two, and the

main open setting of Oxhey Grange being woodland to the south and west. However, with regards to Oxhey Grange Lodge, the Conservation Officer has confirmed that the site makes an important contribution to the understanding of the Lodge as a building set in open countryside historically, particularly as the site is now the only visible area of open space visible in shared public views. Thus, the Conservation Officer confirmed that the site has the potential to impact the significance of the Lodge and Oxhey Grange itself to a lesser extent due to its historic connection to the Lodge. Further the Conservation Officer stated 'The submitted Heritage Statement notes that the Site makes a limited contribution to the character and once rural setting of the Conservation Area'.

- 7.6.8 With regards to the impact of the proposed development on the heritage assets the Conservation Officer stated the following:

'The outline application has been submitted with a detailed Design Code. This has provided several key measures which would limit impact on heritage assets. The access point would be towards the north of the Site, away from the Lodge. Built footprint would be set well back from the road, particularly adjacent to the Lodge, with appropriate building heights and sensitive design, influenced by the local vernacular for the zone nearest to the road. In addition, there is a green corridor to the front/west with appropriate boundary treatments including native hedgerows, timber bollards and chain or estate railings with no timber fencing to be used on rear boundaries facing the public realm.'

The design and mitigation points are all acknowledged and based on the quantum of development provided, the scheme appears to have proposed a high level of mitigation. If officers are minded to grant permission, the Design Code should be secured as an approved document if appropriate in planning terms.

However, due to the visual openness of the Site, it is unlikely that the harm to the Lodge caused by this quantum of development could be fully mitigated. Overall, the proposal would result in a lower degree of less than substantial harm to the significance of the Lodge but would have a neutral impact on Oxhey Grange itself.'

- 7.6.9 In summary, the proposal, based on the layout proposed within the Design Code, is considered to result in less than substantial harm (lower level) to Oxhey Grange Lodge and a neutral impact on Oxhey Grange. No harm to the Conservation Area has been identified.
- 7.6.10 As noted above, 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. 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, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.6.11 The development would deliver 70 additional houses in a sustainable location where 50% would be provided as affordable housing which would materially contribute to the provision of much needed social rented properties. Considering the current significant under delivery of housing within Three Rivers District with only a 1.2 year housing land supply the proposed development would bring about significant social benefits. The delivery of housing would deliver significant social benefits through the creation of both much needed market and affordable housing and moderate economic benefits through construction jobs and spend within the area. In light of this it is considered that public benefits exist that would outweigh the lower degree of less than substantial harm that would result from the proposed development on the neighbouring Grade II Listed Building and impact on any potential views when exiting the Watford Heath Conservation Area.
- 7.6.12 The Planning (Listed Building and Conservation Areas) Act 1990 considerations are as follows:

'Section 66 of the Planning (Listed Buildings Conservation Areas) Act 1990 places a duty on the LPA to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.'

- 7.6.13 Special regard to the desirability of preserving the setting of the Grade II Listed Oxhey Grange Lodge has been had and historical connection between the site and the Lodge. Considering the design of the scheme retaining green space between Oxhey Lane and the built form, reflective of the existing open nature, and through careful consideration of the design and scale of the buildings fronting the green space it is not considered that a reason for refusal would be justified in relation to the lower degree of less than substantial harm that would result from the proposed development on the Grade II Listed Building. The proposed development would therefore accord with Policy CP12 of the Core Strategy, Policy DM3 of the DMP LDD and the NPPF.

Archaeological Considerations

- 7.6.9 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.
- 7.6.10 Herts Archaeology have raised no objections to the development of the site subject to conditions.

7.7 Highways & Transport Impacts

- 7.7.1 Core Strategy Policy CP10 relates to Traffic and Travel, and 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. The development subject of this application is specifically designed to cater for a variety of modes of travel including by motor vehicle but also proposes implementation of external enhancements that will encourage cycling and walking.
- 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 impact of the proposed highway works were assessed by Hertfordshire County Council as the Local Highway Authority (HCCHA). HCCHA original comments requested amendments to the scheme including:
- Removal of the raised table at the access with Oxhey Lane;
 - Double yellow lines along both sides of the access to prevent parking;
 - Bus stop improvements at the two nearest stops on Oxhey Lane and Pinner Road including the following improvements:
 - At the south bound bus stop on the northeast side of Oxhey Lane (approximately south-east of the junction with Sherwoods Road)
 - Kassel / easy access kerbs (4 full and 2 transition kerbs)
 - Replacement bus stop pole with a Real Time Information (RTI) pole
 - RTI screen attached to new pole
 - At the north bound bus stop on the west side of Pinner Road (close to the junction of Pinner Road with Watford Heath)
 - Kassel / easy access kerbs (2 full and 2 transition kerbs due to limited space)
 - RTI screen to be installed within shelter.
- 7.7.8 Following receipt of these comments the suggested amendments to the scheme were made of which the Highways Officer raised no objection. The development would include the addition of a new vehicular access onto Oxhey Lane. A central right hand turn reservation along Oxhey Lane to facilitate turning right into the site would also be implemented with traffic islands sited on either side of the access.
- 7.8.9 HCCHA confirmed that following review of the submitted proposals there would not be a reason to recommend refusal for the proposals from a highway safety perspective. It is noted that comments have been received that there is history of accidents along Oxhey Lane and that Oxhey Lane is already congested and the proposal would add to this congestion. HCCHA have not raised any objections based on highway safety implications in terms of increase in vehicular traffic and the siting of the junction along Oxhey Lane. HCCHA comments confirm that the submitted junction's assessment uses a baseline traffic date + committed development (including 25/1055/FUL and 25/1020/OUT (although this is noted this application is awaiting a decision from the Secretary of State following a recent public inquiry)). HCCHA have confirmed that no objections are raised stating:

'From a highways and transport perspective, HCC as HA has assessed and reviewed the capacity and modelling results from the proposals in the context of paragraph 116, National Planning Policy Framework (NPPF) (update 2024), which 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, following mitigation, would be severe, taking into account all reasonable future scenarios."

7.8.10 With regards to accessibility of the site the application site is closely connected to Watford and the amenities provided within Watford would be easily accessible from the application site. This includes:

- Bushey Station - 0.7 miles from the application site and approximately 16 minute walk;
- Bromet Primary School – 0.5 miles from the application site and approximately 11 minute walk;
- Local shop on Villers Road – 0.5 miles from the application site and approximately 11 minute walk;
- Table Hall Nursery – 0.5 miles from the application site.

7.8.11 Concerns have been raised that Bushey Station is already at capacity with packed trains; London Underground were consulted in relation to the impacts of the proposed development and no objections were raised.

7.8.12 It is reasonable to assume that access to doctor's surgery would not be easily accessible on foot; however, considering the location of the site and access to other amenities this would not render the site unsustainable. Further, Sherwoods Road bus stop is located close to the north western corner of the site. Bus route 346 provides an hourly bus service which provides access to Delta Gain Bus Stop that is close to Attenborough Surgery. There are also a number of public houses within close proximity of the site. HCCHA have also requested a monetary contribution of £63,000 per annum for 5 years (total of £315,000 index linked by CPI to Feb 2026) to support extending the services including evenings and Sundays.

7.8.13 The site is considered to be located within an accessible location within the District with access to services, amenities and public transport routes that would facilitate the reduction in use of private modes of transport.

7.8.14 No highways objections have been raised in relation to highway safety risks including congestion. The site is considered to be in an accessible and sustainable location. The proposed development would be acceptable in accordance with Policies CP1, CP10 and CP12 of the Core Strategy.

7.9 Vehicle Parking

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

7.7.10 Appendix 5 of the DMP LDD identifies that residential developments should provide the following parking requirements per unit size:

- 1 Bed = 1 assigned space + 0.75 unallocated
- 2 Bed = 1 assigned space + 1 unallocated
- 3 Bed = 2 assigned space + 0.25 unallocated
- 4/5 Bed = 3 assigned spaces

7.7.11 The parking requirements and layout and siting will be considered at Reserved Matters stage based on the units sizes. It is noted that concerns have been raised that lack of on- site

parking would result in parking on surrounding nearby roads. Any parking would be required to meet the policy requirements based on unit sizes; which the Transport Statement has confirmed would be considered in accordance with local standards. HCCHA have confirmed that the width of the parking spaces should be 2.5m by 5m for a standard space and increased to 2.7m if there is any obstruction on one side or to 2.9m if there is an obstruction on both sides. Any proposed perpendicular parking spaces would need to be provided at a size of 6m by 2.5m.

7.8 Impact on residential amenity of neighbours

- 7.8.1 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.
- 7.8.2 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).
- 7.8.3 This application seeks outline consent for the construction of 70 residential units with ancillary green space and access. The submitted information identifies that the buildings would consist of a mix of 2-3 storey buildings including 2.5 storey buildings.
- 7.8.4 The site is surrounded by residential development where the rear amenity spaces back onto the site. The surrounding properties consist of a range of two storey and single storey bungalows with gardens of varied depths. Notably Woodland Cottages which are set on slightly lower ground are a row of four two storey cottages which have shallow rear gardens adjoining the south eastern boundary. The parameters plan indicates that a green buffer would be provided on all boundaries where it adjoins the neighbouring properties; this is shown to be of varied depths. The three storey development would be set in from all boundaries with the neighbouring properties which is encouraged.
- 7.8.5 As the application is in Outline with all matters reserved except access, impact on the neighbouring residential amenities is not a consideration at this stage. However, the reserved matters would be required to ensure that the proposed dwellings are set a sufficient distance back from the neighbouring gardens and/or orientated so as to prevent unacceptable overlooking of the private amenity spaces of the neighbouring properties and create a dominant relationship. This would be especially important if the buildings would exceed 2 storeys in height. Consideration of the siting and orientation of any dwellings to the south of the boundary close to Woodland Cottage will also be required to be sympathetically positioned and orientated to prevent a dominant and unacceptable relationship.
- 7.8.6 It is noted that the outlook of the surrounding neighbouring properties would change from an open field to a residential development. Views of residential development would not automatically cause it to be unacceptable or harmful to the residential amenities of the neighbouring properties. Notwithstanding, as previously advised any reserved matters would be assessed against the siting and positioning of the proposed dwellings and impact on the residential amenities of the neighbouring properties, including impact on the amenity space provision.
- ## 7.9 Pollution – Air Quality
- 7.9.1 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;

7.9.2 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.

7.9.3 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.

7.9.4 The application is accompanied by an Air Quality Report. Air Quality Report (November 2025) which has been reviewed by the Environmental Health Officer who has confirmed that they accept the findings that the development should have negligible impact on air quality and would not require any further information. The report discusses impacts during construction. It identifies that mitigation measures would be required through the submission of a dust mitigation plan (DMP). Any permission would include a condition requiring submission of a DMP.

7.10 Pollution – Noise and Vibration

7.10.1 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;

7.10.2 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.

7.10.3 The proposal would consist of residential development which would be compatible with the surrounding uses thus would not result in unacceptable noise and disturbance. It is not considered that the construction of the site would result in unacceptable noise and disturbance.

7.11 Pollution – Light

- 7.11.1 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.
- 7.12 As the application is in Outline, full details of lighting would be required at Reserved Matters stage or via condition if appropriate.
- 7.13 Pollution – Land Contamination
- 7.13.1 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.
- 7.13.2 The majority of the site is located within an Outer Source Protection Zone (SPZ2) associated with an Affinity Water public water abstraction approximately 2km west of the site (Eastbury Pumping Station). The application is accompanied by a Preliminary Risk Assessment which has been reviewed by the Environmental Health Officer and Affinity Water. No objections have been raised subject to conditions.
- 7.14 Impact on Wildlife, Biodiversity
- 7.14.1 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.
- 7.14.2 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.*
- 7.14.3 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.
- 7.14.4 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”.

- 7.14.5 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.
- 7.14.6 The proposed development would include both on-site and off-site (through credits) biodiversity net gain. Herts Ecology have confirmed that they raise no objections to the baseline calculations of the site.
- 7.14.7 Following the receipt of additional information Herts Ecology have confirmed that the proposed development would not impact on any protected species specifically bats and Great Crested Newts. Thus, no objections are raised subject to conditions.
- 7.15 Landscaping and Impact on trees
- 7.15.1 Development Management Policy DM6 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.
- 7.15.2 The NPPF sets out at paragraph 193c) 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 and a suitable compensation strategy exists”.
- 7.15.3 The site consists of an open field used for grazing. It is open in character with three protected trees sited within the southern corner (protected by TPO 181) and varying degrees of vegetation around the boundaries of the site including trees along the boundary with Oxhey Lane. The submitted plans indicate that a small number of poor-quality trees would be removed along the western boundary with the road, but a new area of tree planting and soft landscaping would be established along this boundary which would compensate for these losses. The Landscape Officer raised no objections to the proposed application subject to a tree protection method statement required and further details of proposed remedial landscaping. Landscaping is a reserved matter as such remedial landscaping will be considered at reserved matters application stage.
- 7.15.4 The open space would include both space for sustainable drainage methods and play space including play equipment. The TRDC Leisure Officer has commented on the proposed development and raised no objections subject to a condition that details and management of play equipment and play area be submitted.
- 7.16 Energy Efficiency
- 7.16.1 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”.
- 7.16.2 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.

- 7.16.3 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.
- 7.16.4 The application is accompanied by a Sustainability & Energy Statement (Blue Sky Unlimited, November 2025). This sets out that the proposed development is predicted to exceed Part L 2021 carbon emission reduction requirements.
- 7.16.5 As this application does not seek approval for the appearance or layout of the proposed buildings, 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, however, the submitted details demonstrate that consideration has been given to sustainability, decarbonisation and energy efficiency at outline stage and illustrate how the development would exceed the requirements of Policy DM4.
- 7.17 Flood Risk and Drainage
- 7.17.1 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.
- 7.17.2 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). It has been identified that the site contains some areas at high risk of surface water flooding. These areas consist of small pockets sited primarily at the edges of the site.
- 7.17.3 The application is supported by a Flood Risk Assessment and Drainage Strategy Report (ADC Infrastructure, November 2025).
- 7.18.4 The LLFA have advised that the submitted details are in accordance with the NPPF and local planning policy and they therefore raise no objection subject to conditions. The requested conditions relate to the provision of detailed designs of a surface water management scheme prior to commencement; a construction phase surface water management plan; details of maintenance and management of SUDs and verification report. The conditions are considered necessary to make the development acceptable in planning terms, ensuring the satisfactory management of local sources of flooding of surface water; to ensure the development achieves a high standard of sustainability; and to ensure that the construction does not result in flooding on or off site.
- 7.18.5 It is noted that concerns have been raised that the site suffers from surface water during wet periods. The provision of a surface water drainage scheme will ensure that all surface water within the site is retained and discharged from the site and would not affect flooding off site and would mitigate the existing small pockets of surface water flooding.
- 7.18.5 Thus the proposed development would be in accordance with Policy CP1 of the Core Strategy and Policy DM8 of the DMP LDD.

7.18.6 Thames Water (TW) have confirmed that they have identified an inability of the existing sewage treatment works infrastructure to accommodate the needs of the development proposal and require a condition be attached to any planning permission that does not allow the occupation of the development until 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.

7.18 Refuse and Recycling

7.18.1 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

7.18.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities take 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.

7.18.3 HCC would require a Site Waste Management Plan (SWMP) to be submitted which should aim to reduce the amount of waste produced on site.

7.18.4 In relation to minerals, the site falls entirely 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. 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.

7.18.5 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.

7.19 Safety and Security

7.19.1 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.

7.19.2 The Designing Out Crime will be considered at Reserved Matters stage.

7.20 Infrastructure Contributions

- 7.20.1 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 application site falls within Area C which has a nil (£0) charge.
- 7.20.2 Currently the following monetary contributions are requested:
- HCC Education:
 Secondary = £620,243.00 index linked to BCIS (Q1 2024)
 SEND = £104,419.00 index linked to BCIS (Q1 2024)
- HCC Waste:
 Waste transfer station = £7614.00 index linked to BCIS (Q1 2024)
- ICB
 Healthcare = £117,040.00 (indexed from date of decision)
- Herts County Council Highways Authority
 Bus improvements = £63,000 per annum for 5 years (total of £315,000.00 index linked by CPI to Feb 2026).
- Travel Plan Monitoring = £6000.00 (index-linked RPI March 2014)
- 7.20.3 Herts Ecology have confirmed that this is a small site and of medium difficulty. Thus, in line with the TRDC BNG fee schedule a monitoring fee of £5,900.00 in association with 30 year monitoring period for the onsite biodiversity net gain proposed would be secured.
- 7.20.4 Monitoring fees for various parts of the scheme would also be required to be secured. Total calculated to be £1053.00.
- 7.20.5 With regards to healthcare provision it is noted that the ICB have identified that if the existing healthcare provision would not be able to accommodate the additional patient numbers arising from this development. In light of this the monetary contribution of £117,040 (index linked) seeks to mitigate the health impacts of this development.
- 7.20.6 It is noted that the Ambulance Service have requested contributions to facilitate infrastructure as a direct result of the development. The LPA consider that this falls within the CIL provisions where a bid can be made via the relevant process rather than being tied to the planning permission.
- 7.20.7 Below sets out the other elements of the scheme that would be required to be secured within a S106:
- Affordable Housing – A total of 50% (up to 35) dwellings to be provided as affordable housing, comprising 71% for Rent (of which 70% should be for Social Rent and 30% for Affordable Rent) and 29% Affordable Home Ownership. This would be subject to a Mortgagee in Possession Clause of 5 months.
- 7.21 Presumption in favour of Sustainable Development and Planning Balances
- 7.21.1 As part of the decision making process, there are various planning balances that must be undertaken by the decision maker. Paragraph 11 of the NPPF stipulates that decisions should apply a presumption in favour of sustainable development. NPPF Paragraph 11 states that 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.'

7.21.2 The Council can only demonstrate a 1.2 year housing land supply. As a result, the policies that are most important for determining the application are deemed to be 'out of date'. In respect of d)i. it has been identified that the proposed development would result in a low level of less than substantial harm to the setting of the Grade II Listed Building. Heritage assets are an asset of particular importance. However, although this harm would weigh against the proposal in the balancing act as identified within Section 7.6 it is not considered that this harm would provide a strong reason to refuse the development.

7.21.3 In accordance with Paragraph 11 d)ii. an assessment should be made as to whether the adverse impacts of granting the development would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole, with 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.

7.21.4 The planning application consideration will be assessed (both harms and benefits) against the following weightings: substantial, significant, moderate and limited.

7.21.5 Although it has been identified that public benefits exist that would outweigh the harm to the heritage asset, harm would still exist that needs to be considered within the tilted balance exercise. The proposed development would result in less than substantial harm to the setting of a Grade II Listed Building. In accordance with Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990 considerations are as follows:

'special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess'.

7.21.6 Paragraph 212 also identifies 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.'

7.21.7 In light of the policy and legislative context of the weight that should be attributed to the protection of heritage assets, **significant weight** would be attributed to the lower level of less than substantial harm identified harm to the setting of the Grade II Listed building.

Benefits of the Scheme

7.21.7 The benefits of the scheme have been presented by the applicant which are summarised below (including commentary from the Planning Statement supporting the proposed benefits). The benefits associated with the scheme include:

Provision of Housing – The delivery of 70 homes will make a significant contribution to the Council's identified shortfall in housing delivery. Considering the 1.2-year housing land supply there is a significant need for housing substantial weight is attributed to the delivery of 35

market houses with 10% self build. **Substantial weight** is attributed to the delivery of 2, 3 and 4 bed market houses, including the provision of up to 7 self build plots.

Provision of 50% Affordable Housing – The delivery of 35 affordable homes represents a substantial and urgently needed intervention. Although the affordable housing would not meet the requirements of Policy CP4 in that it would not meet the 70/30 split it has been confirmed that the affordable housing provision proposed would be the viable split. Further, the proposal would deliver 50% affordable housing. **Substantial weight** is attributed to the delivery of up to 35 affordable units with a high percentage of social rented properties which are the greatest need within the District.

Infrastructure – The proposed development will make contributions to infrastructure provisions which would be as a direct result of the proposed development as such **no weight** is attributed to the provision of contributions towards infrastructure provisions.

Sustainable development - The site is in a sustainable location, policies encourage the provision of development in sustainable locations. However, the site is considered to be sited in a highly sustainable location for the District and the proposal would include contributions to enhance existing bus services and will make improvements to existing bus stop. **Moderate weight** will be attributed to this.

Green Infrastructure – The proposed development would include the provision of green space on site. Considering the existing site is open in appearance and the green space is required to reduce impact on heritage asset and meet policy requirements including meeting the requirements of Grey Belt **no weight** is attributed to the green space provided on site.

Benefits	Weighting in Support
Market Housing	Substantial
Affordable Housing	Substantial
Accordance with Golden Rules	Significant
Sustainable development	Moderate
Infrastructure	No weight
Green Infrastructure	No weight

- 7.21.8 Turning to the performance of the proposal against the relevant key policies in the Framework as set out in paragraphs 66 and 84 of chapter 5; 91 of chapter 7 (which is not relevant to this application); 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12).
- 7.21.9 The development accords with paragraph 66 which states that where major development involving the provision of housing is proposed, decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent and affordable home ownership tenures. The proposed development would meet identified local needs in accordance with the Development Plan.
- 7.21.10 The site is not isolated, it is consistent with paragraph 84 of the Framework which seeks to restrict isolated developments. The site's accessibility credentials would facilitate journeys by alternative means to the motor car. As such, development would be consistent with paragraphs 110 and 115 of the Framework which seek to actively manage patterns of growth to promote sustainable transport; limit the need to travel; offer a genuine choice of transport modes; provide safe and suitable access for all; and mitigate any significant impacts on the transport network.
- 7.21.11 As Reserved Matters stage it will be ensured that the scheme is consistent with paragraphs 135 and 139 of the Framework as it would deliver an innovative design that would promote high levels of sustainability.

7.21.12 Notwithstanding the significant weight attributed to the impact on the heritage asset, the presumption in favour of sustainable development set out in paragraph 11(d) of the Framework would be met. Furthermore, in addition to the weighting of the benefits set out in this section paragraph 158 of the Framework states that development which complies with the Golden Rules, as is the case here, should be given **significant weight** in favour of the grant of permission.

7.21.13 Overall, it is considered that the significant weight attributed to the lower level of less than substantial harm to the heritage asset, would not significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the 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.

8. Recommendation

8.1 That authority is delegated to the Head of Regulatory Services to grant planning permission, following completion of a S106 Agreement (securing the Heads of Term set out at 7.21 including affordable housing provision, travel plan, contributions to infrastructure including education, healthcare and waste infrastructure and monitoring fees) subject to conditions AND to make any minor amendments to the Heads of Terms and Planning Conditions in consultation with the Planning Committee Chair.

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Appendix 1 - 25/2168/OUT- Land Adjacent to Woodlands Cottage Consultee Comments

Wafford Rural Parish Council	1.1.1	Objection
Three Rivers Development Plans Officer	1.1.2	Comment
Herts County Council Archaeology Officer	1.1.3	No objection
London Underground	1.1.4	No objection
British Pipeline Agency	1.1.5	No objection
National Highways	1.1.6	No objection
Herts County Council Fire and Rescue	1.1.7	No objection
Three Rivers Leisure Officer	1.1.8	No objection
Herts County Council Highways Authority	1.1.9	No objection
Conservation Officer	1.1.10	Heritage harm identified
Herts County Council Minerals and Waste	1.1.11	No objection
East of England Ambulance Service	1.1.12	Comment
Three Rivers Housing Officer	1.1.13	No objection
Herts County Council Growth and Infrastructure	1.1.14	No objection
Affinity Water	1.1.15	No objection
Thames Water	1.1.16	No objection
Watford Environmental Health Officer	1.1.17	No objection
Herts and West Sussex Integrated Care Board	1.1.18	No objection
Cadent Gas	1.1.19	No objection
Watford Borough Council	1.1.20	No objection
Herts County Council Ecology	1.1.21	No objection
Three Rivers Landscape Officer (Arboricultural)	1.1.22	No objection
Herts Lead Local Flood Authority	1.1.23	No objection
Hertsmere Borough Council	1.1.24	Comment
Natural England	1.1.25	No comments received
Network Rail	1.1.26	No comments received
Designing Out Crime Officer	1.1.27	No comments received
Three Rivers Waste and Environmental Protection	1.1.28	No comments received
Environmental Health Officer	1.1.29	No comments received
Three Rivers Transport and Parking Officer	1.1.30	No comments received

1.1.1 Watford Rural Parish Council: [Objection]

Watford Rural Parish Council formally objects to the above planning application.

The Parish Council recognises the volume of technical documentation submitted in support of the proposal. However, our objection is founded on the principle of development and its incompatibility with national and local planning policy, in particular due to the site's location within the Metropolitan Green Belt and the harm that would arise to Green Belt openness, spatial integrity and the plan-led planning system.

1. Inappropriate Development in the Green Belt

The application site lies wholly within the Metropolitan Green Belt. The proposed development therefore constitutes inappropriate development, which is harmful by definition and should not be approved except in very limited circumstances.

By reason of the scale, extent and form of the development proposed, including residential buildings, access roads, parking areas, lighting, boundary treatments and associated domestic activity across the majority of the site, the proposal would result in harm to the

openness of the Green Belt, both spatially and perceptually. Approximately two-thirds of the site is proposed for built development, representing a fundamental change from open countryside to an urban residential form.

Substantial weight must be given to this harm. The Parish Council is not satisfied that the harm to the Green Belt is clearly outweighed by the benefits advanced in support of the proposal.

The development is therefore contrary to Section 13 of the National Planning Policy Framework (December 2024, as amended February 2025) and to Policies CP1 and DM2 of the Three Rivers Development Plan.

2. Rejection of “Grey Belt” Classification and Misapplication of the Golden Rules

The Parish Council does not accept that the site can reasonably be categorised as “grey belt” land.

The site:

- is not previously developed land;
- is not derelict, degraded or functionally redundant;
- forms a coherent parcel of open countryside; and
- continues to perform Green Belt purposes, including safeguarding the countryside from encroachment and preventing urban sprawl.

That the site is bounded by development on some sides does not negate its Green Belt function. Edge-of-settlement Green Belt sites frequently play a critical role in maintaining settlement boundaries and preventing incremental outward expansion.

The Parish Council further considers that reliance on the “Golden Rules” is misplaced. Affordable housing provision, design quality and sustainability measures are policy expectations and cannot be treated as exceptional circumstances capable of justifying inappropriate development in the Green Belt. The Golden Rules are intended to guide development where Green Belt release has already been justified through plan-making, not to justify speculative release through individual applications.

The proposal therefore represents an unjustified release of Green Belt land outside the Local Plan process.

3. Harm to Openness Is Not Mitigated by Landscaping or SuDS

While the application proposes areas of green infrastructure, SuDS features and landscape buffers, these are engineered and managed interventions which do not preserve the site’s existing openness. They should not be regarded as neutral in Green Belt terms or as mitigation for the loss of open land.

The change from open countryside to a developed residential environment would be permanent and irreversible.

4. Cumulative Impact and Undermining the Plan-Led System

This application must be considered in its wider context. The Oxhey Lane and Watford Heath area has experienced sustained development pressure, with multiple sites promoted or rejected through previous Local Plan processes.

Approval of this scheme would:

- materially weaken the Green Belt boundary in this location;
- set a harmful precedent for further development; and
- contribute to the incremental erosion of the Green Belt through a “salami-slicing” effect.

Such an outcome would undermine confidence in the plan-led system and prejudice the emerging Local Plan by effectively delivering strategic growth through ad-hoc decisions rather than through coordinated and democratically examined planning.

5. Additional Policy Concerns

Without prejudice to the above, the Parish Council also considers that the proposal raises further conflicts with both the National Planning Policy Framework and the Three Rivers Development Plan:

- The application is premature and conflicts with the plan-led approach required by the NPPF and Policy CP1. The release of Green Belt land is a strategic matter that should be determined through the Local Plan process, not through individual planning applications.
- The scheme relies excessively on matters being resolved at Reserved Matters stage, including biodiversity net gain delivery, detailed SuDS design, ecological mitigation, lighting impacts and layout effects on openness. The NPPF requires that outline applications demonstrate acceptability in principle, and too many core policy impacts are deferred.
- The proposal conflicts with Policy DM7 and NPPF paragraph 180 in respect of landscape and countryside protection. The development would fundamentally change the character of open countryside into suburban form, which cannot reasonably be described as conserving or enhancing landscape character.
- The site performs poorly in sustainability terms when assessed against NPPF paragraphs 108–116. The location is heavily car-dependent, accessed from a busy road, and not well related to everyday services by walking or cycling.
- The benefits relied upon by the applicant, including affordable housing provision, design quality and biodiversity enhancements, represent policy compliance rather than exceptional benefits capable of outweighing Green Belt harm.

6. Planning Balance and Conclusion

While the Parish Council notes that many technical matters have been addressed through supporting reports, the absence of technical “showstoppers” does not overcome the fundamental policy objection to inappropriate development in the Green Belt.

The Parish Council therefore considers that:

- the proposal constitutes inappropriate development in the Metropolitan Green Belt;
- it would result in unacceptable harm to Green Belt openness;

- the site has been incorrectly characterised as “grey belt” land;
- the Golden Rules have been misapplied;
- the proposal would undermine the plan-led planning system; and
- it would set a harmful precedent for further Green Belt erosion.

Watford Rural Parish Council strongly urges Three Rivers District Council to refuse planning permission for this application.

1.1.2 Three Rivers Development Plans Officer: [Comments]

Representation: The proposal relates to the development of up to 70 residential dwellings, associated access and infrastructure. 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 site is not within a defined settlement and is not previously developed land. The development would result in the net gain of up to 70 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 70 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 50% of the dwellings would be affordable housing (although exact numbers would be confirmed at reserved matters stage), 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’.

The council is undertaking a Stage 4 Green Belt Review, which has not yet been formally published. As part of the review, there will be an assessment as to whether edge of settlement Green Belt parcels are “provisional grey belt”. It must be noted that the assessment of grey belt is a planning judgement, with each case assessed under its own merits, whereby planning officers may have a different outcome to the Green Belt Review.

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”.

Whilst not located within a conservation area, the site is located in close proximity to two Listed Buildings (to the south of Oxhey Lane). Paragraph 215 of the NPPF sets out 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 including, where appropriate, securing its optimum viable use”. Policy DM3 of the Development Management Policies Local Development Document sets out that “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”.

1.1.3 Herts County Council Archaeology Officer: [No objection; conditions requested]

Please note we provided commented on the proposed development at the pre-application stage (ref. 25/0410/PREAPP) and our advice remains the same at this time: The proposed

development site lies immediately northwest of the site of the post-medieval The Clays Brickworks [Historic Environment Record no. 12734], a clay mill and brick kiln at Brickfield Farm. Immediately south is the post-medieval Grade II listed country house and gate lodge, Oxhey Grange [HER no. 13653, Listing 1101593] originally built by W. Young for W.T. Eley in the 1870s and altered throughout the 20th century. Farther afield is the site of the post-medieval Oxhey Place country house to the west [HER no. 13224] and the site of the post-medieval Carpenders Park country house and park to the south, which is believed to have replaced an early one [HER no. 13308]. To note, a Mesolithic to Neolithic flint tool findspot was identified on the northern edge of Oxhey Place [HER no. 23766].

The 1844 tithe map for Watford indicates that the location of the proposed development was at that point and through several later iterations of historic mapping was not occupied by buildings, and lies predominately within a single parcels of open land (1981). There remains the potential for some below-ground remains to survive relating brickworks or surrounding country houses, which have otherwise gone unidentified through lack of investigation on the site or the surrounding area.

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. the archaeological field evaluation of the proposed development area, via trial trenching, prior to development commencing;

such appropriate mitigation measures indicated as necessary by that evaluation. These may include: the preservation of any remains *in situ*, if warranted, appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of results, archaeological monitoring of the groundworks of the development (also including a contingency for the preservation or further investigation of any remains then encountered), such other provisions as may be necessary to protect the archaeological interests of the site;

1. 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;

1. 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.

1.1.4 London Underground: [No objection]

I can confirm that London Underground/DLR Infrastructure Protection has no comment to make on this planning application.

1.1.5 British Pipeline Agency: [No objection]

Thank you for your correspondence regarding the above noted planning application.

Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA does not wish to make any comments on this application.

However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.

Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

1.1.6 National Highways: [No objection]

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the strategic road network, in this case the M1 Junction 5 which is 2.32 miles away from the site. The site does not share a common boundary with the SRN.

This outline application is for the construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters).

We have reviewed the Transport Statement prepared by ADC Infrastructure in November 2025 which forms a part of the planning submission.

The traffic generation assessment is based on TRICS and is considered appropriate.

The proposed development is likely to generate a total of 39 two-way vehicular trips in the AM peak (08:00 – 09:00) and 36 in the PM peak (17:00 – 18:00). We also note the location of this site and its sustainable travel connectivity.

Considering the scale of the proposed development, as well as the potential routing, we anticipate any additional vehicular trips onto the SRN during the traditional AM and PM peak hours are likely to be insignificant.

Offer No Objection – Reasons

We are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 01/2022, and MHCLG NPPF 2023) in this location and its vicinity.

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to National Highways Planning Response (NHPR 25-01) January 2025 promote walking, cycling and public transport should be taken up as part of a vision led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

1.1.7 Herts County Council Fire and Rescue: [No objections; condition requested]

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.

1.1.8 Three Rivers Leisure Officer: [No objections; conditions requested]

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 Strategic plans and National Policy Framework sections detailed below:

- Achieving Sustainable Development
- Promoting Healthy Communities
- Health and Wellbeing
- Officers would recommend that:
 1. Natural play features, such as those constructed from timber, are designed and built to high-quality specifications to ensure the longevity and durability of the materials used. This should include proper treatment of any timber that is installed in the ground.
 2. Consideration of play provision that incorporates all ages.
- Outdoor leisure equipment must conform to the following standards:
 - Playground Equipment & Surfacing – BS EN 1176 & 1177
 - MUGA's (Multi Use Games Areas) – BS EN 15312 – Free Access Multi Sports
 - Skate Parks – BS EN 14974 – Roller Sports Equipment
 - Outdoor Fitness Equipment – BS EN 16630
 - Parkour Equipment – BS EN 16899
- 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).
- 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).
- Provision of sustainable active travel to support an active lifestyle, such as being bike friendly.
- 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.

- Please consider vehicle access for maintenance of any leisure areas.
- Operator signs for any leisure areas will need to be included for reporting of maintenance or reparation issues.
- A full Risk assessment of any leisure equipment should be considered.
- A RoSPA report or assessment should take place of any proposed play and/or leisure equipment.
- Provision for the on-going maintenance of any leisure facilities should be detailed, particularly if 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.
- Officers would recommend that guidance on leisure facility planning (eg: Play England or Sport England) is sought from the relevant bodies and adhered to.

It is requested that the following condition is imposed which is based on:

- (i) **A detailed specification of the proposed equipment and other operations associated with grass and sports turf establishment, RoSPA assessment, ongoing maintenance and a programme of implementation.**
- (a) **The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for use in accordance with the scheme.**

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.

1.1.9 Herts County Council Highways Authority [No objection; conditions requested]

1.1.9.1 Comments dated 5 January 2026 – recommending amendments:

The site is proposed to be accessed via one new access from Oxhey Lane (A4008) in the form of a priority junction. Oxhey Lane is designated as a classified A main distributor roads, subject to a speed limit of subject 30mph and is highway maintainable at public expense. Oxhey Lane is classed as P2/M2 (multi-function road) on HCC's Place & Movement Network.

A Transport Statement (TS) has been submitted as part of the current application.

In order for Herfordshire County Council (HCC) as Highway Authority to consider the proposals acceptable from a highway and transport perspective, it is recommended that amendments and further details are provided taking into account the following points:

1. Raised Table

Whilst the intention behind the proposed raised table arrangement is acknowledged as being to match a similar arrangement at the junction of Sherwoods Road with Oxhey Lane, the design as proposed is not in accordance with the current design guidance for continuous crossovers as laid out in HCC's Place & Movement Planning and Design Guidance (PMPDG). Furthermore the proposed development of 96 dwellings to the south-east (pursuant to planning application 25/1055/FUL) is proposing a bellmouth access with no raised table nor continuous crossover. Therefore following consideration of this and the nature of the access onto a busy A road, it is recommended that the Proposed Site Access Layout plan is amended to remove the proposed raised table.

Facilities such as raised tables and continuous crossovers would however be supported within the internal layout of the site, ultimately to be submitted as part any reserved matters applications.

2. Bus Stop Improvements

An appropriate level of improvement would be expected to the two nearest bus stops (on Oxhey Lane and Pinner Road) to ensure that the proposals are in accordance with paragraphs 117a of the NPPF and policy 1 and 5 of Hertfordshire's Local Transport Plan (LTP4). The improvements required include:

- ☐ At the south bound bus stop on the northeast side of Oxhey Lane (approximately south-east of the junction with Sherwoods Road)
 - o Kassel / easy access kerbs (4 full and 2 transition kerbs)
 - o Replacement bus stop pole with a Real Time Information (RTI) pole
 - o RTI screen attached to new pole
- ☐ At the north bound bus stop on the west side of Pinner Road (close to the junction of Pinner Road with Watford Heath)
 - o Kassel / easy access kerbs (2 full and 2 transition kerbs due to limited space)
 - o RTI screen to be installed within shelter.

In this respect it is recommended that the above works are included on the overall off-site highway works / site access plan. The overall works, include the necessary bus stop improvements can then be included as part of any overall section 278 highway works, following the granting of planning permission if approved.

3. Double yellow lines indicated on the site access plan to ensure that the proposed junction is protected from any potential parked cars which could impact the safe use of the junction, required visibility splays and surrounding footways. The double yellow lines would need to be illustrated (and ultimately implemented) for at least the length of the necessary visibility splays to either side of the proposed junction.

Conclusion

Following consideration of the above points, the above details and amendments are being recommended to be provided. This is to ensure that the access proposals are acceptable and in accordance with the NPPF and LTP4.

1.1.9.2 Comments dated 4 February 2026 removing objection:

Proposal

Outline application: Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters).

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 subject to the following conditions:

1. Outline Condition

No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

a. Main internal access roads with a carriageway width of 5.5m and 2m wide pedestrian footways and designed to support a maximum 20mph speed limit and necessary visibility splays at all junctions. Any shared surface areas within the site would only be acceptable to serve upto 25 dwellings;

b. Layout and dimensions of all parking spaces and associated manoeuvring areas designed in accordance with the Place & Movement Planning and Design Guidance, Part 4, Chapter 6.

c. Turning areas and swept path analysis to illustrate that the largest anticipated vehicles to use the site (e.g. refuse vehicle) would be able to safely access the site, turn around on site and egress to the highway network in forward gear.

d. Provision for an on-site refuse/recycling store(s) within 30m of each dwelling and 25m of any collection point;

e. Turning areas and swept path analysis to illustrate that a fire tender (minimum 8.4m in length/2.9m in width for a standard fire tender and 10.1m in length / 2.9m in width for an aerial ladder appliance) would be able to safely access the site, turn around on site and egress to the highway network in forward gear. The swept path would need to illustrate that a fire tender would be able to get to within 45m of all parts of the footprint of any dwellings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. This is to ensure that the proposals are in accordance with MfS and Building Regulations 2010: Fire Safety Approved

Document B Vol 1 – Dwellinghouses (and subsequent updates).

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).

2. A: Highway Improvements – Offsite (Design Approval)

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 submitted drawing number 1632-ADC-HGN-XX-DR-CH-0100 S106 have been submitted to and approved in writing by the Local Planning Authority. The works shall include:

- Priority junction with a right hand turn lane and any associated necessary works including signage, drainage and lighting.*
- Double yellow lines on either side of the proposed junction.*
- At the south bound bus stop on the northeast side of Oxhey Lane (approximately south-east of the junction with Sherwoods Road)*
 - o Kassel / easy access kerbs (4 full and 2 transition kerbs)*
 - o Replacement bus stop pole with a Real Time Information (RTI) screen attached*
- At the north bound bus stop on the west side of Pinner Road (close to the junction of Pinner Road with Watford Heath)*
 - o Kassel / easy access kerbs (2 full and 2 transition kerbs due to limited space)*
 - o RTI screen to be installed within shelter.*
- ☐ *Construction vehicle access point*

B: Highway Improvements – Offsite (Implementation / Construction)

Prior to the first use 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 Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

3. Travel Plan

Prior to the first use of the approved development an updated 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 updated plan shall include:

- Interim contact to be provided until a the Travel Plan Coordinator (TPC) is appointed.*
- A secondary contact to the TPC provided along with TPC contact details.*
- Details of time allocated to the TPC role and details of where they will be based and frequency will on site.*
- Specify whether the TPC will be an employee of the developer or will the role be filled by a separate management company.*
- More measures to encourage cycling. The TP must consider Dr Bike events held on site, promotion of / incentives towards cycle training and cycle parking provision.*

- *More measures for the promotion of public transport are required.*
- *Residential track pack contribution at the value of £100 per house and / or £50 per flat in the form of bus incentives must be included. This can be organised via HCC.*
- *Once baseline data is collected, targets must be updated in an amended travel plan, and they must reflect annual targets by each mode of travel*
- *Monitoring surveys must take place on an annual basis..*
- *In a full travel plan, traffic data collection is required to (multi-modal counts) to support survey data.*
- *Amend text to state that the travel plan will be reviewed annually.*

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).

4. 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:

- Construction vehicle numbers, type, routing;*
- Access arrangements to the site;*
- Traffic management requirements*
- Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);*
- Siting and details of wheel washing facilities;*
- Cleaning of site entrances, site tracks and the adjacent public highway;*
- Timing of construction activities (including delivery times and removal of waste);*
- Provision of sufficient on-site parking prior to commencement of construction activities;*
- Post construction restoration/reinstatement of the working areas and any temporary access to the public highway;*

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).

Informatives

HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Construction standards for works within the highway (s278 works) 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 Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN) Roads that are to remain private: At the entrance of any new roads to remain private, 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.

AN) Estate road adoption (section 38): The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this (and subsequent reserved matters) applications as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. 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>

Planning Obligations / S106 Contributions

The following 106 contributions are sought

Bus Service Contributions

106 contributions of £63,000 per annum for 5 years, which is therefore a total of £315,000 (index linked by CPI to Feb 2026). This would facilitate the funding for an improved 346 bus service, specifically to support extending the services include evenings and Sundays.

TRDC has adopted the Community Infrastructure Levy (CIL). Therefore contributions towards strategic and local transport schemes / strand 2 contributions as outlined in HCC's South West Hertfordshire Growth & Transport Plan (2019) would be sought via CIL as appropriate.

Comments / Highway Response

The site is proposed to be accessed via one new access from Oxhey Lane (A4008) in the form of a priority junction. Oxhey Lane is designated as a classified A main distributor roads, subject

to a speed limit of subject 30mph and is highway maintainable at public expense. Oxhey Lane is classed as P2/M2 (multi-function road) on HCC's Place & Movement Network.

A Transport Statement (TS), Stage 1 Road Safety Audit and Designers Response (RSA1) and Travel Plan (TP) have been submitted as part of the current application.

HCC as HA provided an initial response dated requesting amendments and additional details in respect to the proposed access / highway works. An updated plan has subsequently been submitted and will be reviewed as part of this response.

1. Access

a. Highway Works

The proposals include a new priority junction with ghost island / right hand turn lane with kerbed bellmouth access to provide vehicular and pedestrian access into the site. The access has been designed with a 5.5m wide carriageway, 6m junction radii and 2m wide footways on either side (drawing no. 1632-ADC-HGN-XX-DR-CH-0100 S1 06), which is considered to be acceptable and in accordance with HCC's Place & Movement Planning and Design Guidance (PMPDG). The levels of vehicle to vehicle visibility as shown are acceptable and sufficient when taking into account the speed limit and recorded 85th percentile speeds on the adjacent highway in Feb/Mar 2025 (34.1mph northbound and 35.6mph southbound). The illustrated visibility splays of 2.4m by 59m to either side of the junction are sufficient when taking into the recorded speeds and available through the extent of existing highway.

A swept path analysis for a refuse collection vehicle (drawing number 1632 ADC HGN XX DR CH0101) have been submitted as part of the TS to illustrate that such vehicles would be able to use the new access to enter and the exit the site safely. The details in this respect are considered to be sufficient and acceptable at this stage.

Following a previous recommendation from HCC as HA, the proposals now include double yellow lines fronting the site on Oxhey Lane running the length of the necessary visibility splays / sight lines to either side of the proposed junction. These are indicatively shown on the off-site highway works / access plan. These are deemed to be necessary to ensure that there is no adhoc vehicle parking linked to the new residential use in the interest of highway safety and capacity of the A road and footway.

A number of off-site highway works are therefore included and deemed necessary as part of the outline application. The works are indicated on drawing number 1632-ADC-HGN-XX-DR-CH-0100 S106 include:

- Priority junction with a right hand turn lane and any associated necessary works including signage, drainage and lighting.
- Double yellow lines on either side of the proposed junction.
- At the south bound bus stop on the northeast side of Oxhey Lane (approximately south-east of the junction with Sherwoods Road)
 - o Kassel / easy access kerbs (4 full and 2 transition kerbs)
 - o Replacement bus stop pole with a Real Time Information (RTI) screen attached

- At the north bound bus stop on the west side of Pinner Road (close to the junction of Pinner Road with Watford Heath)
 - o Kassel / easy access kerbs (2 full and 2 transition kerbs due to limited space)
 - o RTI screen to be installed within shelter.
- Construction vehicle access point

The proposed highways works are considered to be acceptable at this planning application stage of the proposals. The applicant would ultimately need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the technical approval of the design and implementation of the necessary works that would be needed on highway land.

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to submit the RSA1, albeit it is acknowledged that the highway arrangements have been amended since the initial RSA1. Please see the above conditions and informatives for more information in relation to applying for the 278.

The double yellow lines can be included as part of the 278 application and processed as part of that application, albeit the double yellow lines themselves would be secured via a separate Traffic Regulation Order.

b. Internal Site Road Layout

All matters (except the accesses from Chipperfield Road and Love Lane) have been reserved. In order to be acceptable, the necessary provisions have therefore been laid out in the suggested outline condition in this respect. It is acknowledged that section 3.18 of the TS states:

“The internal layout of the development would be subject to a reserved matters application and would be designed to the adoptable standards. Service vehicles will be able to enter, manoeuvre and exit the development in a forward gear, with the provision of appropriate turning heads. A network of footways would be provided to connect with the surrounding areas.”

It has been suggested, and indicatively shown on the masterplan, that the site would provide additional pedestrian access points onto Oxhey Lane, which would be supported by HCC as Highway Authority.

Any pedestrians and cycling provisions within the site would need to be designed in accordance with the PMPDG, Cycle Infrastructure Design: Local Transport Note 1/20 (LTN1/20) and DfT's Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (IM), 2021. It would be necessary for all pedestrian crossing points within the site (including when crossing any side road entrances) to provide at least pedestrian dropped kerbs or raised tables or continuous crossings where appropriate. This would also assist in encouraging lower vehicle speeds and adhere to the necessary 20mph design. Any detailed design should also avoid overlong vehicle crossovers – this is to ensure that pedestrians using any proposed footways do not have to cross in front of excessively long crossovers / dropped kerbs in the interest of pedestrian safety and accessibility. All pedestrian footways or footpaths within the site would need to be a minimum 2m wide.

The reserved matters details should also take into consideration than any shared surface areas are not currently considered acceptable for any developments (or part of developments) accessing more than 25 dwellings. Appropriate lighting and surfacing within shared surfaced areas would need to be provided to ensure that vehicles are clear that other users would also be using the space.

Swept path analysis/ tracking plans would be required to be submitted for refuse, emergency and delivery vehicles as part of the reserved matters application once the detailed internal layout has been finalised.

Any access and turning areas would need to be kept free of obstruction to ensure permanent availability and therefore consideration would need to be given to preventing vehicles parking on any turning areas and access routes. The collection method for waste collection would also need to be confirmed as acceptable by TRDC as the refuse collection authority.

The Highway Authority does not have any specific concerns in respect to access for emergency vehicles at this outline stage. As part of the reserved matters, a swept path analysis for a fire tender (8.4m in length/ 2.9m in width for a standard fire tender and 10.1m in length / 2.9m in width for an aerial ladder appliance) would need to be provided illustrate that a fire tender would be able to get to within 45m of all parts of the footprint of any dwellings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. This is to ensure that the proposals are in accordance with MfS and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates).

The Highway Authority would only agree to adopt any proposed internal vehicular access routes if they are considered or demonstrated to be of utility to the wider public (which is not clear at this stage). Active travel route(s) through the site may be considered for adoption but this would be dependent on the final detailed design of the site and how such a route would link with the surrounding highway network. Nevertheless the overall works would need to be built to a design speed of 20mph and to adoptable standards to be in accordance with guidelines as documented in the P&MPDG. The developer would need to put in place a permanent arrangement for long term maintenance. At the entrance of the development, the road name plate would need to indicate that it is a private road to inform purchasers of their future maintenance liabilities.

2. Parking Level and Design

The submitted TS, 3.16 states that the level of vehicle and cycle parking would be provided in accordance with the relevant local standards. In this respect TRDC as the local planning authority for the district would ultimately need to be satisfied with the overall proposed parking levels on site taking into account their adopted standards, use class, accessibility zone and the local area.

Therefore it is recommended that TRDC are consulted separately in this respect.

The layout and dimensions of all vehicle and cycle parking spaces and associated manoeuvring areas for the development should be designed in accordance with HCC's PMPDG, Part 4, Chapter 6. The width of the parking spaces should be 2.5m by 5m for a standard space and increased to 2.7m if there is any obstruction on one side or to 2.9m if

there is an obstruction on both sides. Any proposed perpendicular parking spaces would need to be provided at a size of 6m by 2.5m to be in accordance with PMPDG.

3. Trip Generation, Distribution and Traffic Impact Assessments

a. Trip Generation & Distribution

A trip generation and distribution assessment has been included in section 4 and 5 the TS, the details of which have been based on trip rate information from the TRICS database and census data. This approach and criteria used is considered to be acceptable by HCC as Highway Authority.

Based on the TRICS database, the number of vehicular trips associated with the proposed development are estimated to be 39 two-way vehicle movements in the AM peak (0800-0900) and 36 two-way vehicle movements in the PM peak (1700-1800).

b. Junction Modelling

A junction modelling assessments has been completed for the proposed site access onto Oxhey Lane. The baseline data (trip generation and distribution) used have been taken from aforementioned TRICS and census data. A Junctions 9 assessment has then subsequently been carried out on the proposed junction to a future year of 2030 with the development, using baseline traffic data + committed developments (including traffic flows associated with those developments under consideration for planning applications 25/1055/FUL and 25/1020/OUT) and TEMPRO growth factors to 2030. The results of the modelling show that the Ratio of Flow to Capacity (RFC) at all arms of the junction are well within the generally agreed practical capacity of 0.85.

From a highways and transport perspective, HCC as HA has assessed and reviewed the capacity and modelling results from the proposals in the context of paragraph 116, National Planning Policy Framework (NPPF) (update 2024), which 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, following mitigation, would be severe, taking into account all reasonable future scenarios.”

4. Bus Services

The location of the two nearest bus stops to the site are within the normally required 400m walking distance from the site. Following the initial response from HCC as HA, a number of improvements are proposed to the two stops (on Oxhey Lane and Pinner Road) and considered necessary to ensure that the proposals are in accordance with paragraphs 117a of the NPPF and policy 1 and 5 of Hertfordshire's Local Transport Plan (LTP4). The improvements include:

- At the south bound bus stop on the northeast side of Oxhey Lane (approximately south-east of the junction with Sherwoods Road)
 - o Kassel / easy access kerbs (4 full and 2 transition kerbs)
 - o Replacement bus stop pole with a Real Time Information (RTI) screen attached

- At the north bound bus stop on the west side of Pinner Road (close to the junction of Pinner Road with Watford Heath)

o Kassel / easy access kerbs (2 full and 2 transition kerbs due to limited space)

o RTI screen to be installed within shelter.

The bus stops are served by service 346, which currently runs an hourly service in the day time from Monday to Saturday between Watford and Northwood, including stops at Bushey Railway Station, Carpenders Park Railway Station and close to Northwood Underground stations. There are no services in the evening or on Sundays. Following consideration of the above, an appropriate level of 106 contributions is to be sought towards improving the service. This is to ensure that the service can be provided to a level that would mean that the bus is a realistic sustainable alternative to the motor vehicle for any future residents of the site at all times and for all people.

HCC as HA would be seeking 106 contributions of £63,000 per annum for 5 years, which is therefore a total of £315,000 (index linked by CPI to Feb 2026). This would facilitate the funding for an improved 346 bus service, specifically to support extending the services including evenings and Sundays. The contributions sought are considered to be acceptable and meet the tests as outlined in the NPPF, paragraph 58 of being necessary, directly related and fair.

5. Travel Plan

A Travel Plan (TP) has been submitted as part of the application to support the promotion and maximisation of sustainable travel options to and from the site and to ensure that the proposals are

in accordance with Hertfordshire's Local Transport Plan and the National Planning Policy Framework The TP is considered to be generally acceptable for this stage of the application, subject to being updated to take into accounts the points below. taking into account the following:

- Interim contact to be provided until a the Travel Plan Coordinator (TPC) is appointed.
- A secondary contact to the TPC must be provided along with TPC contact details.
- Details of time allocated to the TPC role and details of where they will be based must be specified In the TP (how frequently will they be on site?).
- Specify whether the TPC will be an employee of the developer or will the role be filled by a separate management company.
- More measures to encourage cycling. The TP must consider Dr Bike events held on site, promotion of / incentives towards cycle training and cycle parking provision.
- More measures for the promotion of public transport are required.
- Residential track pack contribution at the value of £100 per house and / or £50 per flat in the form of bus incentives must be included. This can be organised via HCC.
- Once baseline data is collected, targets must be updated in an amended travel plan, and they must reflect annual targets by each mode of travel

- Monitoring surveys must take place on an annual basis..
- In a full travel plan, traffic data collection is required to (multi-modal counts) to support survey data.
- Amend text to state that the travel plan will be reviewed annually.

For further information or advice please see the following link

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
OR by emailing travelplan@hertfordshire.gov.uk

6. Conclusion

The acceptability of the overall proposals would be subject to the necessary additional details as outlined in the recommended conditions, planning obligations and above response - full details of which would need to be submitted and approved as part of subsequent reserved matters applications for the outline application. The applicant would also ultimately need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works. Therefore HCC as Highway Authority would not wish to object to the granting of the outline planning application, subject to the inclusion of the above planning conditions, obligations and informatives.

1.1.9.3 **Additional comments received 2 June 2026 confirming bus service contributions following questions raised by agent regarding reasonableness of this provision:**

As referred to in the full Highway Authority response dated 04/02/2026, HCC as Highway Authority would be seeking 106 contributions of £315,000 (index linked to Feb 2026). This is identified as funding an improved 346 bus service, more specifically to support extending the services to include evenings and Sundays.

The figure requested has been calculated using data from the bus service team at HCC as to the level of funding that would be required to improve the aforementioned bus service (£63,000 per annum for 5 years). The figure is also checked against the “contribution per dwelling” figure from HCC's Guide to using HCC's Guide to Developer Contributions, specifically appendix Technical Appendix 1: Transport in respect to an appropriate level of contributions per dwelling. The headline figure is £9,861 per dwelling (index linked to March 2024) and therefore it is noted the potential figure that could be sought for this site (if deemed necessary to improve the bus service to a sufficient level) would be £690,270 (index linked to Mar 2024). It is noted that the figure formally requested for this application is substantially less than this figure and therefore the figure requested is deemed to meet the fair and reasonableness test in this respect.

Reference is made to the modal split of trips with 2.6% of trips being made by bus as being a reason to argue against bus service contributions (calculated using 2011 census data).

Paragraph 109 of the National Planning Policy Framework (NPPF), 2024 states that transport issues should be considered using a vision-led approach to identify transport solutions and that should involve “identifying and pursuing opportunities to promote walking, cycling and public transport use”. The improved bus service provision would therefore be in accordance with such a vision led approach by promoting the use of public transport (e.g. bus or combination bus/train journeys) and reducing the reliance on the private motor vehicle (and

accordingly reducing the proportion of car trips, which aligns with Hertfordshire's Local Transport Plan and the NPPF).

Paragraph 115b of the NPPF states that application for developments should ensure that "safe and suitable access to the site can be achieved for all users". Not all future residents or visitors of the proposed site would be able to walk or cycle the necessary distances to the nearest railway station or other amenities and therefore would be reliant on such a bus service. Even with the 2.6% of trips figure, such users would still need access to a bus service that is convenient and frequent (including in evenings and on all days). Indeed this would also link to paragraph 117 of the NPPF, which states that application for development should facilitate access to "high quality public transport....., and appropriate facilities that encourage public transport".

Therefore following consideration of the aforementioned points, the type and level of contribution that is being sought is deemed to be acceptable and in accordance with the necessary tests as laid out in the CIL regulations and paragraph 58 of the NPPF as being:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

Every planning application has to be assessed on its own merits. I note that reference is made to application 25/1055/FUL - the proposals subject to that application include a significant amount of off-site sustainable travel infrastructure, which would therefore be deemed as essentially being strand 1 / necessary infrastructure works. In this context any level of off-site highway works has to be considered taking into account whether or not an additional 106 contribution would meet the CIL test 3 of being fair and reasonable. It should also be noted that application 25/2168/OUT would also benefit from the aforementioned infrastructure if that site comes forward and completed.

1.1.10 Three Rivers Conservation Officer: [Heritage harm identified]

The application is for Outline application: Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters).

This application follows previous pre-application discussions.

There are no heritage assets, either designated or non-designated on the application site (the Site) and the Heritage Statement has identified three heritage assets for assessment:

- Oxhey Grange (Grade II, List Entry Number 1101593)
- Oxhey Grange Lodge (Grade II, List Entry Number 1174337)
- Watford Heath Conservation Area

Oxhey Grange was built in the late nineteenth century and extended in 1908. The grounds of the house were to the western side of the A4008 road, and it is screened on all sides by mature woodland and is set well away from the A4008. The Heritage Statement states that due to the lack of physical, visual and historical connection with the Site, that the Site does not contribute to the significance of Oxhey Grange. It is agreed that the Site only makes a limited contribution to Oxhey Grange itself in terms of setting, due to the physical separation of the two, and the main open setting of Oxhey Grange being woodland to the south and west.

Oxhey Grange Lodge was built in 1908 along with the extension to the house and is set approximately 100m to the northeast of the Grange, close to the A4008. The Heritage Statement states that the main setting of the Lodge is Oxhey Grange itself, that there is no historic or functional connection with the Site and that the Site does not contribute to the significance of the Lodge. However, while acknowledging these points, the Site still makes an important contribution to the understanding of the Lodge as a building set in open countryside historically, particularly as the Site is now the only visible area of open space visible in shared public views. On this basis, development at the Site has the potential to impact the significance of the Lodge and Oxhey Grange itself to a lesser extent due to its historic connection to the Lodge.

In relation to Watford Heath Conservation Area, this is outside the Three Rivers DC boundary and is located within Watford BC. The submitted Heritage Statement notes that the Site makes a limited contribution to the character and once rural setting of the Conservation Area.

The outline application has been submitted with a detailed Design Code. This has provided several key measures which would limit impact on heritage assets. The access point would be towards the north of the Site, away from the Lodge. Built footprint would be set well back from the road, particularly adjacent to the Lodge, with appropriate building heights and sensitive design, influenced by the local vernacular for the zone nearest to the road. In addition, there is a green corridor to the front/west with appropriate boundary treatments including native hedgerows, timber bollards and chain or estate railings with no timber fencing to be used on rear boundaries facing the public realm.

The design and mitigation points are all acknowledged and based on the quantum of development provided, the scheme appears to have proposed a high level of mitigation. If officers are minded to grant permission, the Design Code should be secured as an approved document if appropriate in planning terms.

However, due to the visual openness of the Site, it is unlikely that the harm to the Lodge caused by this quantum of development could be fully mitigated. Overall, the proposal would result in a lower degree of less than substantial harm to the significance of the Lodge but would have a neutral impact on Oxhey Grange itself.

This response has been made with regard to Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act and Chapter 16 of the National Planning Policy Framework (NPPF). It is noted that in the NPPF para 215, less than substantial harm should be weighed against public benefits which may in this instance include the housing provision.

1.1.11 Herts County Council Minerals and Waste Department: [no objection: conditions requested]

I am writing in response to the above planning application insofar as it raises issues in connection with minerals and waste matters.

Minerals

In relation to minerals, the site falls entirely 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.

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, 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).

he 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:

Project and People

- 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 has 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. **County of opportunity**

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).

1.1.12 East of England Ambulance Service NHS Trust: [No objection: monetary contribution requested]

Thank you for consulting the East of England Ambulance Service NHS Trust (EEAST) on the above planning application. This letter sets out the impact of the proposed development on emergency ambulance services and the mitigation required to ensure that EEAST can continue to meet its statutory functions as population grows.

EEAST's request is entirely separate from any contribution sought by Hertfordshire & West Essex Integrated Care System for primary care, community, mental health, or acute services.

Impact of the Development on Ambulance Services

The proposed 70 dwelling development is expected to generate an additional **154 residents**, based on the local authority average of **2.2 persons per dwelling**. Using EEAST's established and standardised population-based activity model, this population uplift is forecast to generate **35 additional emergency calls per year**.

This represents an **5.1% increase in annual activity** arising from this development when compared to current incident levels in the WD195 area (1,185 incidents between 1 April 2024 – 31 March 2025).

This level of additional activity directly increases:

- Pressure on the Harlow Ambulance Hub, which serves this area
- Pressure on regional Emergency Operations Centres receiving and handling 999 calls
- Demand for frontline vehicles, vehicle preparation capacity, welfare facilities, and estate infrastructure needed to maintain operational safety and performance.

Existing Capacity Constraints

Ambulance Hubs must provide sufficient space for vehicles, equipment, welfare areas, and clinical preparation, ensuring rapid deployment and compliance with CQC and national Make Ready standards (Lord Carter Review, 2018).

The Harlow Ambulance Hub which would serve the development, currently operates from a constrained estate:

- **Existing GIA:** 793m²
- **Modern Hub requirement:** 2,200m²
- **GIA Deficit:** 1,407m²

Harlow Hub provision needs to support approximately 40 Dual-Staffed Ambulances and 4 Rapid Response Vehicles, yet it currently accommodates only 30 vehicles. Increased population growth in the catchment area will further intensify this shortfall.

The proposed development therefore directly and measurably worsens existing capacity pressures, requiring capital investment to maintain safe, resilient, and compliant services.

Legal and Policy Basis for Mitigation

Under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), a planning obligation may only be sought where it is:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development
- Paragraph 56 of the National Planning Policy Framework (NPPF) confirms the same tests.

The requested contribution meets all three tests.

Table 1 Capital Cost calculation of additional emergency ambulance health services arising from the development proposal

No Dwellings	Infrastructure Cost*	Total
70	£340	£23,800

* calculation of £340 is based on 2.2 persons per dwelling and adjusted pro-rata depending on the expect number of persons per dwelling.

Calculation is based per person using EEAST population (6.1m)/number of incidents in 2024/25 (1.4m) to give a per person incident rate

$6.1m/1.4m = 0.23$ incidents per person per annum

EEAST Capital Infrastructure Costs is based on occupancy of 2.2 persons per dwelling, adjusted pro-rata

Estates build per m² (£213.50)

Cost of emergency ambulance vehicles (£126.50)

The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be **£23,800** and are for the impact of this development only and will be used to support:

- Relocation, expansion/installation of EV charging for the existing Harlow Ambulance Hub to meet the increased local demand arising from this housing development.

For clarity, EEAST is seeking capital infrastructure mitigation, not revenue funding. The High Court in *R (University Hospitals of Leicester NHS Trust) v Harborough DC [2023] EWHC 263 (Admin)* dealt only with requests for revenue funding to address an alleged short-term NHS funding lag, and the **judgment expressly states** that it does **not apply to capital or infrastructure contributions**.

EEAST, like all NHS Trusts, is subject to a strict Capital Departmental Expenditure Limit (CDEL) set by HM Treasury. CDEL restricts annual capital investment and is already fully committed to essential fleet replacement, maintenance backlog, and statutory compliance. Population-driven capital expansion is not funded through CDEL, nor through NHS England revenue allocations.

Section 106/CIL funding is therefore the only mechanism available to mitigate the capital infrastructure impacts arising from this development, ensuring that ambulance services can maintain safe operational capacity.

Defibrillators

EEAST would request the Council ensure via a s106 contribution sufficient defibrillators are provided for the new community. This should include the cost of the device, an outdoor rated heated cabinet and the associated consumables, as well as the ongoing maintenance costs for a period of 10-years (circa £10,500 per device). The cabinet needs to be located where there is electrical power and sufficient footfall to provide benefits to the new community. Research indicates 800 meters is the maximum distance to fetch a defibrillator. The s106 could be allocated either to the local parish council or to EEAST.

Comments on Development Proposal

EEAST would request the developer considers the following Health & Wellbeing and Scheme Design Measures as they support physical, mental health and wellbeing and help develop community cohesion:

Health and Wellbeing Scheme Design Measures

EEAST notes the Health Impact Assessment which should consider the impact all health organisations including primary care, acute, mental health, community and emergency ambulance services.

Since the COVID-19 pandemic more people are likely to work from home for at least part of the week, the room size and layout should be sufficient to facilitate at least one person working from home in a suitable environment as this supports both physical and mental health and well-being. Access to fresh air is also recommended.

Developers' inclusion of community gardens, allotments, orchards, meadow flower and woodland planting areas. Balconies, roof gardens and terraces also provide green space opportunities in apartment buildings. Consideration of all senses (sight, hearing, touch, smell, taste) should be addressed by the developer in the planting plan and use of local flora and fauna and wildlife corridor connection.

In central open space developers should establish of seating in open spaces and along walkways to provide the opportunity for residents to meet and supports those who have limited mobility to rest and enjoy the surrounding green space.

Ideally EEAST recommends Passivhaus/BREEAM Excellent standard is used for all housing and where appropriate, commercial buildings. This would also support the council in delivering their sustainability/green plans. As a minimum EEAST recommends the proposed 40% affordable/social housing are built to Passivhaus or BREEAM Excellent standards, as this

would provide significantly long-term environmental savings for residents who are more likely to be from the most deprived backgrounds or have limited disposable income.

Flood Assessments

EEAST notes the site is within Flood Zone 1 with a small section of Flood Zone 2 & 3 is shown encroaching slightly into the north-eastern corner of the site.

Flooding significantly affects residents physical and mental health in both the short and long term. Developers to utilise the catchment of clean/grey water to include underground storage tanks or multiple water butts (ie garage and house) to help reduce the risk of localised flooding post development. There is the potential for residents to reuse water for gardens, car washing and in community gardens instead of entering main sewers.

The use of sustainable urban drainage through permeable paving in driveways and parking areas to accommodate surface water run-off is welcomed and should be suitable for use by wheelchairs, mobility scooters and pushchairs.

In Flood Zones 2 and 3 EEAST request the appropriate the use of swales and other drainage measures to absorb any flood waters and would urge developers ensure measures are taken to minimise the risk of flooding in surrounding areas as well as flood proofing homes, garages and other infrastructure.

Transport, Design and Access

Cycle parking should allow for different types of cycles (eg trike, electric bike or mobility scooter) to be stored, covered, secure and well lit.

Blue light emergency services would request developers support the Vision Zero/Safe System approach to design out road accidents for vehicle occupants, motorcyclists, bicyclists and pedestrians by utilising clear lines of sight, use of appropriate street/road lighting, use the of village gateways on approach to the junctions/roundabout and other opportunities to support speed reduction. Clear lines of sight are retained close to properties and walkways to support the reduction and fear of crime whilst also minimising the impact of artificial light.

1.1.13 Three Rivers 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.

Whilst it is positive that the supporting statement indicates that up to 50% of this development is to be affordable and a tenure split of 70% social rent and 30% shared ownership, the application does not provide a detailed affordable housing schedule. In particular, there is no breakdown by unit size and tenure, nor confirmation of the proportion of family-sized homes to be delivered within each tenure. In the absence of this information, it is not possible to fully assess compliance with Policy CP4 or to determine whether the scheme would adequately address identified local housing needs.

- 1.1.14 Herts County Council Growth and Infrastructure: [No objection; Monetary contribution required]

Response by HCC's Growth & Infrastructure Unit to 25/2168/OUT

Land Adjacent Woodlands Cottages Oxhey Lane Carpenders Park

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 **70 dwellings** 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	3	6
3	16	8
4+	11	1
Total	30	15

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	8	5
2	7	5
3	0	0
4+	0	0
Total	15	10

Trajectory						
Year	2025	2026	2027	2028	2029	2030
Units	0	0	35	35	0	0

Secondary Education Contribution towards the delivery of a new secondary school at Carpenter's Park and/or provision serving the development (£620,243 (which includes land costs of £12,553) index linked to BCIS 1Q2024 and BCIS Regional Factor)

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 (£104,419 index linked to BCIS 1Q2024 and BCIS Regional Factor)

Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£7,614 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. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. 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).

PLEASE NOTE THE FOLLOWING:

Consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition.

I would be grateful if you would keep me informed about the progress of this application so that either instruction for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested financial contributions and provisions.

Should you require any further information please contact the Growth & Infrastructure Unit.

1.1.15 Affinity Water: [No objection; Conditions requested]

Thank you for your notification of this planning application. These are referred to our team where our input on issues relating to groundwater impact may be required. For water supply, infrastructure protection and mains diversions please get in contact with our Developer Services Team via the "My Developments Portal" <https://affinitywater.custhelp.com/> or aw_developerservices@custhelp.com at the earliest opportunity to avoid delays.

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) which corresponds to our abstraction boreholes (EAST) for public water supply.

Provided that the below conditions are implemented and it has been demonstrated that public water supply will not be impacted, we would have no objections to the development.

Contamination through Ground Works:

If any works involving excavations are necessary, then the following condition needs to be implemented:

Condition 1

Prior to the commencement of the development, no works involving excavations (e.g. for foundations (e.g. piling), drainage (e.g. infiltration), geothermal system etc.) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

An Intrusive Ground Investigation plan prior to the intrusive ground investigation, agreed with Affinity Water to ensure all concerns will be covered.

- An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.

- A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.
- A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.
- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply.

Contamination during construction:

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.

Condition 2

If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A Remediation Strategy/Report detailing how contamination will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

Contamination through Surface Water Drainage:

Surface water drainage should use appropriate Sustainable Urban Drainage Systems that prevent the mobilisation of any contaminants where a direct pathway to the aquifer is present. This should use appropriate techniques that prevent direct pathways into the aquifer and that ensure sufficient capacity is provided for all surface water to be dealt with on site, preventing consequential flooding elsewhere.

Condition 3

Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- A final Surface Water Drainage Scheme demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

Reason: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

Issues arising from any of the above can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

Informative

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 further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

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.

1.1.16 Thames Water: [No objection; conditions requested]

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.

The foul water network in this catchment is impacted by high infiltration flows during certain groundwater conditions. Care must be taken when designing new networks to ensure they don't surcharge and cause flooding. Whilst design and construction guidance for sewers allows for an element of infiltration, we would expect in high risk areas such as this that additional precautions are taken to minimise infiltration; this should be in the form of the installation of leak tight liners within sewers and resin injection to seal chambers. This will help to mitigate the risk of flooding in the vicinity of the development (e.g. reduce property flood risk and travel disruption in the locality) and also help to reduce the risk of pollutions in the wider environment, particularly considering the impact of climate change. In the longer term, Thames Water, along with other partners, are working on a strategy to reduce groundwater entering public sewer networks.

The surface water network in this catchment is impacted by high infiltration flows during certain groundwater conditions. Care must be taken when designing new networks to ensure they don't surcharge and cause flooding. Whilst design and construction guidance for sewers allows for an element of infiltration, we would expect in high risk areas such as this that additional precautions are taken to minimise infiltration; this should be in the form of the installation of leak tight liners within sewers and resin injection to seal chambers. This will help to mitigate the risk of flooding in the vicinity of the development (e.g. reduce property flood risk and travel disruption in the locality) and also help to reduce the risk of pollutions in the wider environment, particularly considering the impact of climate change. Developers must liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. This must also ensure that the design of any SUDS or surface water management solution conveys exceedance flows away from public sewer networks. In the longer term, Thames Water, along with other partners, are working on a strategy to reduce groundwater entering public sewer networks.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via

www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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.

Thames Water would advise that with regard to the SURFACE WATER network capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments:

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

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.

1.1.17 Watford Environmental Health Officer: [No objection; conditions requested]

I have reviewed the air quality report (Report Ref 2407460-ACE-XX-00-RP-C-0801_B (November 2025) and accept the findings that the development should have negligible impact on air quality and would not require any further information. I have only considered this for long term exposure post development. The construction phase, dust etc should be considered by TRDC Environmental Health Team.

The Contaminated Land Report (PRELIMINARY RISK ASSESSMENT OXHEY LANE THREE RIVERS KEBBELL DEVELOPMENT LTD PRA-25030-24-459 NOVEMBER 2025)

States:

The identified potential contaminant linkages will require intrusive site investigation to obtain more information and to undertake a Tier 2 generic quantitative risk assessment. The investigation should include:

- 1) Exploratory holes targeted to the former structure to determine whether any made ground is present and the chemical quality of soils;
- 2) Ground gas monitoring is recommended along the southeastern boundary to confirm the cohesive nature of the geology and whether there is any evidence for ground gas from the off-site source
- 3) Basic confirmatory testing of site soils is recommended;

4) Investigation will also be required for geotechnical design purposes.

Having reviewed the submitted report we would agree that it is appropriate for the intrusive investigation to be carried out following granting of planning consent and would require a completed assessment as detailed above to be secured by a suitable planning condition if permission is to be granted.

1.1.18 Hertfordshire and West Essex Integrated Care Board: [No objection; Contribution requested]

Location: Land Adjacent Woodlands Cottages Oxhey Lane Carpenders Park

Thank you for consulting the Hertfordshire and West Essex Integrated Care Board (HWE ICB) on the above-mentioned planning application.

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: Dr Jane Halpin, Chief Executive Rt. Hon. Paul Burstow, Chair

- 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 70 homes, which based on an average occupancy of 2.4 will create circa **168 new patients**.

These new residents will impact on several practices and PCNs. It is difficult to analyse capacity on PCN level because there is no geographical alignment as most practices belong to different PCNs. Therefore, capacity analysis on surgery and settlement level is 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. Notwithstanding recent internal refurbishment, a need for a contemporary health facility in South Oxhey, medium to long term, 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 70 dwellings, which based on an average occupancy of 2.4 occupants per dwelling will create circa **168 new patient registrations**.

168 new patient registrations/2000 = 0.084 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"

$0.084 \times 199 \text{ m}^2 = 16.716\text{m}^2$ of additional space required

$16.716\text{m}^2 \times £7,000^* \text{ per m}^2 = £117,012$ (*Build cost; includes fit out and fees)

$£117,012 / 70 = £1,671.60$ per dwelling (rounded up to £1,672 per dwelling)

Total GMS monies requested: 70 x dwellings x £1,672 per dwelling = £117,040 (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 1st 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:

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 70 new dwellings and 168 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.

1.1.19 Cadent Gas: [No objection]

After receiving the details of your planning application, we have completed our assessment. We have **no objection in principle** to your proposal from a planning perspective.

Cadent will need to be contacted prior to any works taking place, to trace and markup the HP asset.

Easement and BPD distances will be set out and must be adhered to.

Trial holes will be required to pinpoint the pipeline position and depth.

We have a 762 mm ST HP high pressure pipeline in the works area, which will need to be protected at all times this has an easement in place with BPD distance that must not be encroached upon, nothing to be built on or placed/stored on or over the pipeline or in the easement for any assets in the works area.

No excavation within 3m of the HP pipeline as per SSW22.

No plant to cross the pipeline without crossing points being agreed on with Cadent

Please be aware that access to the Pipelines will be always required in the event of an emergency or operational maintenance needs.

Any damage or any action that puts the pipeline at risk will be reportable to the HSE.

Please refer to MAHP and the BPD noted below.

Please review our attached plans, which detail the Cadent gas asset/s in the area. If your application affects one of our high- pressure pipelines, it is a statutory requirement that you input the details into the HSE's Planning Advice Web App. For further details, visit www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm

The HSE may wish to apply more stringent criteria for building proximity after assessment. Please ensure that you formally consult with them before you proceed.

In order to help prevent damage to our asset/s, please add the following **Informative Note** into the **Decision Notice**:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.

The minimum building proximity distance (BPD) for the pipelines and associated installations is as follows:

- Specific MAHP BPD (15.3 METERS MIN) this only a guide and the exact BPD can be larger.
- Specific IP BPD (3 METERS MIN)
- Specific AGI BPD (based upon the hazardous area zoning) 10 METERS MIN

The building proximity distance taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission and IGEM/TD/3 Edition 5 Steel and PE pipelines for gas distribution

Your responsibilities and obligations

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability were prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at box.eaplantprotectionops@cadentgas.com / quoting your reference at the top of this letter.

1.1.20 Watford Borough Council: [Comment]

Thank you for the opportunity to comment on this application. The site is adjacent to Watford's borough boundary to the North and West and it is located within land designated as Green Belt.

The site was assessed within the Watford and Three Rivers Stage 2 Green Belt Assessment (2019) as part of parcel 'WE7' which includes the proposal site and the area to the east of the A4008.

This Green Belt Assessment concluded that a 'moderate high' overall harm to Green Belt Purposes would result from the release of this land. Specifically, the release of land would have a 'relatively significant' impact in relation to purpose 2 (preventing neighbouring towns from merging into each other) and purpose 3 (assist in safeguarding the countryside from encroachment). There would also be a 'moderate' impact on purpose 1 (check the unrestricted sprawl of large built up areas).

In response to the potential allocation of this site within the emerging Three Rivers Local Plan, Watford Borough Council raised concerns in 2018 and 2019 and did not support the sites allocation. It is noted that the site has been subsequently excluded from proposed allocation in the latest 2023 Reg 18 version of the Three Rivers Local Plan due to its moderate high impact on Green Belt purposes; a decision that was supported by Watford Borough Council in its representation dated 4/10/2023.

The Council continues to consider that the loss of green belt in this area, either individually or collectively would compromise the separation of Watford (Watford Heath area) and Carpenders Park.

It is acknowledged however, that the policy landscape has changed in relation to Green Belt over the past 12 months, especially through the introduction of Grey Belt. Grey Belt is land within the Green Belt that does not strongly contribute to purposes a, b or d of the Green Belt purposes as set out in para 143 of the NPPF¹. In considering this application, a detailed and robust analysis should be done to determine whether this site would be Grey Belt. If it was considered to be Grey Belt then the scheme would need to be determined in accordance with Paragraphs 155 and 156 of the NPPF.

The Council hope that these comments are useful. Please do not hesitate to contact us if there are any questions regarding this response.

1.1.21 Herts County Council Ecology: [No Objection]

1.1.21.1 **Comments and recommended Conditions and Informatives:**

Having reviewed the documents associated with this application, the following information is required in order for the Hertfordshire LEADS Ecology team to reach an informed judgement on the impact of the proposed works:

Great Crested Newts - The Ecological Impact Assessment (EIA) report (November 2025) states that there are 5 ponds within 250m of the site, two of which could not be surveyed (Ponds 2 and 5) to assess their suitability as Great Crested Newt (GCN) habitat. Although the

location of these ponds is stated as being shown in Figure 6, this figure has not been provided and so it is not possible to advise the LPA as to the significance of their location. However, it is noted that the report stated that all but one pond to the southwest of the site have good connectivity to the site. No account seems to have been made in the impact assessment for the potential for GCN being present in the ponds that could not be accessed.

A Habitat Suitability Index assessment was carried out on the three accessible ponds - Ponds 1, 3, and 4, which were found to be below Poor, Average and Below Average suitability for GCN respectively. Further, an eDNA survey to determine GCN presence was carried out on Pond 1 only as Ponds 3 and 4 were dry at time of surveying. The report states that this survey returned a negative result; However, the full results are referenced as being in Appendix 5, which has not been included in the report. As a protected species, the LPA must be satisfied over the likely presence/absence of GCN at the site, particularly considering that there are 16 records of GCN which overlap the site boundary, as stated in the EIA report. Therefore, I would recommend that the LPA request the missing results for the eDNA survey carried out and, unless exceptional circumstances mean that access to Ponds 2 and 5 cannot be gained, for Ponds 2 and 5 to be surveyed to ascertain their suitability for GCN and subsequently any eDNA surveys to determine GCN presence/absence to be carried out if required. In the event that access to Ponds 2 and 5 is not possible, given the proximity of records of GCN, then the precautionary principle should be applied. In this case this might be by the application for a DLL licence, in which case the applicant will need to submit a completed impact assessment and **conservation payment certificate (an IACPC) signed by Natural England** confirming the suitability of the site for the scheme to the LPA prior to determination.

1. **Bats (Ground Level Tree Assessment)** - The EIA report states that a Ground Level Tree Assessment (GLTA) was carried out on 16th September 2024 to assess the potential of the trees on-site for bat roosting. However, the results of the GLTA have not been provided in either the main body of the report or the appendices. The Arboricultural Implications Report (November 2025) makes clear that several of the trees on-site are planned for removal, including a number of which that are stated to have features such as dieback (e.g. Tree 12, Tree 13), which may render them more likely to have the potential to support roosting bats. Furthermore, the results of the Night-time Bat Walkovers undertaken in October 2024, April 2025 and June 2025 indicated that the site is being used by at least three species or groups of bats, as stated in the EIA. Whilst we acknowledge that the Arboricultural Implications Report states that none of the trees to be removed are mature specimens (which are more likely to have the potential to support roosting bats), without the results of the GLTA, the potential of the trees on-site to support roosting bats is unclear and the LPA cannot scrutinise these results against the trees to be removed nor be forewarned of any possible impact on bats should the plans regarding the removal of trees on-site be changed. As such, I would recommend that the LPA request the results of the GLTA from the applicant.

1. **Tree Preservation Order** - The Arboricultural Implications Report states that there are three trees on-site covered by a Tree Preservation Order (TPO), but that "two trees within the site shown to be protected under this TPO were not present at the time of the survey", implying that two trees under a TPO on the site have been removed. Considering the protections granted by a TPO, I would recommend that the LPA make enquires with the applicant to ascertain 1) whether the two trees in question were removed subject to a planning application, and if so, 2) whether this application was granted prior to 25th August 2023. If these trees

were removed in connection with planning approval granted after 25th August 2023, this loss needs to be accounted for in the BNG metric calculations for this application.

Without the above information, we are unable to reach an informed judgement on the application and would therefore request re-consultation following the submission of the above information.

1.1.21.2 Comments received 22 May 2026 sustaining objection:

Comments and recommended Conditions and Informatives:

Protected species

In our previous response to this application, the Hertfordshire LEADS Ecology team raised queries regarding the below concerns which have since been addressed through additional information provided by the applicant as follows:

1. **Great Crested Newts (GCN)** – In our previous response, the Ecology team raised concern regarding the two of the five ponds within 250m of the site that the Ecological Impact Assessment (EIA) report stated could not be surveyed during the assessment. The applicant has since shared the results of a previous surveys carried out as part of another application which indicate that these ponds are unsuitable for GCN. Ecology also noted in our previous response that the full results of the eDNA survey carried to determine GCN presence/absence in Pond 1 which the EIA report referenced as being within Appendix 5 of the EIA report, which was missing from the original report. Since, an updated EIA report has been submitted which includes Appendix 5 with the full results of the eDNA survey, confirming the result as Negative for GCN presence.

Having reviewed this additional information submitted, I would consider sufficient evidence to have been provided to determine that GCN are unlikely to be present on-site and impacted by the proposed works, and thus I would advise that no further surveys are required with regards to GCN.

2. **Bats** – We previously requested for the results of the Ground Level Tree Assessment (GLTA) to determine the potential of the trees on-site for roosting bats, notably those planned for removal, as the GLTA was mentioned in the EIA report yet the results were absent. The EIA report has since been updated to clarify the results of the GLTA, stating that “(n)o trees within the Site or along the boundaries have the potential to support roosting bats”. Whilst no photos of the trees on-site have been provided, considering that the Arboricultural Implications Report states that none of the trees to be removed are mature specimens, I see no reason to doubt this assessment.
3. **TPO** – Ecology queried whether, as suggested by the Arboricultural Implications Report, two trees protected under a TPO on the site had been removed. We acknowledge that the applicant notes that they are currently liaising to confirm whether these two trees protected under TPOs were removed from the site. However, this issue still stands, as confirmation is required on whether these trees have been removed under planning permission granted after 25th August 2023 - if this is shown to be the case, this loss needs to be accounted for in the BNG metric calculations for this application (see comments regarding BNG [below](#)).

Given how the above concerns regarding protected species have been addressed, I would therefore agree that no further surveys are required with regards to protected species. The EIA report recommends a number of mitigation and enhancement measures (pg. 14-18), including a **Construction Environmental Management Plan (CEMP)**, a **Biodiversity Enhancement Plan**, a **lighting strategy**, and a Landscape and Ecology Management Plan (LEMP) are produced. Considering the EIA results and the site context, I would consider these suggestions to be appropriate and would recommend that these are secured by **Condition** (see suggested wordings [below](#)), however, given the proposed enhancements to achieve BNG on-site, I would advise that a Habitat Management and Monitoring Plan (HMMP) would be appropriate instead of a LEMP (see comments regarding BNG [below](#)). These plans should be informed by the EIA report. Finally, I note that the EIA report mentions the presence of Montbretia, an invasive species listed on **Schedule 9** of the Wildlife and Countryside Act (1981). As such, appropriate measures should be included within the CEMP as to the handling of this species to ensure adherence to best practise guidance in order to avoid an offense being committed (see suggested wording in CEMP Condition [below](#)).

BNG – Pre-determination

Insufficient minimum information for determination: As mentioned above, confirmation on whether the two trees under TPOs were removed and when is required in order to determine whether this loss must be accounted for in the BNG metric. The start page for the currently submitted BNG metric has also not been completed – the name of the person who completed the BNG metric, which must be a suitably competent person(s), and the date upon which the BNG metric was completed, must be filled out. **Until these points are addressed, in line with government guidance, I must advise that there is currently insufficient minimum information regarding BNG for determination.**

However, should an updated metric be submitted with a completed start page which confirms that the BNG metric was completed by a suitably competent person(s), further information is submitted which confirms that the two trees were removed under a planning application granted prior to 25th August 2023, I would not consider there to be any other issues with regards to ecology that must be addressed prior to determination. In this case, re-consulting the LEADS Ecology team may be unnecessary; Hence, please see the below further comments regarding the BNG for this application.

1. **Habitat Assessment:** Sufficient information has been provided to allow the LPA to consider the UK habitat assessments provided i.e. the species for the areas of Other Neutral Grassland has been submitted and supports the assessment. The condition assessments for the areas of Other Neutral Grassland do not appear to have been submitted, however, given the current use of these areas as regularly-grazed pasture, I see no reason to doubt the assessment of Poor/Moderate condition for these areas. Based on this information, I advise that the LPA can be confident that the habitat assessment is sufficient to populate the biodiversity metric.
2. **Strategic Significance:** The values for the baseline habitats have been set as low in line with government LNRS guidance.

BNG – Determination

1. **Significant Onsite Enhancement (S106):** The proposed BNG includes large areas of medium /high distinctiveness habitats. As a result, I advise that the On-Site enhancements should be considered Significant Enhancement and in this case, this is **secured by aS106, or a conservation covenant**, for at least 30 years after the development is complete.

I advise that account is taken in any such agreement of the cost to the LPA of reviewing any required monitoring reports, this should reflect the small (1- 5 ha) site size and medium difficulty of creating and managing the habitats. Based on this I advise that, in line with the Ecology service (LEADS) monitoring cost calculator, a cost of £3,750 would be appropriate.

2. **Habitat Management and Maintenance Plan (HMMP):** I advise that the means by which the proposed on-site habitats will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP). The approved HMMP should be secured by **Condition**. I would also advise that the approved HMMP uses the template published by Natural England.
3. **A net loss has been shown, and the trading rules have not been met.** In line with government guidance, it would generally be inappropriate for concerns about the ability to discharge the condition to be used as a reason to refuse an application. However, the applicant should be made aware that the general biodiversity condition is a pre commencement condition and that if the applicant chooses not to address these matters prior to determination they will need to do so at the post determination stage.

BNG – Post-determination

1. **At the biodiversity gain plan stage an updated metric will need to be submitted showing how a net gain can be delivered.** This could be either by the provision of further onsite non-significant enhancements, onsite enhancements that can be secured at the post determination stage or through the use of an off-site location. As a last resort, if an off-site location cannot be found, Biodiversity Credits would need to be purchased. In this latter case, the applicant must demonstrate to the satisfaction of the LPA that all other options have been fully explored and that the BNG hierarchy has been followed.
2. **Off-site BNG:** Where an off-site solution is sought, the spatial multiplier will need to be applied and, depending on the location of the provision, could require the purchase of more BU than is presently shown in the headline results. At the post determination site, the Off-Site Gain summary tab should be checked to ensure that the spatial risk multiplier has been applied as this will not reflect in the headline results.
3. **LNRS & Post Determination Strategic significance:** Areas of the application site are covered by mapped measures within the strategy (i.e. “Manage existing grassland and heathland to maintain the biodiversity of existing good quality habitats and enhance poor quality sites” (Grassland 1 action) and “Restore Swift Populations” (Species with Targeted Actions - Swift action). If the application is approved, the Biodiversity Gain Plan and supporting metric should reflect high strategic significant values for any areas (1) that are shown in the published local strategy and (2) deliver the mapped measures for that area. Any post-development habitat interventions that meet both of these criteria will achieve a biodiversity unit uplift. For example, the areas of this application site where existing ‘Poor’ condition Other Neutral Grassland is improved to ‘Medium’ Condition may be eligible for uplift.

4. **Biodiversity Gain Plan:** I advise this is completed using the government template. In order for the Biodiversity Gain Plan to be discharged, it should be submitted with the following minimum information either within the body of the plan or as supporting information:
- A completed metric tool calculation that demonstrates:
 - a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.
 - a fully completed start page, including project details and the date that the final version of the metric was completed.
 - where off-site units are being used, these should be shown in the appropriate tab of the metric, and the off-site gain site summary should be completed.
 - Pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale). Post-development plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.
 - If off-site units are being used, the biodiversity net gain register reference number will be required for a completed BGP.
 - Proof of purchase if they're buying statutory biodiversity credits.
 - A description of how they will manage and monitor significant on-site gains

Conditions and Informatives

1. **Biodiversity Enhancement Plan – Condition:** *“Prior to the commencement of development, a Biodiversity Enhancement Plan for protected and priority species shall be submitted to and approved in writing by the Local Planning Authority. The Plan should be informed by the Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026). Bat roosting features and Swift Bricks should be Integrated (built “into” rather than “onto” buildings), and features should be installed in a ratio of one for every two buildings and located according to ecological best practice. The 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 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."

2. **Lighting Plan – Condition:** *"A lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should be informed by the information and guidance regarding bats in the Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026) and accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts and accord with best practice (Guidance Note 08/23: Bats and artificial lighting in the UK, (BCT & ILP, 2023.). No external lighting should be allowed to exceed these limits, unless agreed with by the LPA, either during (if important for long-term construction projects) or post-development."*
3. **Construction and Environmental Management Plan (CEMP) – Condition: Protected species mitigation- General:** *"No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology 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.*
 - a) *A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026)).*
 - b) *Risk assessment of potentially damaging construction activities.*
 - c) *Identification of 'biodiversity protection zones'.*
 - d) *A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.*
 - e) *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).*
 - f) *Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period.*
 - g) *A non-native invasive species protocol (i.e. for Montbretia).*
 - h) *The times during construction when specialist ecologists need to be present on site to oversee works.*
 - i) *Responsible persons and lines of communication.*

- j) *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."

4. Habitat Management and Monitoring Plan (HMMP) – Condition: *"The development shall not commence until a Habitat Management and Monitoring Plan (HMMP) aligning with the HMMP template produced by DEFRA and prepared in accordance with the approved Biodiversity Gain Plan, including:*

- a) a non-technical summary;*
 - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;*
 - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*
 - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
 - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority;*
- has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the approved plan will be implemented in accordance with the approved details for the duration of 30 years."*

1.1.21.3 Comments received 26 June 2026 removing objections subject to conditions:

BNG

In our previous response to this application, the Hertfordshire LEADS Ecology team advised that the LPA seek clarification on whether, as suggested by the submitted Arboricultural Implications Report, two trees protected under a TPO on the site had been removed and if so, whether this loss had been accounted for in the BNG metric baseline for this application. We also noted that the 'Start' page of the submitted BNG metric had not been completed as is required by government guidance.

The agent has since shared a response to our comments stating that, with regards to the removal of the two trees, "Streetview imagery appears to suggest any removal may have occurred on a date prior to January 2020". Government guidance indicates that when habitat

degradation has taken place between 30th January 2020 and the date of 'relevant date' e.g. the date of the application, the biodiversity pre-development value of the onsite habitat should be calculated as the biodiversity value of the habitat on the date immediately before the carrying out of these degradation activities. Therefore, taking at face value the comment that any removal of these two trees is thought to have taken place prior to 30th January 2020, the agent is correct that there is not currently an allowance for capturing the value of these trees within the BNG baseline should they have been removed prior to January 2020. An updated BNG metric has also been submitted in which the name of the person who completed the BNG metric and the date upon which the BNG metric was completed has been filled out. The rest of this updated metric appears to be consistent with the previously submitted metric, and I see no other reason to doubt the value of the habitat baseline previously submitted for this application.

Therefore, I would consider sufficient minimum BNG information for determination to have been provided and would advise that the application can be determined accordingly. Please do however refer back to our previous relevant comments on this application - I have copied our previously recommended conditions and informatives below for reference.

Conditions and Informatives

Biodiversity Enhancement Plan – Condition: *“Prior to the commencement of development, a Biodiversity Enhancement Plan for protected and priority species shall be submitted to and approved in writing by the Local Planning Authority. The Plan should be informed by the Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026). Bat roosting features and Swift Bricks should be Integrated (built “into” rather than “onto” buildings), and features should be installed in a ratio of one for every two buildings and located according to ecological best practice. The plan shall include, but not be limited to, the following details: Purpose and conservation objectives for the proposed enhancement measures.*

Description, design or specification of the type of feature(s) or measure(s) to be undertaken.

Detailed designs to achieve stated objectives.

Materials and construction to ensure long lifespan of the feature/measure.

Proposed locations shown by suitable maps and plans and where appropriate the elevations of the features or measures to be installed or undertaken.

When the features or measures will be installed within the construction, occupation, or phase of the development.

Persons responsible for implementing the enhancement measures.

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.”

1. **Lighting Plan – Condition:** *“A lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should be informed by the information and guidance regarding bats in the Ecological Impact Assessment Report by Ecological Planning &*

Research Ltd (updated March 2026) and accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts and accord with best practice (Guidance Note 08/23: Bats and artificial lighting in the UK, (BCT & ILP, 2023.). No external lighting should be allowed to exceed these limits, unless agreed with by the LPA, either during (if important for long-term construction projects) or post-development.”

3. Construction and Environmental Management Plan (CEMP) – Condition: Protected species mitigation- General: “No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology 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. a) A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026)).

b) Risk assessment of potentially damaging construction activities.

c) Identification of ‘biodiversity protection zones’.

d) A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.

e) 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).

f) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period.

g) A non-native invasive species protocol (i.e. for Montbretia).

h) The times during construction when specialist ecologists need to be present on site to oversee works.

i) Responsible persons and lines of communication.

j) 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.”

1 Habitat Management and Monitoring Plan (HMMP) – Condition: “The development shall not commence until a Habitat Management and Monitoring Plan (HMMP) aligning with the HMMP template produced by DEFRA and prepared in accordance with the approved Biodiversity Gain Plan, including:

2 a non-technical summary;

3 the roles and responsibilities of the people or organisation(s) delivering the HMMP;

4 *the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*

5 *the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*

6 *the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority;*

has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the approved plan will be implemented in accordance with the approved details for the duration of 30 years."

I trust these comments are of assistance and kind regards.

1.1.22 Three Rivers Landscape Officer (Arboricultural): [No objection]

The site is within Metropolitan Green Belt and there are a small number of trees on the southern boundary that are protected by TPO 181. The site comprises of an area of heavily grazed horse pasture with scattered scrub and poor-quality trees and is bordered to the north and east by existing housing. The submitted plans indicate that a small number of poor-quality trees would be removed along the western boundary with the road, but a new area of tree planting and soft landscaping would be established along this boundary which would compensate for these losses. If the application is approved a tree protection method statement should be required and further details of proposed remedial landscaping.

1.1.23 Herts County Council Lead Local Flood Authority: [No objection]

RE: 25/2168/OUT - Outline application: Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters) - Land Adjacent Woodlands Cottages, Oxhey Lane, Carpenders Park

Thank you for your consultation on the above site, received on 5 January 2026. We have reviewed the application as submitted and wish to make the following comments.

The site is greenfield in nature and is not currently served by an adopted sewerage network. The site is located in Flood Zone 1, and there is very low risk of surface water flooding. The applicant has provided an appropriate Flood Risk Assessment (FRA), Drainage Strategy and outline design plans (as listed in the Annex). These are 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 Local Plan policies 170, 176, 181 and 182.

The Drainage Strategy suggests that infiltration is not viable at the site, but no infiltration testing has yet taken place. Given that an alternative solution for surface water drainage has been provided, infiltration testing can be carried out at a later stage. If infiltration is shown to be unviable at the site, then the Drainage Strategy has shown that the site can be appropriately drained to the public surface water sewer. The LLFA is pleased to see that the Drainage Strategy utilises open and source control SuDS features. We would expect to see further SuDS features utilised throughout the development at detailed design stage. Given that this is an Outline application, the LLFA is happy with the level of detail provided at this stage and the applicant has demonstrated that the site can be safely drained at a reduced rate.

With this in mind, we have **no objection subject to conditions being attached to any consent** if this application is approved. We suggest the following wording. Hertfordshire County Council

Condition 1:

Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted FRA and Drainage Strategy (dated 25 November 2025, Ref: ADC1632-RP-F), 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:

I Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s, (as stated within Chapter 2.15 of the FRA and Drainage Strategy).

Or

If infiltration is proven to be unfavourable, surface water runoff rates will be attenuated to 5.2l/s and discharged to the public surface water sewer, as stated within Chapter 6.14 of the FRA and Drainage Strategy.

I 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).

Detailed designs, modelling calculations and plans of the 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.

- The design of the infiltration / attenuation basins will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans 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.
- 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.
- Details of how all surface water management features 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 demolition and 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 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 timetable for its implementation.
- details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- 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 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), any installation of any surface water drainage structures and control mechanisms.

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 Policies of Three Rivers District Council.

Informative

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.

1.1.24 Hertsmere Borough Council: [Comment]

Hertsmere Borough Council (HBC) have undertaken a ‘Hertsmere Green Belt Assessment’ (Final Report dated April 2026) to inform the emerging Local Plan: - <https://www.hertsmere.gov.uk/asset-library/5.1-green-belt-assessment-report.pdf>

This sets out that land adjacent to, or in very close proximity, to the application site is considered to strongly contribute to both Purpose A and Purpose B of Paragraph 143 of the NPPF.

HBC would therefore raise questions in terms of whether the application site also performs strongly in terms of Purpose A and B, in which case the site would not fall to be ‘grey-belt and thus would be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should 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.

The principle of development is a matter of key consideration for the determining LPA. Thus, Hertsmere Borough Council raises NO COMMENTS on the application. Three Rivers District Council should therefore proceed to assess the application against your development plan and the NPPF.

1.1.25 Natural England – No comments received.

1.1.26 Network Rail – No comments received.

1.1.27 Designing Out Crime Officer – No comments received.

1.1.28 Three Rivers Waste and Environmental Protection – No comments received.

1.1.29 Environmental Health Officer – No comments received.

1.1.30 Three Rivers Transport and Parking Officer – No comments received.

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Appendix 2 – Conditions and Informatives for application 25/2168/OUT

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 begins 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 – Submission of Reserved Matters (TRDC)

Any application for 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 commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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 Plans – Detailed Element (TRDC)

The access hereby permitted shall be carried out in accordance with the following approved plans: 6517-0001 Rev 04, 1632-ADC-HGN-XX-DR-CH-0100 S1 P06.

Reason: In the interests of highway safety in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011).

C5 Parameter Plans (TRDC)

The reserved matters application(s) pursuant to this permission shall be made in general accordance with the approved plans and supporting documents as listed below:

Land Use Parameter Plan (6517-0003 Rev 06)

Building Heights Parameter Plan (6517-0006 Rev 05)

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).

C6 **Design Code** (TRDC)

The reserved matters application(s) pursuant to this permission shall be made in accordance with the Design Code (December 2025).

Reason: In the interests of the visual amenities of the heritage assets, 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

C7 **Internal Access Road**

Full details of the internal road layout shall be submitted to and approved in writing by the Local Planning Authority as part of application(s) for reserved matters approval.

The internal access road arrangements shall illustrate the following:

- a. Main internal access roads with a carriageway width of 5.5m and 2m wide pedestrian footways and designed to support a maximum 20mph speed limit and necessary visibility splays at all junctions. Any shared surface areas within the site would only be acceptable to serve up to 25 dwellings;
- b. Layout and dimensions of all parking spaces and associated manoeuvring areas designed in accordance with the Place & Movement Planning and Design Guidance, Part 4, Chapter 6.
- c. Turning areas and swept path analysis to illustrate that the largest anticipated vehicles to use the site (e.g. refuse vehicle) would be able to safely access the site, turn around on site and egress to the highway network in forward gear.
- d. Provision for an on-site refuse/recycling store(s) within 30m of each dwelling and 25m of any collection point;
- e. Turning areas and swept path analysis to illustrate that a fire tender (minimum 8.4m in length/2.9m in width for a standard fire tender and 10.1m in length / 2.9m in width for an aerial ladder appliance) would be able to safely access the site, turn around on site and egress to the highway network in forward gear. The swept path would need to illustrate that a fire tender would be able to get to within 45m of all parts of the footprint of any dwellings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. This is to ensure that the proposals are in accordance with MfS and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates).

The works shall be carried out in accordance with the approved details prior to first occupation of the development.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience and drainage in accordance with Policies CP1 and CP10 of

the Core Strategy (adopted October 2011) and Policies DM8 and DM10 of the Development Management Policies LDD (adopted July 2013).

C8 Archaeology (HCC Archaeology)

No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. 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.

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation.

Reason: This condition is a pre commencement condition to define, in advance of the development hereby permitted beginning on the site, the details of an archaeological evaluation and any mitigation, if any is necessary, to protect archaeological remains present within the development site in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C9 Highways - Construction Management Plan (HCCHA)

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 including at different phases;
- b. Access arrangements to the site including at different phases;
- 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);
- h. Provision of sufficient on-site parking at different phases;
- i. Post construction restoration/reinstatement of the working areas and any temporary access to the public highway;

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).

C10 Site Waste Management (HCC HMWT)

No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to and approved in writing by the Local 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.

The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contributes towards resource efficiency, in accordance with Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C11 Intrusive Ground Investigation (Affinity Water)

Prior to the commencement of the development, no works involving excavations (e.g. for foundations (e.g. piling), drainage (e.g. infiltration), geothermal system etc.) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority:

- An Intrusive Ground Investigation plan prior to the intrusive ground investigation, agreed with Affinity Water to ensure all concerns will be covered.
- An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.
- A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.
- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring

boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply.

C12 Surface Water Drainage (Affinity Water)

Prior to the commencement of any works on site a final Surface Water Drainage Scheme demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater shall be submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition to ensure that the proposed development will not cause pollution of the environment or harm to human health, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C13 Intrusive Site Investigation (TRDC Environmental Health)

The development hereby permitted shall not begin until the following details of a scheme to mitigate the risks associated with any contamination of the application site have been submitted to and approved, in writing, by the Local Planning Authority:

i) The carrying out of an intrusive investigation and 2 Tier generic quantitative risk assessment, based on the Preliminary Risk Assessment prepared by Idom (Report ref. PRA-25030-24-459), including a detailed assessment of the contamination risks to include:

- a) Exploratory holes targeted to the former structure to determine whether any made ground is present and the chemical quality of soils;
- b) Ground gas monitoring is recommended along the southeastern boundary to confirm the cohesive nature of the geology and whether there is any evidence for ground gas from the off-site source
- c) Basic confirmatory testing of site soils is recommended;
- d) Investigation will also be required for geotechnical design purposes.

ii) The publication of site investigation results and the detailed risk assessment and, based on these, an options appraisal and remediation and mitigation strategy giving full details of any remediation measures required and provision for their implementation.

The works shall be carried out in accordance with any mitigation required within the approved details.

Reason: This is a pre-commencement condition to ensure that the development does not contribute to, and is not put at, unacceptable risk of pollution, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C14 Biodiversity Enhancement Plan (Herts Ecology)

Prior to the commencement of development, a Biodiversity Enhancement Plan for protected and priority species shall be submitted to and approved in writing by the Local Planning Authority. The Plan should be informed by the Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026). Bat roosting features and Swift Bricks should be Integrated (built “into” rather than “onto” buildings).. The plan shall include, but not be limited to, the following details:

- Purpose and conservation objectives for the proposed enhancement measures.
- Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- Detailed designs to achieve stated objectives.
- Materials and construction to ensure long lifespan of the feature/measure.
- Proposed locations shown by suitable maps and plans and where appropriate the elevations of the features or measures to be installed or undertaken.
- When the features or measures will be installed within the construction, occupation, or phase of the development.
- Persons responsible for implementing the enhancement measures.
- 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 in the interests of safeguarding protected species 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).

C15 Construction Environmental Management Plan (Ecology)

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

- (a) A review of any ecological impacts and should be informed by the submitted ecological report (Ecological Impact Assessment Report by Ecological Planning & Research Ltd (updated March 2026)).

- (b) risk assessment of construction activities potentially damaging to biodiversity on the application site;
- (c) identification of biodiversity protection zones;
- (d) A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.;
- (e) 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).
- f) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period.
- g) A non-native invasive species protocol (i.e. for Montbretia).
- h) The times during construction when specialist ecologists need to be present on site to oversee works.
- i) Responsible persons and lines of communication.
- j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The development hereby permitted (including demolition) shall be carried out in accordance with the approved CEMP: Biodiversity.

Reason: This is a pre commencement condition in the interests of safeguarding protected species 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).

C16 Habitat Management and Monitoring Plan (Ecology)

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP) aligning with the HMMP template produced by DEFRA and prepared in accordance with the Biodiversity Gain Plan has been submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall include:

1. non technical summary;
2. the roles and responsibilities of the people or organisation (s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP for the duration of 30 years.

Reason: This is a pre-commencement condition to ensure that the net gain for biodiversity on site is delivered, maintained and managed in the interests of local biodiversity in accordance Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and for the purposes of para 9(2) and 9(3) of Schedule 7A of the Town and Country Planning Act 1990.

C17 Tree Protection and Method Statement (TRDC Landscape)

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.

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).

C18 Sustainable Drainage (LLFA)

Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted FRA and Drainage Strategy (dated 25 November 2025, Ref: ADC1632-RP-F), 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:

Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s, (as stated within Chapter 2.15 of the FRA and Drainage Strategy).

Or

If infiltration is proven to be unfavourable, surface water runoff rates will be attenuated to 5.2l/s and discharged to the public surface water sewer, as stated within Chapter 6.14 of the FRA and Drainage Strategy.

I 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).

Detailed designs, modelling calculations and plans of the 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.

- The design of the infiltration / attenuation basins will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans 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.
- 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.
- Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To ensure that the development achieves a high standard of sustainability 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).

C19 SUDs – Temporary drainage measures (LLFA)

Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and 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 provide a sustainable system of surface water drainage and management 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 SUDs – Construction phase (LLFA)

Construction shall not begin until a detailed construction phase surface water management plan to protect the site Surface Water Drainage features from any construction runoff has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: This is a pre-commencement condition to provide a sustainable system of surface water drainage and management 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 Dust Management Plan (TRDC EH)

Prior to the commencement of development, a Dust Management Plan shall be submitted and agreed, in writing, by the Local Planning Authority. The Dust Management Plan shall include best practicable means to be incorporated to minimise dust caused by earthworks and construction operations and to prevent the emission of dust from the site. The approved Dust Management Plan shall be adhered to throughout the construction period.

Reason: To protect the residential amenities of neighbouring dwellings in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

Prior to any works above slab/ground level

C22 Lighting Design Strategy (Bats) (HCC Ecology)

Prior to occupation, 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 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.

The lighting shall be carried out in accordance with the design strategy.

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).

C23 Open and play space (TRDC Planning and Leisure).

Prior to any above ground building operations, a programme for the completion of the public open space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the open space including the provision of seating areas and detailed specification, type and details (dimensions) of the play equipment and other operations associated with grass areas around the play areas. In addition, details of arrangements for the future management and maintenance of the open space and play provision throughout the lifetime of the development shall be provided.

The public open space and play space shall be provided in accordance with the agreed programme, and shall thereafter be retained, kept open, managed and maintained in accordance with the approved details.

Reason: To ensure provision is made for children's play space in accordance with Policy PSP2 of the Core Strategy (adopted October 2011) and Policy DM11 of the Development Management Policies LDD (adopted July 2013).

C24 Highways Improvements – Offsite (HCC Highways)

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 submitted drawing number 1632-ADC-HGN-XX-DR-CH-0100 S1 P06 have been submitted to and approved in writing by the Local Planning Authority. The works shall include:

- Priority junction with a right hand turn lane and any associated necessary works including signage, drainage and lighting.
- Double yellow lines on either side of the proposed junction.
- At the south bound bus stop on the northeast side of Oxhey Lane (approximately south-east of the junction with Sherwoods Road)
 - o Kassel / easy access kerbs (4 full and 2 transition kerbs)
 - o Replacement bus stop pole with a Real Time Information (RTI) screen attached
- At the north bound bus stop on the west side of Pinner Road (close to the junction of Pinner Road with Watford Heath)
 - o Kassel / easy access kerbs (2 full and 2 transition kerbs due to limited space)
 - o RTI screen to be installed within shelter.
- ☐ Construction vehicle access point

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

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way and to encourage sustainable travel in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011).

Prior to First Occupation

C25 Sewerage (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 has been agreed with the Local Authority to allow the 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. Where a development and infrastructure phasing plan is agreed, no connection to the public sewer system 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).

C26 SUDS Management and Maintenance (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 timetable for its implementation.
- details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- 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.

The maintenance and management of the sustainable drainage scheme shall be carried out in accordance with the approved details.

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 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).

C27 SUDs – Survey and verification report (LLFA)

Prior to the first use 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), any installation of any surface water drainage structures and control mechanisms.

Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development 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).

C28 Travel Plan

Prior to the first use of the approved development an updated 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 updated plan shall include:

- Interim contact to be provided until a the Travel Plan Coordinator (TPC) is appointed.
- A secondary contact to the TPC provided along with TPC contact details.
- Details of time allocated to the TPC role and details of where they will be based and frequency will on site.
- Specify whether the TPC will be an employee of the developer or will the role be filled by a separate management company.
- More measures to encourage cycling. The TP must consider Dr Bike events held on site, promotion of / incentives towards cycle training and cycle parking provision.
- More measures for the promotion of public transport are required.
- Residential track pack contribution at the value of £100 per house and / or £50 per flat in the form of bus incentives must be included. This can be organised via HCC.
- Once baseline data is collected, targets must be updated in an amended travel plan, and they must reflect annual targets by each mode of travel
- Monitoring surveys must take place on an annual basis..
- In a full travel plan, traffic data collection is required to (multi-modal counts) to support survey data.

- Amend text to state that the travel plan will be reviewed annually.

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) and Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011)..

C29 Site Investigation (HCC Archaeology)

The development shall not be occupied 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 8 and the provision made for analysis and publication where appropriate.

Reason: To ensure, in advance of the operation of the development hereby permitted that the details of the mitigation necessary to protect any archaeological remains present within the application site are implemented in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

C30 Car Parking Management Plan

Prior to first occupation of the development hereby permitted, a Car Parking Management Plan shall be submitted to and approved in writing by the local planning authority. The Plan shall include the following:

- a) details of the allocation of vehicle parking spaces within the development, management and allocation of disabled parking spaces, and long-term management responsibilities and maintenance schedules for all communal parking areas (where proposed) and access arrangements;
- (b) details of street furniture and signage to minimise on-street parking by visitors to the development;
- (c) details of waiting restrictions; and
- (d) provision for the monitoring and reporting of the operation of the Car Parking Management Plan to be submitted to and approved in writing by the local planning authority.

The approved Car Parking Management Plan shall be implemented before the development hereby permitted is first occupied or brought into use and shall thereafter be retained in operation.

Reason: In the interests of highway safety and to ensure sufficient available car parking is provided and maintained in accordance with Policy CP10 of the Core Strategy and Policy DM13 and Appendix 5 of the Development Management LDD.

C31 Landscape Management

Prior to the first occupation of the development hereby permitted, a Landscape Management Plan, including long term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the local planning authority.

The Landscape Management Plan shall be carried out as approved in accordance with an agreed timetable and permanently maintained thereafter.

Reason: To ensure that the approved landscaping is satisfactorily maintained, in accordance with Policies CP1 and CP12 of the TRDC Core Strategy and Policies DM1, DM6 and Appendix 2 of the TRDC Development Management Policies LDD.

Other

C32 Hard and Soft Landscaping

Full details of both soft and hard landscaping works shall be submitted to and approved in writing by the local planning authority as part of application(s) for reserved matters approval. The landscaping details to be submitted and approved shall include: (a) existing and proposed finished levels and contours; (b) trees and vegetation to be retained; (c) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing; (d) hard surfacing; (e) means of enclosure and boundary treatments; (f) any other structures (such as furniture, refuse or other storage units, signs, and lighting).

Reason: This condition is required to ensure the completed development hereby permitted will not harm the character and appearance and the visual amenity of the area including the protection of trees in accordance with Policies CP1 and CP12 of the TRDC Core Strategy and Policies DM1, DM2, DM6 and Appendix 2 of the TRDC Development Management Policies LDD.

C33 Unexpected contamination (Affinity Water)

If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C34 Fire Hydrants (HCC Fire and Rescue)

Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

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).

DRAFT

Informatives

- 11 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>.

- 12 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>.

- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The applicant and/or their agent and the Local Planning Authority engaged in pre-application discussions which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 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.
- 15 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.
- 16 Bats are protected under domestic and European legislation where, in summary, it is an offence to deliberately capture, injure or kill a bat, intentionally or recklessly disturb a bat in a roost or deliberately disturb a bat in a way that would impair its ability to survive, breed or rear young, hibernate or migrate, or significantly affect its local distribution or abundance; damage or destroy a bat roost; possess or advertise/sell/exchange a bat; and intentionally or recklessly obstruct access to a bat roost.

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

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

or an appropriately qualified and experienced ecologist.

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

- 17 Due to the presence of National Grid apparatus in proximity to the application site, the Applicant should contact National Grid before any works are carried out to ensure National Grid apparatus is not affected by any of the proposed works. Further 'Essential

Guidance' can be found on the National Grid website at www.nationalgrid.com or by contacting National Grid on 0800688588.

- 18 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 Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. 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 website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 19 *Roads that are to remain private: At the entrance of any new roads to remain private, 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.*
- 110 *Estate road adoption (section 38): The applicant is advised that if it is the intention to request that Hertfordshire County Council as Highway Authority adopt any of the highways included as part of this (and subsequent reserved matters) applications as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways, together with all the necessary highway and drainage arrangements, including run off calculations must be submitted to the Highway Authority. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.*
- The applicant is further advised that the County Council will only consider roads for adoption where a wider public benefit can be demonstrated. The extent of adoption as public highway must be clearly illustrated on a plan. 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>*
- 111 There are public sewers crossing the site, therefore no building will be permitted within 3 metres of the sewers without Thames Water's approval. Should you require a building over application form or other information relating to your building/development work, please contact Thames Water on 08458502777.
- 112 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 in our Construction Management template, a copy of which is in our Construction Management template, a copy of which is available on the County Council's website at 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.asp>

- I13 Travel Plan (TP): A TP, 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 March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website 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 emailingtravelplans@hertfordshire.gov.uk
- I14 There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the 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.
- I15 In this location Affinity Water will supply drinking water to the development. 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. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.
- I16 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linereleasebeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

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25/2168/OUT – Site Pictures



Site



Picture looking south east across the site.



Picture looking north east view of rear elevations of properties fronting Elm Avenue.



View along Oxhey Lane facing south east – properties in picture are Woodland Cottages and Auburn Mere Care Home.



View along Oxhey Lane looking across the site into the northern corner including properties along the north east boundary (properties fronting Elm Avenue) and north west boundary (properties fronting Sherwoods Road).

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PLANNING COMMITTEE – Thursday 20 August 2026

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

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

Ward: Rickmansworth Town
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE APPROVED.

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

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

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

1 Relevant Planning and Enforcement History

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

2 Description of Application Site

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

3 Description of Proposed Development

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

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

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

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

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid – [No response received]

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

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

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

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

4.1.3 Conservation Officer – [19 June 2026, Objection]

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

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

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

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

However, there are concerns in relation to the proposal:

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

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

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

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

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

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

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

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

4.1.5 Hertfordshire Ecology – [No response received]

4.2 Reconsultation

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

4.2.2 National Grid – [No response received]

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

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

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

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

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

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

4.2.4 Conservation Officer – [17 July 2026, Objection]

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

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

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

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

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

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

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

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

4.2.5 Hertfordshire Ecology – [No response received]

4.3 Public/Neighbour Consultation

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

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

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

Summary of Responses:

Heritage Impact and Harm to Conservation Area

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

Scale, Massing and Residential Amenity Impact

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

Privacy, Boundary Relationship and Overlooking

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

Ancillary Accommodation and Intensification of Use

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

Construction Management and Neighbour Amenity

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

5 Reconsultation

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

5.1.2 Summary of responses:

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

Residential Amenity

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

Privacy and overlooking

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

Character and Appearance of Conservation Area

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

6 Reason for Delay

6.1 Committee cycle.

7 Relevant Planning Policy, Guidance and Legislation

7.1 Legislation

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

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

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

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

The Environment Act 2021.

7.2 Planning Policy and Guidance

National Planning Policy Framework and National Planning Practice Guidance

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

The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the

benefits unless there is a clear reason for refusing the development (harm to a protected area).

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10, and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM13, Appendix 2 and Appendix 5.

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

Other

Upper Nightingale Road Conservation Area Appraisal (2007).

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

8 Planning Analysis

8.1 Proposed Use

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

8.2 Design and Impact on the Street Scene

- 8.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.
- 8.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual

amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

- 8.2.3 In relation to development proposals in Conservation Areas, Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the Conservation Area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.
- 8.2.4 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking. With regards to side extensions appendix 2 of the DMP LDD sets out that in order to prevent a terracing effect and maintain an appropriate spacing between properties in character with the locality, two storey side extensions may be positioned on the flank boundary provided that the first floor element is set in by a minimum of 1.2m. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In high density areas an absolute minimum of 1m will be considered. With regards to rear extensions, the design criteria sets out that generally, the maximum depth should be 4m in the case of detached dwellings. This distance may be reduced if the extension would adversely affect adjoining properties or is unduly prominent.
- 8.2.5 Appendix 2 of the DMP LDD sets out that dormer windows should always be subordinate to the main roof. They should be set below the existing ridge level, set in from either end of the roof and set back from the plane of the front or rear wall. The roof form should respect the character of the house if possible. Front dormers may not always be appropriate in the streetscene. Multiple dormers should be proportionate in scale and number to the host roof.
- 8.2.6 Policy BW CC1 of the Batchworth Neighbourhood Plan sets out that the design and standard of any new development should aim to meet a high level of sustainable design and construction and be optimised for water and energy efficiency, targeting zero carbon emissions. Encouragement is given to development that accords with Hertfordshire Building Futures Sustainable Design Toolkit. Policy BW DE1 sets out that new development in the Batchworth Neighbourhood Plan area shall be based upon a design led approach to development underpinned by good practice principles and reflecting a thorough site appraisal.
- 8.2.7 The proposed single storey rear extension has a depth of approximately 4m and would in part replace an existing single storey rear projection albeit the proposed is of a greater depth and width. The depth of the extension would comply with the design criteria at Appendix 2 of the DMP LDD. In terms of its scale and architectural design, it is considered that this element of the proposal remains modest in its scale and bulk and would not project beyond the flank walls of the original dwelling. With regards to its height, it would have a flat parapet roof which remains set down from the first-floor cill height and on balance would read as a subordinate addition to the host dwelling. The Conservation Officer has raised no objection to this element, and it is therefore considered that it would preserve the character of the Conservation Area.
- 8.2.8 The Conservation Officer notes that the existing two storey side extension is highlighted in the Conservation Area Appraisal as being an inappropriate addition, although notes that it remains subordinate to the main dwelling despite its width. The existing dwelling also benefits from a modern two storey rear flat roof extension and front porch projection all of which are noted to detract from the character of the dwelling. However, the Conservation Officer notes its original character is still clear overall and concludes that the existing dwelling makes a positive contribution to the character of the Conservation Area, particularly from its front elevation.

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

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

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

8.3 Impact on amenity of neighbours

- 8.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.
- 8.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.
- 8.3.3 The proposed single storey rear extension partially replaces an existing ground floor projection. The total depth of the extension at 4m would comply with the design criteria at appendix 2 of the DMP LDD, and with regards to its scale it would not project beyond the flank walls of the original dwelling, thereby remaining set off the boundaries with The Grange by approximately 3.6m and No. 73 Nightingale Road by approximately 5.7m. The rear projection has a flat parapet roof, remaining single storey in nature and set down from the cill height of the first-floor fenestrations. This element is not considered to result in an overbearing form of development or harmful loss of light to the residential amenities of any neighbouring occupiers. Fenestrations are proposed within the rear and flank of this extension, however owing to the siting at ground level and the intervening boundary treatments it is not considered that these would facilitate unacceptable overlooking of any neighbour. The rooflight within the flat parapet roof would not afford views of any neighbouring dwelling given its siting and that it would sit flush within the roof.

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

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

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

- 8.3.16 Within the existing single storey side projection adjacent to the grange the existing flank windows would be closed up and new fenestrations proposed within the front and rear elevation. These would replace existing fenestrations and views would be afforded over the private rear amenity space and site frontage of the application site and thus their replacement is not considered to result in additional or unacceptable levels of overlooking particularly given that they are sited at ground floor level. As above, the rooflights proposed within the existing roofslope of this projection would sit flush within the roof and would not afford views of any neighbouring dwelling.
- 8.3.17 In addition to those fenestrations proposed within the extended parts, the remaining windows within the host dwelling are proposed to be replaced with timber windows which include Georgian bar fanlight detail. The replacement windows within the host dwelling would be fitted within the same openings as the existing and thus are not considered to result in any demonstrable harm to the amenities of any neighbouring dwelling, nor are they considered to facilitate additional overlooking beyond that of the existing openings.
- 8.3.18 The proposed area of decking is sited to the rear of the dwelling and would remain set off the boundaries with both neighbouring dwellings. The decking would remain at the ground level and thus is not considered to result in any harm to the residential amenities of any neighbouring dwelling, nor is it considered to result in additional overlooking.
- 8.3.19 In summary, subject to conditions the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

8.4 Wildlife considerations

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

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

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

8.5 Mandatory Biodiversity Net Gain

- 8.5.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions, and an exemption applies in relation to planning permission for a development which is the subject of a householder application, within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).
- 8.5.2 Policy BW GB1 of Batchworth Neighbourhood Plan 2023-2038 (Submission Version) sets out that development proposals must manage impacts on biodiversity and secure a minimum net biodiversity gain of 10% on site, unless impractical given site constraints, as demonstrated through use of the most up-to-date version of Natural England biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material.
- 8.5.3 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

8.6 Trees and Landscaping

- 8.6.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 8.6.2 The application site is located within the Upper Nightingale Road Conservation Area, all trees are therefore afforded protection by virtue of this designation. There is also a Magnolia Tree [T1] within the site frontage protected by an individual Tree Preservation Order [TPO608] and a group of two sycamore and 1 pine tree [G2] protected by TPO244 which runs adjacent to the rear boundary of the application site but would appear to be within the boundary of No. 65 to the rear of the site.
- 8.6.3 The application is accompanied by a Construction Tree Protection Statement prepared by Jack Dusek & Co dated April 2026, as well as drawing 715-PS-3C (Tree Protection Plan). The Statement identifies two notable trees within the front garden T1 [Magnolia] which as above is protected and T2 [Purple Leaf Plum] not subject of a TPO but officers would note would be protected by virtue of the Conservation Area designation, nonetheless the statement concludes that this tree is treated as protected for construction management purposes.
- 8.6.4 Trees within the rear garden have not been numbered, however, the statement identifies that the applicants' commitments apply to all retained trees on site whether individually numbered on the tree protection plan or not. The statement sets out that no construction

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

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

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

8.8 Rear amenity

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

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

8.9 Highways, Access and Parking

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

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

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

9 **Recommendation**

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

- C1 Those parts of the development hereby permitted that have not yet been carried out shall be begun before the expiration of 3 years from the date of this permission.
- Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.
- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 715/PS/1, 715/PS/2, 715/PS/0 REV A, 715/PS/4C REV D, 715/PS/4C REV D, 715/PS/5C REV C, 715/PS/5C REV C, 715/PS/3C REV C, 715/PS/6, 715/PS/7
- Reason: For the avoidance of doubt, and in the proper interests of planning in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013), Policy BW GB1, BW CC1 and BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version, November 2023) and the Upper Nightingale Road Conservation Area Appraisal (2007).
- C3 Unless specified on the approved plans, all new works or making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.
- Reason: To prevent the building being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).
- C4 Before the first occupation of the building/extension hereby permitted the window(s) in first floor side elevations facing No. 73 Nightingale Road and The Grange shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.
- Reason: To safeguard the amenities of the occupiers of neighbouring residential properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).
- C5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification), no windows/dormer windows or similar openings [other than those expressly authorised by this permission] shall be constructed in the first-floor side elevations or roof slopes of the extension/development hereby approved.
- Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).
- C6 Prior to commencement of development and before any equipment, machinery or materials are brought on to the site for the purposes of development hereby permitted, tree protection measures, including fencing shall be undertaken in full accordance with as set out within the submitted Construction Tree Protection Statement dated April 2026 prepared by Jack Dusek & Co and as indicated on the accompanying drawing 715/PS/3C, and shall be maintained as approved until all equipment, machinery and surplus materials have been removed from the site.
- Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

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

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

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

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

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

8.2 Informatives

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

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

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

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

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

(a) Making a Non-Material Amendment

(b) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.
- 15 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

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

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

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun

because the following statutory exemption or transitional arrangement is considered to apply.

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

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

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

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

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

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

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

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

The UK Bat Helpline: 0845 1300 228

Natural England: 0300 060 3900

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

or an appropriately qualified and experienced ecologist.

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

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

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Figure 1: Rear Elevation of No. 75



Figure 2: View from No. 75 towards No. 73



Figure 3: View towards No. 73



Figure 4: Front Elevation of No. 75



Figure 5: Existing Streetscene

View from No. 73 Nightingale Road



Figure 6: View towards application site from No. 73



Figure 7: View towards application site from front of No. 73



Figure 8: Rear of No. 73



Figure 10: Rear of No. 73



Figure 9: View from existing first floor flank window of No. 73 looking at application site

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PLANNING COMMITTEE – 20 August 2026

26/1042/FUL - Loft conversion including hip to gable roof extension; construction of a rear dormer; installation of rooflights and removal of chimney stack, single storey front extension and front porch, alterations to fenestration, alterations to front amenity garden and construction of front pedestrian gate at 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN

Parish: Croxley Green
Expiry of Statutory Period: 31.08.2026

Ward: Durrants
Case Officer: Danielle Kavanagh

Development Type: Householder development

Recommendation: That Planning Permission be GRANTED subject to conditions.

Reason for consideration by the Committee: A District Councillor lives within consultation area.

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

[26/1042/FUL 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN](#)

1 Relevant Planning History

- 1.1 26/1077/PDE - Prior Approval: Single storey rear extension (depth 5.75 metres, maximum height 3.45 metres, maximum eaves height 3.45 metres) – Pending consideration.
- 1.2 8/29/86 - Extension to existing garage, new garage - 24.03.1986 - Permitted

2 Description of Application Site

- 2.1 The application site contains a two-storey detached dwelling on the northern side of Girton Way, Croxley Green. The application dwelling has a dark tiled hipped roof form. The exterior finish of the dwelling consists of red brick. Girton Way is characterised predominantly by semi-detached dwellings of similar architectural style and appearance, a number of which have been extended or altered.
- 2.2 To the front of the dwelling is an existing paved driveway with off-street parking provision for one car; the dwelling has an existing flank garage. The front boundary treatment is a low brick wall with one pedestrian gate and a gated driveway access. To the rear of the dwelling is an additional pitched-roofed garage and an amenity garden, predominantly laid as lawn with an area of patio extending from the rear elevation of the dwelling. There is a shed sited to the rear of the application site. The application site is flanked on the eastern side by a public footpath which connects Girton Way to Baldwins Lane (Croxcley Green 015).
- 2.3 The neighbour to the east is No. 34 Girton Way, a two-storey semi-detached dwelling built on a similar land level compared to the host dwelling. This neighbour is situated on the opposite side of the public footpath. This neighbouring dwelling benefits from an existing two-storey side and rear extension, adjacent to the boundary shared with the public footpath.
- 2.4 The neighbouring dwellings to the west are maisonettes No. 19, 21, 23 and 25 Malvern Way. These dwellings are sited perpendicular to the application site, with their rear elevations facing the western flank of the application dwelling.

- 2.5 St Oswald's Church and Hall and the associated carpark are sited to the rear of the application site.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for a loft conversion, including a hip to gable roof extension; construction of a rear dormer; installation of rooflights and removal of chimney stack, single-storey front extension and front porch, alterations to fenestration, alterations to front amenity garden and construction of front pedestrian gate.
- 3.2 The loft would be converted and extended via a hip to gable roof extension to both flanks and a rear dormer window to provide habitable accommodation, comprising two double bedrooms and a bathroom. As a result of the hip-to-gable roof extensions, the existing ridge line would be extended by approximately 3.9m in both directions to form two new gable ends. The flat-roofed rear dormer would measure 3.2m in depth, 8m in width, and 2.7m in height. It would have a rooflight in the flat roof, and in the rear elevation, two Juliet balconies with full-length glazed patio-style doors, and a casement window would be inserted. The fenestration proposed for the rear of the dormer would be black-framed aluminium units. Three rooflights would be added to the front roof slope to serve the proposed loft accommodation.
- 3.3 The rearmost existing chimney stack, of the two existing chimney stacks at the host dwelling would be removed to accommodate the rear dormer.
- 3.4 An area of covered porch to the front of the dwelling would be infilled and incorporated into the dwelling's living accommodation. It would be 1.6m deep and 3.4m wide. A white-framed aluminium window is proposed for the front elevation of the infill extension. The extension would be flush with the existing flank and front elevations of the host dwelling.
- 3.5 A new front porch is proposed; it would be 1.2m deep and 2.4m wide. It would have a pitched roof form with a maximum height of 3m and an eaves height of 2.3m. The dwelling's main entrance would be relocated from the covered porch area to the proposed front porch extension.
- 3.6 The existing, white-framed windows would be replaced with aluminium, white-framed windows.
- 3.7 Regarding the proposed changes to the front amenity area, a new pedestrian gate is proposed to be located centrally in the front boundary wall, with a new hardstanding path proposed to lead from the new gate to the proposed porch which would house the front door to the dwelling.
- 3.8 Amendments were requested and received during the course of the application. It was requested that the rear dormer be revised to two smaller dormers or one substantially smaller dormer, and that the Juliet balconies be revised to casement windows. The amended plans retained one dormer of a similar scale to the original proposal, with the setback from the eaves increased from 0.2m to 0.4m.

4 Statutory Consultation

- 4.1 National Grid: [No Response]
- 4.2 Croxley Green Parish Council: [Comment received]

CGPC would prefer the porch roof to have the same pitch as the house, and to have roof overhangs to match the house. The applicant should confirm which colour window frames are proposed. Is it black or white? Are all the windows on the house to be replaced? The design statement shows terra cotta framed windows and aluminium cladding. Where is this to be used on the house?

4.3 **Public/Neighbour Consultation**

4.4 Neighbours consulted: 22

4.5 Responses received: 1 [1 supporting comment]

Officer Note: As part of the consultation process, one comment was received in support of the application. However, officers noted that the contributor's address was that of the application site.

4.6 Site Notice: 11.07.2026, Expired: 01.08.2026

4.7 Press Notice: Not Required

5 Reason for Delay

5.1 No delay

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

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.7 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, DM8, DM13 and Appendices 2 and 5.

Croxley Green Neighbourhood Plan (Referendum Version December 2018), Policy CA2 and Appendix B and C are relevant.

6.8 Other

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

7 Planning Analysis

7.1 Impact on the character and appearance of the host building

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 CA2 of the Croxley Green Neighbourhood Plan sets out that extensions to existing buildings should seek to conserve and enhance the character areas in Appendix B through the careful massing, alignment and height. Appendix C provides guidance for extensions, including that they should address their visual impact on the streetscene.

7.1.4 The proposed loft conversion would result in the existing hipped roof being extended to form two gable ends. The gabled roof form would be a visible addition to the surrounding streetscene. It is noted that the prevailing roof forms on Girton Way and Malvern Way, which is adjacent to the application site, are hipped roofs. There are some examples of hip to gable extensions in the streetscene, which were implemented as permitted development. However, the host dwelling is detached and built in a different style from the surrounding dwellings, most of which are semi-detached. It is considered that, given the spacing to the boundaries and the site situation of the host dwelling, the proposed hip-to-gable extensions would not look incongruous within the street scene.

7.1.5 A rear dormer is proposed to serve the loft conversion. As set out in the Appendix 2 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 rear wall. The roof form should respect the character of the house if possible. The proposed rear dormer would be a notable new feature of the rear roof slope, views would be possible from public vantage points along Girton Way, the public footpath to the

east of the site and the carpark of St Oswald's Church to the rear of the site. The proposed dormer would be set down from the main ridge by 0.6m, set in from the roof flanks by 1m and set up from the eaves at the rear of the dwelling. While the proposed dormer is large, it is noted that there is sufficient spacing retained to all sides of the dormer that it does not fully subsume the proposed rear roof slope. It is arguable as to whether the dormer would be a subordinate addition, however, given the spacing to all sides, it is considered that the dormer would, on balance be acceptable. While there would be an increase in the bulk and massing of the roof form resulting from the hip to gable extensions and the rear dormer combined, it is not considered that it would be of a level that would be unacceptably harmful to the character of the host dwelling or surrounding streetscene.

- 7.1.6 There is no objection to the removal of one of the two chimneys at the host dwelling to accommodate the rear dormer.
- 7.1.7 Three rooflights are proposed for the host dwelling's front roof slope. Rooflights are considered to be a common feature of the surrounding streetscene so there is no objection to this element of the proposed development.
- 7.1.8 The proposed front infill extension would enclose an area currently serving as a covered porch, serving the existing front door. The extension would be flush with the existing flank and front elevations of the host dwelling and would have a window in the front elevation to match the style of the existing windows. The walls would be finished in brick, matching the existing. This infill extension is not considered to result in any harm to the character of the host dwelling or streetscene and is acceptable in this regard.
- 7.1.9 The dwelling's main entrance would be relocated to a porch, which is proposed to be sited centrally in the front elevation of the host dwelling. The proposed porch would have a pitched roof and be limited in depth to 1.2m. It would be finished in red brick and tiles to match the existing, which would help the porch to integrate in with the host dwelling. Front porch projections of differing styles are a common feature of the surrounding streetscene. The proposed porch is considered to be acceptable with regard to the character of the host dwelling.
- 7.1.10 Changes are proposed to the front amenity area of the host dwelling. A new pedestrian gate is proposed centrally in the front boundary wall, with a new hardstanding path leading from the gate to the proposed porch. The addition of a pedestrian gate and path would have a minimal impact on the character of the host dwelling and streetscene and are considered to be acceptable in this regard.
- 7.1.11 The existing, white-framed windows would be replaced with aluminium, white-framed windows. This is considered to be acceptable and in keeping with the character of the host dwelling.
- 7.1.12 In summary, the proposed development would not be of a size, scale or design that would result in any adverse harm to the character or appearance of the host dwelling or streetscene. The development 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 CA2 and Appendix B and C of the Croxley Green Neighbourhood Plan (Referendum Version 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 and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

- 7.2.2 The proposed loft conversion would include a rear dormer extension and an extension to the ridge by 3.9m on both sides to create gable ends. The proposed western hip-to-gable extension to the ridge would bring built form at roof level closer to the neighbouring maisonettes No. 19, 21, 23 and 25 Malvern Way. These neighbouring maisonettes are sited perpendicular to the application site with their rear elevations facing the western flank of the application dwelling. This element of the proposal, combined with the addition of a substantial rear dormer, has the potential to result in an overbearing form of development as experienced by the occupiers of the neighbouring maisonettes. Notwithstanding this, there would be approximately 15m of separation from the rear elevation of the maisonettes to the newly formed western gable of the host dwelling. It is considered that this spacing, along with the favourable western siting of the neighbours, would be sufficient to offset any unacceptable impact on the light or amenity of the occupants of No. 19, 21, 23 and 25 Malvern Way.
- 7.2.3 The proposed rear dormer may increase the perception of overlooking towards neighbouring amenity areas. However, due to the set-in of the dormer and the spacing to the boundaries, it would not result in greater overlooking into the neighbouring properties than the existing first-floor windows. Views of the St Oswalds Carpark and the public footpath may be possible from the rear dormer; however, as these are public spaces, this may allow for some level of natural surveillance, for which there is no objection.
- 7.2.4 The proposed three front rooflights are not considered to result in any unacceptable overlooking of neighbours due to their location high in the roof slope.
- 7.2.5 The front infill extension would not extend beyond the existing flank and front elevation of the host dwelling. It is not considered that this element of the proposal would have any impact on light or amenity, or result in any additional overlooking beyond that currently possible from the front window in the area to be infilled.
- 7.2.6 The proposed front porch would project 1.2m forward of the existing front elevation and have a maximum height of 3m at the apex of the pitched roof. The porch would not have any glazing to the flanks; it would have a front door and two side lights. It would be situated approximately 10m (including the public footpath) from No. 34 Girton Way and 17m from the flatted neighbours No 23 and No. 26 Malvern Way. Given the modest scale of the porch and the separation between the neighbours and its proposed siting, it is not considered that there would be any impact on neighbouring light, amenity or any additional overlooking opportunities arising from the proposed porch's implementation.
- 7.2.7 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. The existing property benefits from 4 bedrooms and no increase in bedrooms is proposed. The parking standards require 3 spaces for a property of this size, and therefore there is an existing shortfall of 1 space as the property currently only benefits from 2 spaces (one on the drive and one in the garage).
- 7.3.2 The proposed development would result in a 5-bedroom dwelling, an increase of 1 bedroom. Appendix 2 sets out a general need for a 4+ bedroom dwelling to have 3 assigned spaces within the curtilage. There are two existing parking spaces, one on the front driveway and one in the garage. It is noted that there is a parking shortfall of 1 space for the existing 4-bedroom dwelling; the proposed development would not increase this shortfall, as the requirement for a 5-bedroom dwelling is also 3 assigned spaces. This shortfall is considered acceptable given the existing situation and the host dwelling's location, which is sustainable

and within walking distance of local shops such as Co-op on Watford Road and bus routes on Baldwins Lane and Watford Road, meaning that occupants of the host dwelling can reasonably access local services without the need for a car.

7.4 Rear Garden Amenity Space

7.4.1 Policy CP12 of the Core Strategy states that development should take into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space.

7.4.2 The proposed development would not encroach upon the rear amenity space of the host dwelling. 389 sqm of useable amenity space would remain, which is acceptable to serve the five-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.

7.6 Biodiversity

7.6.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.

7.6.2 Biodiversity protection and protected species are a material planning consideration during the application process of this application. This is in accordance with Policy CP9 of the Core strategy in addition to Policy DM6 of the Development Management Policies Local Development Document. Local Authorities, in line with National Planning Policy, are required to ensure that a protected species survey is completed for applications whereby biodiversity may be affected prior to the determination of the application.

7.6.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the application. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment. Owing to the nature of the development with works to the roof a precautionary informative will be added.

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 APPROVED** 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: 01 007 REV P03, 01 008 REV P03, 02 003 REV P03, 02 004 REV P03, 02 001 P01, 02 002 P01, 91 001 REV P01, 91 002 REV P01, 01 001 P01, 01 002 P01, 01 003 P01, 01 004 P01, 01 005 P01, 01 006 P01, 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, and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and Policy CA2 and Appendices B and C of the Croxley Green Neighbourhood Plan (Referendum Version 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 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).

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

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

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>

- 12 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.
- 14 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

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

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

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

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

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

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

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

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

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

- 15 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to. The original holding objection was triggered due to the presence of a High-Pressure Major Accident Hazard Pipeline (MAHP) and/or an Intermediate Pressure Pipeline and/or an Above Ground Installation.
- 16 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.











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