THREE RIVERS DISTRICT COUNCIL

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

PLANNING COMMITTEE

NOTICE AND AGENDA

For a meeting to be held on Thursday, 22 October 2026 at 7.00 pm in the Penn Chamber, Three Rivers House, Northway, 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, 14 October 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 6.30pm. 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 6.30pm.

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 7 - 12)

To confirm as a correct record the minutes of the Planning Committee meeting held on 10 September 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. Confirmation of Tree Preservation Order 938 (Penfold Park Golf Club, St Albans Road) 2026 (Pages 13 - 32)

For the Planning Committee to consider an objection to the Confirmation of Tree Preservation Order (TPO) 938 (Penfold Park Golf Club, St Albans Road) served on 11 June 2026 and whether or not the TPO should be confirmed (made permanent).
Recommendation: that the Order is confirmed and TPO 938 made permanent.

6. 25/0563/RSP - Part Retrospective: Creation of vehicle parking areas for company vehicles including alterations to land levels and associated boundary treatment hard and soft landscaping, attenuation basin, lighting; the use of the existing bungalow as offices including loft conversion with dormers and rooflights; and demolition of stables and construction of two-storey building for office / training / vehicle maintenance premises (Use Class Sui Generis) at The Paddock, Little Oxhey Lane, Carpenders Park, Watford WD19 5BA (Pages 33 - 70)

Part Retrospective: Creation of vehicle parking areas for company vehicles including alterations to land levels and associated boundary treatment hard and soft landscaping, attenuation basin, lighting; the use of the existing bungalow as offices including loft conversion with dormers and rooflights; and demolition of stables and construction of two-storey building for office / training / vehicle maintenance premises (Use Class Sui Generis) at The Paddock, Little Oxhey Lane, Carpenders Park, Watford.

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

7. 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 71 - 194)

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.

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 7.20 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.

8. **26/0331/FUL – Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) with accommodation in the roof served by front dormers, side/rear rooflights, solar panels, alterations to vehicular access, with associated car and bike parking, refuse and recycling storage, landscaping works at Greystone Works, The Green, Croxley Green, Hertfordshire** (Pages 195 - 228)

Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) with accommodation in the roof served by front dormers, side/rear rooflights, solar panels, alterations to vehicular access, with associated car and bike parking, refuse and recycling storage, landscaping works at Greystone Works, The Green, Croxley Green.

Recommendation: that planning permission be approved subject to conditions.

9. **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 229 - 254)

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 be granted.

10. **26/0907/FUL – Change of use of land for use as a residential caravan site comprising 2no. Gypsy/Traveller pitches, each accommodating 4 caravans including no more than 2 static caravan/mobile homes, with associated hardstanding, alterations to access and erection of two amenity buildings and boundary treatments including construction of timber post and rail fencing at Land South of Harthall Lane, Kings Langley, Hertfordshire** (Pages 255 - 286)

Change of use of land for use as a residential caravan site comprising 2no. Gypsy/Traveller pitches, each accommodating 4 caravans including no more than 2 static caravan/mobile homes, with associated hardstanding, alterations to access and erection of two amenity buildings and boundary treatments including construction of timber post and rail fencing at Land South of Harthall Lane, Kings Langley.

Recommendation: that planning permission be granted, subject to conditions.

11. 26/0909/FUL – Construction of single storey side extension at 62 Station Road, Kings Langley, Hertfordshire, WD4 8LB (Pages 287 - 298)

Construction of single storey side extension at 62 Station Road, Kings Langley.

Recommendation: that planning permission be granted, subject to conditions.

12. 26/1102/FUL - Construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate at The Ebury Rooms, Ebury Road, Rickmansworth, Hertfordshire WD3 1BL (Pages 299 - 324)

Construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate at The Ebury Rooms, Ebury Road, Rickmansworth.

Recommendation: that planning permission be approved, subject to conditions

13. 26/1116/FUL – Construction of detached garage, greenhouse and bin store, alterations to driveway, construction of new access gate to garage area, alterations to hard and soft landscaping, drainage and irrigation tank and external lighting at Redwood House, 12 Temple Gardens, Moor Park, Rickmansworth, Hertfordshire WD3 1QJ (Pages 325 - 364)

Construction of detached garage, greenhouse and bin store, alterations to driveway, construction of new access gate to garage area, alterations to hard and soft landscaping, drainage and irrigation tank and external lighting at Redwood House, 12 Temple Gardens, Moor Park, Rickmansworth.

Recommendation: that planning permission be granted, subject to conditions

14. 26/1228/FUL – Installation of lighting to Golfpod facility at Rickmansworth Municipal Golf Club, Moor Lane, Rickmansworth, Hertfordshire WD3 1QL (Pages 365 - 378)

Installation of lighting to Golfpod facility at Rickmansworth Municipal Golf Club, Moor Lane, Rickmansworth.

Recommendation: that planning permission be granted, subject to conditions.

15. **26/1253/FUL - Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 Marlin Square, Abbots Langley, Hertfordshire WD5 0EG** (Pages 379 - 392)

Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 Marlin Square, Abbots Langley.

Recommendation: that planning permission be refused.

16. **26/1263/RSP – Part retrospective: Conversion of garage into habitable accommodation; alterations to the fenestration and alterations to driveway at 17 Edson Close, Leavesden, Watford, Hertfordshire WD25 7BX** (Pages 393 - 408)

Part retrospective: conversion of garage into habitable accommodation; alterations to the fenestration and alterations to driveway at 17 Edson Close, Leavesden.

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

17. **26/1321/RSP - Part retrospective: Construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation at 10 Hyde Lane, Nash Mills, Hemel Hempstead, Hertfordshire HP3 8RY** (Pages 409 - 426)

Part retrospective: construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation at 10 Hyde Lane, Nash Mills, Hemel Hempstead.

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

18. **26/1359/FUL - Construction of single-storey rear extension, air source heat pump; alterations to landscaping including demolition of outbuilding; internal alterations at 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN** (Pages 427 - 440)

Construction of single-storey rear extension, air source heat pump; alterations to landscaping including demolition of outbuilding; internal alterations at 36 Girton Way, Croxley Green, Rickmansworth.

Recommendation: that planning permission be granted subject to conditions.

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

Exclusion of Public and Press

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

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

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

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

THREE RIVERS DISTRICT COUNCIL

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Planning Committee
MINUTES

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Thursday, 10 September 2026 from 7.30 - 8.42 pm

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

Also in Attendance:

Parish Councillor Diana Barber (Batchworth Community Council) and Councillor Lisa Hudson

Officers in Attendance:

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

PC173/26 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Debbie Morris, Krutika Patel (who had been expected as a substitute) and Raj Khiroya.

PC174/26 MINUTES

The minutes of the Planning Committee meeting held on 20 August 2026 were confirmed as a correct record and signed by the Chair.

PC175/26 NOTICE OF URGENT BUSINESS

There were no items of urgent business.

PC176/26 DECLARATIONS OF INTEREST

The Liberal Democrat Group declared a non-pecuniary interest in agenda item 6 (26/0885/FUL – Allotment Land, Newport Mead, South Oxhey) as the agent is a member of the authority and a member of the Liberal Democrat Group.

PC177/26 26/0520/FUL – ERECTION OF THREE BUILDINGS COMPRISING SIX NEW INDUSTRIAL UNITS (USE CLASSES B2/B8 E (G) (III) AT WOODCOCK HILL INDUSTRIAL ESTATE, HAREFIELD ROAD, RICKMANSWORTH

The application was for erection of three buildings comprising six new industrial units (Use Classes B2/B8 E (g) (iii) at Woodcock Hill Industrial Estate, Harefield Road, Rickmansworth.

The Planning Officer reported that a correction was required to paragraph 7.6.8 of the report, which should refer to a Section 278 agreement (not a Section 28 agreement). Additionally,

Condition 16 should be amended to update the reference number of the Arboricultural Impact Assessment and Condition 17 should be amended to require the soft landscaping scheme to be submitted prior to the first occupation of the buildings rather than prior to development taking place.

Councillor Lisa Hudson spoke on the application.

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

Points raised by speakers against the application included the constrained nature of Harefield Road and access issues; impact on the character of the industrial estate which currently operates quietly and is located in a highly sensitive natural setting; concerns about delivery vehicle size, frequency of deliveries and intensification of use; concerns about hazardous material disturbance during development; lack of information regarding foul water or surface water drainage; lack of clarity about the proposed use of the buildings and their potential height; and parking issues.

In responding to points raised by the speakers, the Planning Officer confirmed that Hertfordshire County Council had been consulted on a number of occasions during the application process and had not objected to the proposal on highways safety grounds. Whilst Harefield Road was a narrow road, policy TR6.4 of the NPPF emphasised that applications could only be refused on highways safety grounds where there would be a severe adverse impact on the transport network. Officers did not therefore consider that there were grounds to substantiate refusal on the basis of highways safety. A pre-commencement Construction Management Plan would be conditioned, which Hertfordshire Highways would also be consulted on.

In relation to the concerns raised about contamination, the Planning Officer reported that the Environment Agency, Affinity Water, Environmental Health and Thames Water had all been consulted and had not objected to the application, subject to a significant number of conditions which were set out in the officer report and which would be discharged in consultation with those consultees in their capacity as the professional bodies responsible for managing contamination risk. Contamination risks were therefore considered to be satisfactorily managed.

In relation to the location of the site in the Green Belt, the Planning Officer clarified the site location was an established industrial site and was also enclosed. The buildings proposed within the application were not significantly high and were not considered to be out of character with the surrounding buildings which were generally of two storeys. There would therefore not be a substantial harm taking into account the wider site surroundings. The application was therefore considered to meet the test for falling within the exception for inappropriate development in the Green Belt.

With regard to the off-site highways works, the applicant would be required to enter into a Section 278 agreement with the Highways Authority with regard to details and implementation, and Condition 5 required these agreed details to be submitted to the Local Planning Authority before the commencement of works above slab level.

The Planning Officer also highlighted that the NPPF encouraged economic development, including in more rural locations. Given that there was a shortfall within the district, this was a further reason why officers were supportive of the application.

The agent spoke in favour of the application. Points raised included that the scheme fell within the previously developed land exception at policy GB 7.1 (e) of the NPPF and would not cause substantial harm to the openness of the Green Belt; the scheme would deliver 6 new flexible industrial units and address unmet need for this type of space within the district; the buildings were of sustainable design; the proposal would offer employment opportunities, both in construction and following occupation; traffic at the site would comprise small vans and

cars, and not HGVs; and a suitable number of parking spaces reflecting the location and nature of the development were to be provided, with no opportunity for parking to be displaced outside the site.

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

- A Committee Member commented that several recent or current planning applications had sought to convert existing Class E or B2/B8 use to residential, which indicated that those landowners did not consider that there was a demand for buildings to accommodate those use classes. In light of this, officers were asked to clarify why it was considered that the application addressed unmet need for Class E or B2/B8 use. Officers responded that the Local Plan evidence work included a number of studies which demonstrated that there was an unmet need, and the scheme before the committee specifically proposed accommodation which would benefit smaller businesses. In addition, every site needed to be assessed in terms of its individual merits. Condition 22 specified the use class of the buildings and would prevent any future change of use without the grant of planning permission, and Condition 24 prevented the buildings being enlarged without the grant of planning permission. Another Committee Member commented that there had also been recent applications which had sought to provide Use Class E or B2/B8 accommodation, which was an indication that there was a demand for such buildings.

- In response to a question about hours of operation, the Planning Officer clarified that due to the length of time which they had been there, some of the units at the site did not have restrictions on operating hours. As the application before the committee offered the opportunity to condition hours of use for the new units, these were being proposed in order to allow a degree of control and to address concerns about potential disturbance to neighbouring residents. Proposed hours had been agreed with the applicant and were set out at Condition 23. Officers considered that a 10pm finish during the week was appropriate given the buildings' relatively small size, their location away from residential properties, and the woodland to the south of the site which would serve as a noise buffer for residential properties to the south. Hours of operation would be more restricted at weekends.

- In response to a question about parking, the Planning Officer clarified that the maximum shortfall was 4 spaces. Officers considered that looking at the application site as a whole and its wider setting, this would not result in sufficient harm to justify refusal. There would be no impact on the adjoining highway as there was no opportunity for overspill parking; a car parking management plan was conditioned; and no objections had been raised by Herts Highways in relation to highways safety.

- Committee Members considered that it would be beneficial if the applicant could tidy up the site as part of the development if granted permission, and that this should include removal of the boat and other paraphernalia at the site and on adjacent land.

Councillor Cox moved, and Councillor Whately-Smith seconded, that planning permission be granted subject to conditions and (i) amendment to condition 16 to update the reference number of the Arboricultural Impact Assessment and (ii) amendment to condition 17 to require the soft landscaping scheme to be submitted prior to the first occupation of the buildings.

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

RESOLVED:

That planning permission be granted subject to conditions and (i) amendment to condition 16 to update the reference number of the Arboricultural Impact Assessment and (ii) amendment to condition 17 to require the soft landscaping scheme to be submitted prior to the first occupation of the buildings.

PC178/26 26/0885/FUL - DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF 1NO. DETACHED STORE/COMMUNITY BUILDING AND 2NO. POLYTUNNEL STRUCTURES FOR USE IN CONNECTION WITH EXISTING COMMUNITY ALLOTMENT AT ALLOTMENT LAND, NEWPORT MEAD, SOUTH OXHEY, HERTFORDSHIRE

Demolition of existing structures and erection of 1no. detached store/community building and 2no. polytunnel structures for use in connection with existing community allotment at Allotment Land, Newport Mead, South Oxhey.

It was noted that the application was before the Committee as the agent acting on behalf of the applicant is a Member of the Council, and the application site is owned by the Council.

The Planning Officer reported that there were no updates.

There were no speakers.

A Committee Member commented that the proposal would result in improvement to a currently unsightly area of community land.

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

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

RESOLVED:

That planning permission be granted subject to conditions.

PC179/26 26/1064/FUL - INSTALLATION OF ONE SELF-SERVICE LAUNDRY KIOSK TO TESCO SUPERSTORE CURTILAGE AT TESCO SUPERSTORE, FROGMOOR WHARF, HAREFIELD ROAD, RICKMANSWORTH WD3 1LX AND 26/1065/ADV - ADVERTISEMENT CONSENT: INSTALLATION OF INTERNALLY ILLUMINATED FASCIA SIGN AT TESCO SUPERSTORE, FROGMOOR WHARF, HAREFIELD ROAD, RICKMANSWORTH WD3 1LX

The applications were for installation of one self-service laundry kiosk to Tesco Superstore curtilage and advertisement consent for installation of internally illuminated fascia sign at Tesco Superstore, Frogmoor Wharf, Harefield Road, Rickmansworth.

The Planning Officer reported that an amendment was required to Condition 3 of the planning application to remove the last line which referred to '*Any associated signage shall only be illuminated during these hours and shall be switched off at all other times*'. This was because control over signage illumination belonged within the advertisement consent. A separate condition was proposed to be added to the advertisement consent to control the timings of the illuminated signage to align with store hours. An additional condition was also suggested for the planning application to require the two benches which were currently situated where the kiosk was to be placed to be relocated prior to the first use of the kiosk.

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

Councillor Lisa Hudson spoke on the applications.

Concerns raised by speakers against the application included: visual impact and detriment to the street scene; noise nuisance for nearby residents; the setting of precedence by adding a further freestanding unit accommodating commercial activity on an already busy site; inappropriateness of the location of the kiosk, both in terms of the geographical location in Rickmansworth and also the location of the kiosk within the site itself; lack of supporting

documentation regarding regular maintenance or cleaning of the equipment; lack of benefit to residents; and light pollution arising from un-necessary illuminated signage.

In responding to the points raised, the Planning Officer clarified that Condition 3 permitted the operation of the machines at the kiosk between the hours of 06:00 and 23:00 Mondays to Saturdays, and 11:00 and 17:00 on Sundays and Bank Holidays. A programmable timer would prevent anyone from initiating a washing/drying cycle within 45 minutes of the store closure time, so that it would be completed in accordance with the permitted operating hours.

With regard to the illumined signage, it was clarified that the level of luminescence would be relatively low and that the signage would only be illuminated during store opening hours. Given that it would be located against the backdrop of a commercial setting with existing illumination and ancillary infrastructure, would be located underneath a canopy at a c55m distance from the properties opposite, and illumination would be limited to the store opening hours, it was not considered that it would be harmful to neighbouring amenity.

The agent spoke in favour of the application. Points raised included that it would provide a practical and accessible service for local residents, particularly those living in flats, rented accommodation, smaller homes or households without suitable washing and drying facilities; the machines could be used for larger loads such as duvets, blankets and other bulky items which may not fit in household machines; the proposed location was convenient, allowing customers to combine their laundry with an existing shopping trip; the kiosk was modest in scale, located within the established commercial car park and its design was appropriate for the setting; hours of operation and signage illumination would be aligned with the established activity and opening hours of the existing supermarket; use of the kiosk was not expected to generate significant additional traffic or attract groups of people congregating on the site; and recent noise tests had shown that the noise impact on nearby residents would be negligible given the distance of 50m to the closest residential properties.

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

- A Committee Member expressed concern about the relocation of the benches which would need to be moved in order to accommodate the kiosk. It was considered that were the benches to be sited adjacent to the kiosk, this may increase the likelihood that users may congregate, or sit and chat, thereby increasing noise levels.

- A Committee Member questioned whether there may be scope to locate the kiosk further to the west, so that it would not be visible either from the street or the houses on Harefield Road. However, it was noted that there were constraints arising from the site, including the narrowing of the pavement beyond the zebra crossing, and the crossing itself, which prevented this. Officers commented that from the applicant's perspective it was more beneficial from a commercial viewpoint for the kiosk to be visible, and that it was not considered to be unacceptable in the proposed location.

Councillor Whately-Smith moved, and Councillor Gazzard seconded, that planning application 26/1064/FUL be approved subject to conditions and with amendment to Condition 3 to remove the last line which referred to '*Any associated signage shall only be illuminated during these hours and shall be switched off at all other times*'.

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

Councillor Whately-Smith moved, and Councillor Mitchell seconded, that advertisement consent 26/1065/ADV be approved subject to conditions and with the addition of a condition to control the timings of the illuminated signage to align with store hours.

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

RESOLVED:

(i) That planning application 26/1064/FUL be approved subject to conditions and with amendment to Condition 3 to remove the last line which referred to '*Any associated signage shall only be illuminated during these hours and shall be switched off at all other times*'; and

(ii) That advertisement consent 26/1065/ADV be approved subject to conditions and with the addition of a condition to control the timings of the illuminated signage to align with store hours.

CHAIR

PLANNING COMMITTEE – 22nd October 2026

PART I – DELEGATED

Confirmation Of Tree Preservation Order 938 (Penfold Park Golf Club, St Albans Road) 2026.

1. Summary

1.1 The purpose of this report is for elected Members of the Planning Committee to consider an objection to the Confirmation of Tree Preservation Order (TPO) 938 (Penfold Park Golf Club, St Albans Road) served on the 11th of June 2026 and whether, or not, the TPO should be Confirmed (made permanent).

The Officer recommendation is that the Order should be confirmed (made permanent).

If the Order is not confirmed, the TPO will lapse on the 19th November 2026, and the trees within Area (A1) will cease to be protected.

2. Details

2.1 On the 19th May 2026 Three Rivers District Council (TRDC) made TPO (Tree Preservation Order) 938 (Penfold Park Golf Club, St Albans Road) 2026 (Appendix 1). The order was served on a provisional basis to protect all trees within Area (A1), as identified on the TPO Plan (Appendix 1).

2.2 The TPO was served in response to concerns raised by ward councillors and local residents about the risk of pre-development clearance of the land, as the location is currently included in the Site Allocations of the emerging Local Plan 2026 -2041 for housing and employment.

Following a site visit by officers on the 14th April 2026 to view the site, and the trees from the roadside, TPO 938 was served.

3. Responses to the TPO

In response to the serving of the provisional TPO, the council has received one letter of objection, and one letter of support.

3.1 Objection and Officer Response

The objection to the TPO is based on eight points (Appendix 3), as set out below:

1. *The Council has not demonstrated that it is expedient in the interests of amenity to make the Order.*

Officer Response - Local Planning Authorities (LPAs) are not required to demonstrate that it is expedient in the interests of amenity to make a TPO. However, they should consider whether it is expedient to do so. In this case without a TPO in place, there was nothing to prevent trees on the site from being removed, prior to an assessment of their amenity value.

The Area TPO category is specifically designed for such a scenario, where a potential development site may have significant numbers of trees and where the LPA wishes to guard against pre-development clearance and retain some control over which trees may be retained or removed as part of any future development.

2. *The Council does not appear to have made any assessment in relation to the amenity value of the trees protected by the Order.*

Officer Response - As in point 1 above, in a situation where an Area TPO is being used to deter pre-development clearance, it would not be usual to for the LPA to make a detailed amenity assessment, and they are not required to do so.

3. *The Council does not appear to have made any assessment in relation to whether it is expedient to make the Order.*

Officer Response - The site contains large numbers of mature trees and is included within the Site Allocations document of the emerging local plan 2026 – 2041. Hence, it is expedient for the Council to serve an Area TPO to deter pre-development clearance of the site.

4. *The trees protected by the Order do not have sufficient amenity value to warrant protection by the Order.*

Officer Response - There are large numbers of mature trees on the site, some of which may have significant amenity value to warrant long term protection by TPO. The Area TPO category is designed to provide temporary protection to deter pre-development clearance, and so that the amenity value of individual trees can be assessed at a later date.

5. *It is not expedient in the interests of amenity to make the Order.*

Officers Response - There are large numbers of mature trees on the site, some of which may have, or attain, significant amenity value in the future. Without statuary protection by TPO, there are no means by which the council can prevent trees from being removed prior to development.

6. *The Council has not engaged with our client at any stage before making the Order.*

Officers Response - LPAs are not required to consult tree owners prior to serving a TPO and, as such, it would not be usual for an LPA to consult in advance of serving of a TPO, as this could provide the opportunity for trees to be removed before trees are protected.

The purpose of a Tree preservation Order (TPO) is to confer legal protection on trees and woodlands of significant public amenity value and to prevent their removal, prior to consideration and consent by the Local Planning Authority.

TPOs are served on a provisional basis, to give an opportunity for objections to be raised and for any relevant issues to be considered prior to confirmation of the TPO (making it permanent). The council would be open to criticism if giving warning of its intention to serve a TPO led to an unscrupulous landowner undertaking clearance works.

7. *The Council has failed to conduct a site visit in order to whether the Order is justified.*

Officers inspected the site on the 14th April 2026 to view trees from the public highway. Following receipt of an objection to the TPO, officers visited again on the 23rd July 2026 to obtain photos of the site (see appendix 2).

8. *The protection of the trees by use of the area category is not justified as this is not a case where an emergency exists.*

Officer Response - If trees are being actively cleared on a site without warning, the council may not be able to serve a TPO quickly enough to prevent the removal of substantial numbers of trees, prior to them being protected.

To make and serve a valid TPO requires a minimum of 24 hours, assuming the relevant officers are available. In addition, officers are not normally available at weekends or bank holidays to make and serve orders.

Without protection by TPO, the LPA cannot refuse consent to remove or clear trees or prosecute those who remove protected trees without consent.

Government guidance on the use of TPOs encourages to LPAs to be proactive in making TPOs, as a precaution, where it believes there are trees with significant public amenity value. The guidance advises that there does not need to be an immediate risk to trees, particularly where there may be development pressure.

3.2 Support for the TPO

A letter of support for the TPO has been received from the Bucknalls Lane Residents Group, which cites the following reasons to confirm the TPO (Appendix 4).

- Odour mitigation
- Air pollution filtering
- Noise reduction
- Visual screening
- Biodiversity
- Carbon storage
- Climate resilience
- Flood management
- Public amenity
- Buffer between industry and housing
- Property impacts
- The significance of the TPO
- Replacement planting is not equivalent

4. Options/Reasons for Recommendation

4.1 There are two options available to the Committee:

Option 1 To confirm the Order and make TPO 938 permanent. In the future, if the site is developed, a new specific TPO would be served to protect individual and/or groups of trees which are retained.

Option 2 Not to confirm the Order, and allow TPO 938 to lapse on the 19th November 2026. The majority of trees in Area A1 will cease to be protected by TPO.

5. Policy/Budget Reference and Implications

6.1 The recommendations in this report are within the Council's agreed policy and budgets.

6. Financial, Legal, Staffing, Environmental, Community Safety, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

6.1 None specific.

7. Recommendation

7.1 The Officer recommendation is that the Order is confirmed, and TPO938 is made permanent. In the future, if the site is developed, a new specific TPO would be served to protect individual and/or groups of trees which are retained.

Report prepared by: Alex Laurie (Principal Trees and Woodlands Officer)

Background Papers

Appendix 1 - TPO 938 (Penfold Park Golf Club, St Albans Road) 2026.

Appendix 2 – Photographic record

Appendix 3 – Letter of objection

Appendix 4 – Letter of support

Appendix 1 - TPO 938 (Penfold Park Golf Club, St Albans Road) 2026.

TOWN AND COUNTRY PLANNING ACT 1990

The Three Rivers (Penfold Park Golf Club, St Albans Road,) Tree Preservation Order 2026 (TPO938)

The Three Rivers District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Three Rivers (Penfold Park Golf Club, St Albans Road,) Tree Preservation Order 2026 (TPO938)

Interpretation

2.— (1) In this Order "the authority" means the Three Rivers District Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 19th May 2026.

Signed on behalf of the Three Rivers District Council

.....

Authorised by the Council to sign in that behalf

SCHEDULE

SPECIFICATION OF TREES

Trees Specified Individually
(encircled in black on the map)

Reference on Map	Description	Situation
NONE		

Groups of Trees
(within a broken black line on the map)

Reference on Map	Description	Situation
NONE		

Woodlands
(within a continuous black line on the map)

Reference on Map	Description	Situation
NONE		

Trees specified by reference to an Area
(within a dotted black line on the map)

Reference on Map	Description	Situation
A1	Mixed Broad/Conifers	Grid Ref: TL-11933-01432



Tree Preservation Order No TPO938
Penfold Park Golf Club, St Albans Road.

Signed for and on behalf of Three Rivers District Council:

THREE RIVERS DISTRICT COUNCIL

The scale shown is approximate and should not be used for accurate measurement

Scale 1:2500

Date 19/05/2026

N W E S

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This Order was confirmed by Three Rivers District Council without modification

on the .....

Signed on behalf of the Three Rivers District Council

.....
Authorised by the Council to sign in that behalf

This Order was confirmed by Three Rivers District Council subject to the modifications indicated in red ink,

on the .....

Signed on behalf of the Three Rivers District Council

.....
Authorised by the Council to sign in that behalf

A decision not to confirm this Order was taken by Three Rivers District Council

on the .....

Signed on behalf of the Three Rivers District Council

.....
Authorised by the Council to sign in that behalf

This Order was varied by Three Rivers District Council

on the .....

by a variation order under reference number ..... , a copy of which is attached.

Signed on behalf of the Three Rivers District Council

.....
Authorised by the Council to sign in that behalf

This Order was revoked by Three Rivers District Council

on the .....

Signed on behalf of the Three Rivers District Council

.....
Authorised by the Council to sign in that behalf

Appendix 2 - Photo Record



Looking northeast into the site



Looking east into the site



Looking northeast towards the site from the A405 N Orbital Rd / St Albans Rd



Looking southeast towards the site from the A405 N Orbital Rd / St Albans Rd



Looking northeast towards the site from the A405 N Orbital Rd / St Albans Rd

Appendix 3 Letter of Objection

Anthony Collins

Emma Sheridan
Associate Director for Environment
Three Rivers District Council
Three Rivers House
Northway
Rickmansworth
WD3 1RL

Our ref: 036874.0091/MH **Your ref: TPO938** 14 July 2026

Dear Ms Sheridan

TREE PRESERVATION ORDER NO.938 (PENFOLD PARK GOLF CLUB, ST ALBANS ROAD) THREE RIVERS 2026

We have been instructed by Seventh-Day Adventist Association Limited to formally object to the making of the Tree Preservation Order No.938 (Penfold Park Golf Club, St Albans Road) Three Rivers 2026 which was made by the Council on the 19th May 2026 ("the Order").

We note that the Order has been made in relation to the trees described as "mixed broad/conifers" shown in the area shown edged with a dotted black line and labelled "A1" on the plan attached to the Order which is stated as grid reference TL-11933-01432.

We note that in your letter accompanying the Order you state that the Council has made the Order "because the specified trees should be retained to preserve and maintain the present and future landscape character of the local area",

As you will no doubt be aware the power to make a tree preservation order is provided under section 198 of the Town and Country Planning Act 1990 which provides:

"If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order."

Your letter does not explain why it is expedient in the interests of amenity for the Order to be made.

We are instructed that no attempt had been made by the Council to contact our client to discuss the preservation of the trees or any concern that the trees may be at risk of being

Anthony Collins
134 Edmund Street, Birmingham B3 2ES | DX 13055 Birmingham 1 | 0121 200 3242 | www.anthonycollins.com

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felled, pruned or damaged in ways which would have a significant impact on the amenity of the area.

The Planning Practice Guidance provides that:

"Before making an Order a local planning authority officer should visit the site of the tree or trees in question and consider whether or not an Order is justified."

Paragraph: 021 Reference ID: 36-021-20140306

We are instructed that no attempt has been made by the Council to arrange a site visit to assess whether the Order is justified. Also, our client is not aware that the Council has visited the immediate vicinity of the site in order to carry out an assessment from public viewpoints.

We also draw your attention to the Planning Practice Guidance Paragraph: 029 Reference (ID: 36-029-20140306) which states:

"The area category is intended for short-term protection in an emergency and may not be capable of providing appropriate long-term protection"

Further that:

"Authorities are advised to only use this category as a temporary measure until they can fully assess and reclassify the trees in the area."

There is no suggestion in your letter, and no evidence has been provided that this is a case where short-term protection is required due to an emergency.

In summary our client objects to the Order on the following grounds:

1. The Council has not demonstrated that it is expedient in the interests of amenity to make the Order.
2. The Council does not appear to have made any assessment in relation to the amenity value of the trees protected by the Order.
3. The Council does not appear to have made any assessment in relation to whether it is expedient to make the Order.
4. The trees protected by the Order do not have sufficient amenity value to warrant protection by the Order.
5. It is not expedient in the interests of amenity to make the Order.
6. The Council has not engaged with our client at any stage before making the Order.
7. The Council has failed to conduct a site visit in order to whether the Order is justified.
8. The protection of the trees by use of the area category is not justified as this is not a case where an emergency exists.

In view of the above we respectively request that the Council reconsider and either withdraw or decline to confirm the Order.

In the event that the Council decides not to withdraw the Order we would be grateful if you would advise when the decision to confirm will be made and whether such decision will be made under delegated powers or by committee. In the event that the decision to confirm will be made by committee we would be grateful if you would confirm that our client will be notified of the date and time of the committee meeting so that they can attend to make representations.

In the meantime, please treat this letter as a formal request under the Freedom of Information Act and/or the Environmental Information Regulations 2004 for the following information:

1. A copy of the delegated decision report or written assessment which records the assessment made by the Council when making its decision to make the Order.
2. Any report or correspondence regarding the trees which are subject to the Order from the Council's Arboriculturist or tree expert.
3. Details of any site visit and any notes or photographs made or taken during the visit.
4. Any emails, notes or other documents relating to the decision to make the Order.

We look forward to receiving this information within the timescales required by the Freedom of Information Act and the Environmental Information Regulations 2004.

Yours sincerely



Legal Director

25434923-2

Appendix 4 – Letter of support

Bucknalls Lane Residents' Group
27, Bucknalls Lane
Watford
Hertfordshire, WD25 9NE

Ms Emma Sheridan, Associate Director for Environment
Attention of the Principal Trees and Woodland Officer
Three Rivers District Council
Three Rivers House
Northway
Rickmansworth
WD3 1RL

8 July 2026

Dear Principal Trees and Woodland Officer

Three River DC (Penfold Park Golf Club, St Albans Road) TPO Order 2026 (TPO 0938)

The residents' group of Bucknalls Lane have no objection to the above TPO. We welcome the preservation of these trees. We argue that the TPO should be made permanent for all the reasons given below.

1. Odour mitigation

Although trees do not eliminate odours, they can help by:

- Acting as a physical barrier that slows the movement of odorous air.
- Increasing turbulence, which can dilute and disperse smells.
- Providing psychological screening—people generally perceive unpleasant odours as less intrusive when industrial uses are visually screened.

Removing the trees could make odours more noticeable to nearby residents.

2. Air pollution filtering

Waste transfer sites can generate:

- Dust
- Vehicle emissions
- Fine particulate matter ($PM_{2.5}$ and PM_{10})

Mature trees:

- Capture airborne particles on leaves and bark.
- Absorb gases such as nitrogen dioxide and ozone.
- Improve local air quality.

Large mature trees provide significantly greater benefits than newly planted replacements.

3. Noise reduction

The trees can reduce:

- Reversing alarms
- Heavy goods vehicle noise
- Machinery sounds

While woodland does not completely block noise, it softens higher-frequency sounds and improves perceived tranquillity.

4. Visual screening

A dense woodland:

- Hides industrial buildings.
- Screens waste stockpiles.
- Reduces the visual impact of HGV movements.
- Helps preserve the character of the surrounding landscape.

Without the trees, the waste transfer operation may become much more visually intrusive.

5. Biodiversity

The mature woodland supports

- Birds, of which there are many: Wood Pidgeon, Blackbird, Magpie, Crow, Jackdaw, Robin, Red Kite, Wren, Blue Tit, Green Woodpeckers, Spotted Woodpeckers, Swift (All recorded on Merlin) plus Pheasants
- Bats
- Invertebrates: Butterflies, Spiders, Earthworms, Snails
- Small mammals: Hedgehogs, Squirrels, Moles, Field Mice
- Muntjac Deer
- Badgers
- Foxes
- Fungi
- Mosses and lichens

The older trees often contain cavities and deadwood that cannot be replaced for decades.

6. Carbon storage

Two hundred mature trees collectively store a substantial amount of carbon and continue to remove carbon dioxide from the atmosphere each year.

Replacing them with saplings would result in a large temporary loss of carbon storage and ecosystem services.

7. Climate resilience

Trees:

- Reduce local temperatures during hot weather.
- Provide shade.
- Reduce urban heat island effects.
- Increase humidity.
- Help people cope with extreme weather.

8. Flood management

Mature trees:

- Intercept rainfall.
- Increase infiltration.
- Reduce surface water runoff.
- Stabilise soils.

This can be particularly valuable around the Waterdale recycling and waste transfer site which is an industrial area.

9. Public amenity

We acknowledge that this TPOs is made as the trees provide significant public benefit.

Bucknalls Lane Residents value mature woodland because it:

- Improves mental wellbeing.
- Provides an attractive outlook.
- Increases enjoyment of nearby public spaces.
- Enhances local property settings.

10. Buffer between industry and housing

Three Rivers Planning policy encourages green infrastructure as a buffer between industrial and residential land uses.

The woodland functions as a natural separation between the waste operation and neighbouring communities. As indeed it has for generations also acting as a separation between St Albans and Watford.

11. Property impacts

Although evidence varies, mature tree belts can help maintain residential amenity by reducing:

- Visual intrusion
- Noise
- Perceived industrialisation

Removing them will increase concerns about the nearby waste site.

12. The significance of the TPO
Bucknalls Lane Residents' Group are pleased that the council has made this TPO which indicates that the local planning authority has already concluded that the trees have significant amenity value.
13. Replacement planting is not equivalent
Developers sometimes propose replacing mature trees with new planting, but:

- A mature tree may take 50–100 years to replace in terms of canopy and ecological value.
- Newly planted trees provide only a fraction of the air quality, habitat, and screening benefits.
- Ancient or veteran characteristics cannot simply be recreated.

There is a strong argument for maintaining the woodland is that the 200 mature TPO-protected trees provide an irreplaceable green buffer that:

- Screens an odorous industrial waste facility.
- Helps reduce dust, pollution, and noise.
- Supports biodiversity.
- Stores carbon.
- Manages surface water.
- Preserves the area's visual amenity.
- Protects the living conditions of nearby residents.

We feel that the existence of a smelly waste transfer site strengthens the argument that the trees perform an important environmental and amenity function. On a recent site visit with our councillor Jon Tankard (who champions the saving of trees for Three Rivers District Council) and representatives from Bucknalls Lane Residents' Group. Jon is the council's lead for climate change and sustainability. He agreed with the residents present that there was a horrible smell from the site and he would investigate. Plus, there are children's playing fields directly opposite on the other side of the road. Five schools are within half a mile of the trees as are many dwellings. Removing them could expose nearby communities more directly to the site's visual impact, noise, dust, traffic, and odours, reducing residential amenity unless equivalent mitigation can be demonstrated.

In summary, we hope that you the council and us as residents have now made a significant argument to leave these trees be to continue giving the protection that they have over the years. This TPO should be for in force for in perpetuity and made permanent. We welcome your support thus far. Please can you advise if there are any objections to the TPO.

Yours sincerely

[redacted]

Bucknalls Lane Residents' Group: Admin Team

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PLANNING COMMITTEE - Thursday 22 October 2026

25/0563/RSP - Part Retrospective: Creation of vehicle parking areas for company vehicles including alterations to land levels and associated boundary treatment hard and soft landscaping, attenuation basin, lighting; the use of the existing bungalow as offices including loft conversion with dormers and rooflights; and demolition of stables and construction of two-storey building for office / training / vehicle maintenance premises (Use Class Sui Generis) at THE PADDOCK, LITTLE OXHEY LANE, CARPENDERS PARK, WATFORD, WD19 5BA.

Parish: Watford Rural Parish Council
Ward: Carpenders Park
Expiry of Statutory Period: 15.07.2025
Case Officer: Lauren Edwards

Recommendation: That part retrospective planning permission be **granted**, subject to conditions.

Reason for consideration by the Committee: Application called in by three members of the planning committee to consider the impact of the development on the Green Belt.

Development type: Small scale major (commercial)

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

25/0563/RSP - Part Retrospective: Creation of vehicle parking areas for company vehicles including alterations to land levels and associated boundary treatment hard and soft landscaping, attenuation basin, lighting; the use of the existing bungalow as offices including loft conversion with dormers and rooflights; and demolition of stables and construction of two-storey building for office / training / vehicle maintenance premises (Use Class Sui Generis).

Relevant Planning History

1.1 08/1694/FUL - Single storey rear extension - Refused, for the following reason:

R1: *The proposed development by reason of its overall design, width, bulk and massing would result in an overly prominent development disproportionate in size to the main dwelling which would not constitute 'limited extension'. The proposed development would be to the detriment of the openness of the Green Belt. No special circumstances have been demonstrated by the applicant. As such the proposed development would be contrary to Policies GB1 and GB6 of the Three Rivers Local Plan 1996-2011.*

1.2 13/1810/FUL - Demolition of existing stable blocks and temporary buildings and erection of vehicle service building (Use Class B1). Stopping up of one existing access and alterations to second existing access. Ancillary works including planting and fencing to boundaries. Permitted and implemented.

1.3 14/1885/RSP - Part Retrospective: Landscape works to re-grade and re-level sections of the green field area of the site - Permitted and implemented.

1.4 17/0397/RSP - Part Retrospective: Erection of additional parking area and part change of use of existing dwelling to include office and training room – Permitted (subject to a personal and temporary 5 years use of “additional parking area”).

1.5 19/2049/FUL - Retention of existing parking and creation of additional parking area for company vehicles including alterations to land levels and associated hard and soft landscaping and loft conversion of existing bungalow for office use including dormers. Refused for the following reason:

R1: *The proposed development (excluding the proposed works to the building) constitutes inappropriate development in the Metropolitan Green Belt as it fails to preserve openness as required by paragraph 146 of the NPPF (2019). By virtue of the scale, siting, additional activity and associated ancillary works the parking areas would have a significant impact on the openness of the Green Belt and would also have an adverse impact on the visual amenity of the locality. Whilst material considerations exist which weigh in favour of the development they do not individually or cumulatively outweigh the inappropriateness of the development, harm to openness and other harm identified. The development therefore fails to comply with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2019).*

1.6 20/0748/FUL – Retention of existing parking area and creation of additional parking area for company vehicles including alterations to land levels and associated hard and soft landscaping and loft conversion of existing bungalow for office use including dormers – Permitted.

1.7 22/0116/COMP – Enforcement enquiry: Works not in accordance with planning permission 19/2049/FUL – pending consideration, subject to the outcome of this application.

2 Description of Application Site

2.1 The application site is located on the corner between Oxhey Lane and Little Oxhey Lane, on the outskirts of Carpenders Park. The application site includes an area of 2.3Ha which currently comprises of two main parts. To the northern portion there is an existing large area of hardsurfacing with land levels rising from west to east. The hardstanding serves as coach and minibus parking for vehicles associated with the fleet used by the current business which operates out of the site 'Lucketts'. To the east is a detached building (formerly a dwellinghouse) which operates as an office and training rooms. To the south of this is a detached structure where servicing and repairs are undertaken.

2.2 To the southern portion of the site there are vehicles stored in this area and a detached building which was formerly used as a stables, this area currently operates in conjunction with the existing business but less intensely than the northern portion. This area prior to its current use was used as an open field.

2.3 The primary access to the site is from Little Oxhey Lane to the north. However, there is an emergency access from Oxhey Lane, albeit this is currently blocked off. There is also a historic access to the southern part of the site however this is also blocked off.

2.4 The site is located opposite Carpenders Park nursery which sits to the north. To the east are residential properties along Oxhey Lane together with Grims Dyke Golf Course. To the south and west is open field land.

2.5 The application site is located within the Metropolitan Green Belt.

2.6 There are also protected trees on the site boundaries (TPO.291 & TPO.0533).

3 Description of Proposed Development

3.1 This application seeks part retrospective planning permission for the creation of vehicle parking areas for company vehicles including alterations to land levels and associated boundary treatment hard and soft landscaping, attenuation basin, lighting; the use of the existing bungalow as offices including loft conversion with dormers and rooflights; and the

demolition of stables and construction of a two-storey building for office, training and vehicle maintenance purpose falling within a Sui Generis Use Class.

3.2 Section 7.1 provides a more detailed overview of the context of the site history. This planning submission forms two main parts.

3.3 The first relates to planning permission 20/0748/FUL and on-going enforcement case 22/0116/COMP, and the second comprises 'new development' that has not previously been considered. Together, the two elements comprise the re-development and expansion of the current transport business 'Lucketts'.

3.4 Planning permission was initially granted via 20/0748/FUL for additional hardstanding/parking within the northern section of the site and commenced. However, the additional parking area within the northern portion of the site (adjacent to the junction with Little Oxhey Lane and Oxhey Lane) was consented to be at a lower land level and not as close to the boundary with Oxhey Lane. This application seeks to regularise the approved land level heights and seeks to introduce additional landscaping to the boundaries and a revised layout to move some of the larger coaches more centrally in the site.

3.5 The other element of the proposal is the provision of additional hardstanding/parking to the southern part of the site (currently an open field) and the erection of a detached two storey building. The proposed building would operate as offices, a training facility and enable vehicle maintenance. The proposed building would have a maximum width of 57m and a depth of 32m however would be stepped such that it would reduce in depth toward the south. The building would have a flat roof with a height of 7m. It would also have a roof lantern projecting 1.7m above the flat roof above the central section of the building. The building would be finished in facing brickwork with a metal wall system.

3.6 The existing servicing building would be retained and the existing 'bungalow' would also be retained for use as offices. This includes the removal of the remaining portion of C3 floorspace in the bungalow. Additionally, the loft conversion in situ does not accord with the approved plans (20/0748/FUL) and thus this application also seeks retrospective permission for these elements. The dormer windows in situ each have a width of 6m in comparison to 3.5m as previously consented. There have also been alterations to the number and positioning of rooflights (now 3 to the rear and 1 to the front).

3.7 An attenuation basin would be provided within the south western corner of the site.

3.8 Amended plans have been received during the course of the application and are summarised below:

- Relocation of a section of coach parking spaces into the centre of the site from a location adjacent to Little Oxhey Lane, and locating minibus spaces adjacent to Little Oxhey Lane. Introduction of additional planting to the southern boundary of the site.

- Replaced closed boarded fencing along Oxhey Lane with metal mesh fencing which would be sited 'site side' of additional planting.

- Clarification of the proposed lighting and a reduction in the scale/number of lighting columns in the 'new' portion parking.

4 Consultation

4.1 Statutory Consultation

4.1.1 Watford Rural Parish Council: No response received.

4.1.2 Hertfordshire County Council – Highway Authority: [No objection subject to conditions]

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. *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 necessary offsite highway improvement works have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- The new 2m wide stretch of highway footway fronting the site;

- Pedestrian crossing point made up of pedestrian dropped kerbs and tactile paving on either side of Little Oxhey Lane.

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)

2. *Provision of Access and Parking*

Prior to the first use of the development hereby permitted, the on-site hardstanding and turning and parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3. *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 / Statement shall include details of:
a. Construction vehicle numbers, type, routing;
b. Access arrangements to the site;
c. Traffic management requirements
d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
e. Siting and details of wheel washing facilities;
f. Cleaning of site entrances, site tracks and the adjacent public highway;
g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;

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).

Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Agreement with Highway Authority: 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-i nformation/development-management/highways-development-management.aspx

AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

AN) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx

Comments / Analysis

The proposal comprises of an extension to the existing site for use for commercial vehicle parking and associated works at The Paddock, Little Oxhey Lane, Carpenders Park. Little Oxhey Lane is designated as a classified 'B' secondary distributor road, subject to a speed limit of subject 40mph and is highway maintainable at public expense. The site is located approximately 100m west of the junction with the A4008 Oxhey Lane.

Little Oxhey Lane is classed as P2/M2 on HCC's Place & Movement Network.

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

Access

There is an existing vehicle access into the site from Little Oxhey Lane, in the form of a simple priority junction / bellmouth access. The vehicular access is not proposed to be changed. Following consideration of the design of the existing access and nature of the proposals linked to the existing use of the site, the vehicle access from the highway is considered to be acceptable.

A swept path analysis / tracking plans has been included in Appendix F of the TS to illustrate that a two minibuses would be able to pass one another in addition to a minibus and coach

passing another. The details are considered to be acceptable in this respect particularly as these movements would already be happening as part of the approved and current use of the site.

The level of vehicle to vehicle visibility as shown in Appendix G of the TS is considered to be acceptable and sufficient.

The current application includes the provision of a new footway and footpath link into the site, including an unsignalized pedestrian crossing point on Little Oxhey Lane to enable pedestrian access from within the site and to the existing highway footway on the north-west side of Little Oxhey Lane. The details of this are shown on submitted drawing number SK11 and the principle of this would be supported at this planning application stage to maximise pedestrian accessibility to and from the site.

Following the granting of any planning permission, the applicant would need to enter into a Section 278 Agreement with the Highway Authority in relation to the works that would be needed on highway land including:

- The new 2m wide stretch of highway footway fronting the site;
- Pedestrian crossing point made up of pedestrian dropped kerbs and tactile paving on either side of Little Oxhey Lane. An extent of highway plan to clarify the works which would be within the existing highway in addition to the submission of a Stage One Road Safety Audit and Designers Response for any of the proposed highway works would be required to be submitted as part of the 278 application.

Internal Site Layout and Parking

The proposals linked to the application increases the number of mini bus spaces from the current 54 to 202 and the number of car parking spaces from 24 to 31. The number of coach parking spaces is remaining the same at 27.

Service and emergency access will remain as for existing including for a fire tender and other service vehicles. There would not be any particular concerns in this respect when taking into account that the site is designed to provide access for coaches.

The extended site layout is shown on submitted drawing number 201304/PL/801. The dimensions and layout of the parking and manoeuvring areas are considered to be acceptable by HCC as Highway Authority.

A number of electric vehicle charging spaces has been accommodated for, which would be supported by HCC as Highway Authority. The TS states that "full cycle parking will be provided on site in line with local policy. It would be recommended that the level of cycle parking is increased as and if demand arises for it, acknowledging the nature of the use of the site. Three Rivers District Council (TRDC) as the parking and planning authority for the district would ultimately need to be satisfied with the overall level and type of parking

Trip Generation, Distribution and Traffic Impact Assessments

A trip generation assessment for the proposed use has been included in section 6 of the TS. The existing vehicle trip generation has been assessed using existing turning counts associated with the site, which has resulted in 21 two-way vehicle movements in the AM peak (8:00 to 9:00) and 18 two-way vehicle movements in the PM peak (17:00 to 18:00). The proposed trip generation has been based on the increase in number of minibus spaces although the points made that in respect to providing a worst-case prediction is acknowledged (the ability to store more vehicles in site and therefore less moving around off-site of such vehicles). The worst-case scenario assessment results in 62 number two-

way vehicle movements in the AM peak and 38 two-way vehicle movements in the PM peak.

A Junctions 9 PICADY assessment has also been conducted, based on the above worst-case scenario trip generation and included in the TS to assess the operation of the site at a base year of 2024 and a future assessment year of 2029 plus development. The results of the modelling show that the maximum Ratio of Flow to Capacity (RFC) are well within the generally agreed practical capacity of 0.85 on all scenarios and therefore considered acceptable.

Following assessment of these details, the impact on the operation of the surrounding highway network from a trip generation perspective and capacity perspective would not be a reason to recommend refusal from a highways perspective.

Conclusion

HCC as Highway Authority has considered that the proposal would not have a safety impact or severe impact on the operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at the access to the site. Therefore HCC has no objections on highway grounds to the proposals, subject to the reference to, and inclusion of, the above planning conditions and informatives.

4.1.3 Herts Ecology: [No objection subject to conditions/informatives].

Overall Recommendation

- *Application can be determined with no ecological objections (with any Informatives/Conditions listed below).*

Summary of Advice

• No major ecological constraints to development.

• Loss of rough grassland of some site value and low population of slow worms.

• Some onsite enhancements for species and BNG.

• Offsite BU required to achieve BNG.

• Biodiversity Gain condition required.

• CEMP and Species Enhancement Plan required

Comments

1. The northern half of the site is already developed for car parking – for which retrospective permission is sought – whilst the southern area is currently grassland into which it is proposed to extend similar development of parking and new premises.

2. An Ecological Impact Assessment (EcIA) has been submitted for the southern section of the Site, based on Preliminary Ecological Appraisal (PEA), a Preliminary Roost Assessment (PRA) and Reptile Surveys in August and September 2024.

3. The desk survey found no existing ecological interest on record for the site. The bulk of the site was largely ruderal and coarse grassland vegetation of poor quality although it did support black knapweed and bord's-foot trefoil. There was a patch of species-poor neutral grassland which is now classified as modified grassland. The boundary was a mixture of other tall forbs and native hedgerow with trees. Although of some ecological value at the

site level by virtue of supporting relatively undisturbed habitat, the mowing regime limited any structural diversity within the grassland although this is purely a function of management and could change. However, none of the habitats affected are a constraint on development.

4. No buildings were considered to be suitable for bats, whilst the site boundary and other vegetation had moderate suitability for commuting and foraging.

5. Great crested newts were not considered to be present or likely to use the site given a lack of ponds on site and adjacent sub-optimal habitats.

6. A low population of slow worm is known to be present, one juvenile having been caught. It does not meet the threshold for a key reptile site and appropriate habitat modification prior to any works will help to mitigate impacts. Retention of boundary hedgerows would be beneficial, although there will obviously be a loss of suitable rank grassland habitat within the site.

7. No other evidence of protected species was found or considered likely. No further surveys were advised and I have no reason to disagree with this.

8. A small number of ecological enhancements are proposed – including provision for new nesting and roosting, trees, scrub, hedgerow extension, buffer strip with wildflower grassland. Whilst these will provide local enhancements to the remaining habitats, the loss of grassland will not be compensated within the site, although it is only of low distinctiveness. The development will not impact on other sites or habitats of principal importance.

9.The most ecologically valuable boundary habitats will be retained and buffered. However, it is incorrect to consider that short-term detrimental impacts can be managed and that with appropriate design and mitigation, the ecological function of the site for wildlife can be restored and enhanced if the majority of the open grassland area is to be lost. It is, nevertheless, important to ensure the following:

• Precautionary working methods.

• Exclusion of reptiles through habitat modification before work commences.

• Lighting mitigation.

• New and enhanced habitats provided.

10.1 The biodiversity metric lists the habitats recorded onsite, which generates a total habitat unit score of 3.95. The Condition Assessments appear accurate. On this basis, I consider the baseline is acceptable and that the application can be determined.

10.2 Calculations for achieving BNG have also been presented although they are not a requirement for determination. A total of 2.81 area Biodiversity Units (BU) are proposed to be provided onsite, most of which (1.94 BU) is made up of wildflower meadow which is a significant habitat even though these 'meadows' will be relatively thin strips of grassland. 4.78 Hedgerow BU are proposed onsite.

10.3 This equates to a net loss of 7.13% Habitat BU, and a net gain of 11.60% Hedgerow BU. Currently BNG has not been achieved and will therefore require 0.68 habitat BU to be delivered offsite. This is outlined within the BNG report.

11. The lighting assessment demonstrates that the hedgerow boundaries will be subject to light levels of between 0.4 and 0.2 lux. The angles of tilt for both luminaire designs to be used will be 5 degrees, which is near horizontal and acceptable. This will also considerably reduce any impacts from glare.

12. On the basis of the above, I consider there are no ecological constraints for development on this site and that it may be determined accordingly.

Conditions and informatives

The following conditions are considered necessary to ensure the works may proceed having taken full account of the current and future biodiversity of the site and BNG:

1. Biodiversity condition. This should be informed by a fully completed metric, Biodiversity Gain Plan (Gov template advised) and HMMP (Gov template advised). The significant BNG onsite should also be secured by an appropriate legal agreement for 30 years and subject to monitoring.

2. Condition for a CEMP to provide guidance of working methods. This should be based on 7.2 and 7.3 of the EcIA.

3. Condition for Species Enhancement Plan to include features outlined in EcIA 7.5.

4.1.4 Lead Local Flood Authority: [No objection subject to conditions]

Thank you for your reconsultation on the above site. We have reviewed the application as submitted and wish to make the following comments.

It is understood that retrospective permission is sought for development which has already been undertaken in the northern part of the site, which did not comply in entirety with the provisions set out in planning application reference 20/0748/FUL. These are to include:

- *the continued use of 'The Bungalow' premises as ancillary offices for Lucketts of Watford and the retention of the loft conversion (including dormers)*
- *the retention of the as built, constructed vehicular parking area located in the east of the northern part of the site*

It is also understood that this application seeks planning permission for the proposed extension of the development into the southern part of the site, which will include the construction of a two-storey office building (to be used for training and vehicle maintenance), a new parking area and associated hard and soft landscaping.

Since our previous response, the application has provided updated information that addresses our previous concerns. Therefore, we have ***no objection subject to conditions being attached to any consent*** *if this application is approved. We suggest the following wording.*

Condition 1

Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement and FRA & Drainage Strategy and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: *To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policies of Three Rivers District Council.*

Condition 2

The development hereby approved shall not be occupied until details of the maintenance and management of the Sustainable Drainage Scheme (SuDS) in accordance with National SuDS Standard 7 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 network in addition to those listed in SuDS Standard 7 to be submitted for approval shall include:

1. *A timetable for its implementation.*

2. *Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a non-technical labelled drawing showing where they are located and how to access them.*

3. *A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.*

Reason: *To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Local Plan Policies of Three Rivers District Council.*

Condition 3

Upon completion of the surface water drainage scheme and prior to the first occupation 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 survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved and shall include as a minimum.

1. *CCTV survey of underground structures,*

2. *A full set of "as built" drawings highlighting any minor changes to the approved drawings.*

3. *Photographs of excavations (including soil profiles/horizons) and any installation of any surface water drainage structures and control mechanisms.*

4. *Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. 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 that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Local Plan Policies of Three Rivers District Council.*

Informative

Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority. It is advised to discuss proposals for any works at an early stage of proposals.

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

4.1.5 National Grid: No response received

4.1.6 TRDC Landscape Officer: No response received

4.1.7 London Borough of Harrow: No response received.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 3

4.2.2 No of responses received: 16 letters of support (0 objections)

4.2.3 Site Notice: Expired 20.05.2025 Press notice: Expired 27.06.2025

4.2.4 Summary of Responses:

- Employment opportunities
- Intent clear to operate responsibly
- Positive impact on economy
- Service contribute to a challenging specialist transport sector
- Development will help them maintain business
- Many families rely on their services
- Provide vital support for families and children with additional needs
- Relocation would have negative impacts

5 Reason for Delay

5.1 Further information sought.

6 Relevant Planning Policy, Guidance and Legislation

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

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

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

The Environment Act 2021.

6.2 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 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, CP6, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM13 and Appendices 2 and 5.

6.3 Other Material Considerations

In August 2026 the NPPF was updated. Relevant policies include: S3, S5, GB2, GB6, GB7, DP3 and HE6.

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

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan.

7 Planning Analysis

7.1 Overview

7.1.1 In 2013 planning permission was granted within the northern parcel of the application site under reference 13/1810/FUL for the demolition of the former stable block and temporary buildings and the erection of a vehicle service building (Use Class B1) along with ancillary works including planting and fencing to boundaries. This permission was granted by the Local Planning Authority in December 2013 and was subject to a number of planning conditions.

7.1.2 Following the implementation of this permission and subsequent engineering operations to the field, the northern parcel of the application site significantly increased on-site parking after failing to implement a number of soft landscaping areas as required by Condition 8 of 13/1810/FUL. By virtue of the above changes the applicant was also in breach of Condition 9 of 13/1810/FUL which restricted and confined parking levels to no more than 12 company vehicles towards the west.

7.1.3 After the applicant was made aware of the breach, a part retrospective planning application was submitted under reference 17/0397/RSP and included the creation of an additional parking area and part change of use of the existing dwelling to include an office and training room. The permission was granted subject to a number of restrictive conditions including the temporary use of the ‘additional parking area’.

7.1.4 In 2020 a further application was submitted at the site via 20/0748/FUL which sought to create a more formalised parking area which included significant land level alterations. This permission was allowed at the Planning Committee, overturning the recommendation by officers, by concluding that very special circumstances existed to enable the expansion of the business. However, following the commencement of this permission) it was ascertained that works had not been carried out in accordance with the approved plans (22/0116/COMP).

7.1.5 This application seeks planning permission for the aspects of the development which do not accord with the approved plans as well as to the new elements (as have been set out on section 3 above).

7.2 Impact on Green Belt

7.2.1 Policy CP11 of the Core Strategy sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt or which would conflict with the purposes of including land within it. Policy CP11 is supported by Policy DM2 of the Development Management Policies LDD and relates to the construction of new buildings.

7.2.2 The NPPF (August 2026) sets out that the objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

7.2.3 Policy GB2 of the NPPF states that Green Belt serves five purposes:

a) To check the unrestricted sprawl of large built-up areas;
b) To prevent neighbouring towns merging into one another;
c) To assist in safeguarding the countryside from encroachment;
d) To preserve the setting and special character of historic towns; and
e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.2.4 Policy GB6 (2) states that inappropriate development, is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reasons of its inappropriateness and any other harm resulting from the proposed development is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

7.2.5 Policy GB6 (1) states that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. Policy GB7 sets out that a number of categories of development that are not inappropriate in the Green Belt, and which therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances. The relevant exception is set out below. Whilst it is noted that other exceptions may apply to some elements of the scheme, given the comprehensive redevelopment of the site that is proposed Officers are of the view that all elements can be considered under the exception set out below.

g) Development where all of the following apply:

i. 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;

ii. There is an evidenced unmet need for the type of development proposed;

iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

7.2.6 For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.

A) To check the unrestricted sprawl of large built - up areas.

7.2.7 For the purposes of this test the nearby settlement of Carpenders Park and the adjoining settlement of South Oxhey are considered to be a large built up area. However, the application site is somewhat detached from Carpenders Park, separated by open space, a cemetery and woodland. It therefore sits on a more isolated pockets of development on the junction of Little Oxhey Lane and Oxhey Lane, including the Carpenders Park Garden Centre and residential properties. Therefore, based on the above, it is not considered that the application site falls within a large built up area, namely Carpenders Park.

7.2.8 Nevertheless, Oxhey Lane to the east and Little Oxhey Lane to the north both form physical features that contain the site and prevent sprawl in these directions. To the west is a mature band of vegetation including trees. Whilst the vegetation to the south is slightly less dense than to the west the development includes significant amounts of planting to this edge of the site which would further contain unrestricted sprawl to the south. Notwithstanding the above view, if it were considered to form part of a large built up area, it is not considered to contribute strongly and would best fall within the moderate contribution.

B) To prevent neighbouring towns merging into one another.

7.2.9 Watford, Northwood and Harrow/Hatch End would be the nearest towns to the application site. Carpenders Park is physically separated from other settlements and thus is not considered to form part of a town. Hatch End and Harrow to the south are sited 0.5 miles to the south and separated by open field land. Given the proposed development would be spreading south toward Hatch End it moderately contributes given the size of the site. Howeverfor the reasons outlined above the site is also contained on all 4 sides. Thus, would not result in the merging of neighbouring towns. (In this case Watford and Harrow).

D) To preserve the setting and special character of historic towns.

7.2.10 The PPG sets out that areas that make no or only a weak contribution are likely to include those that 'have no visual, physical or experiential connection to the historical aspects of the town'. The site is located some distance from any historic towns. As such the proposal would preserve the setting of historic towns as it would have no visual, physical or experiential connection to any aspect of a historic town. The development site would therefore have a weak contribution to this purpose.

Summary of g (i)

7.2.11 For the reasons outlined above it is considered that the site does not strongly contribute to the above purposes. Whilst there would be conflict with encroaching into the countryside this would not undermine the remaining Green Belt across the plan area. In turn it is considered that the site comprises Grey Belt land in the context of g (i) of the NPPF.

There is an evidenced unmet need for the type of development proposed

7.2.12 As part of their submissions the applicant has provided detailed justification in relation to the nature of the business operating from the site.

7.2.13 The proposed development would support the sustainability of the existing business which provides transport across Hertfordshire. The statement sets out that councils are obligated by law to provide free transport for pupils for have special education needs and disabilities (SEND). The business provides specialist school transport for special needs and mainstream school children. Lucketts provides 390 contracts for the transportation of SEND pupils and vulnerable adults. Additionally providing 36 transport contracts for mainstream schools. 73% of which are with HCC. 2984 children across the county are in need of specialist daily transport across Hertfordshire (published by HCC in 2023) to which Lucketts contributes towards. This has increased in recent years (from 2400 in 2014). Overall, it is considered that there is an evidenced demonstrable unmet need across the district and

country wide for the provision of specialist transport services to which the proposed development would support. Therefore, the proposal would comply with (g)(ii).

The development would be in a sustainable location, with particular reference to policy TR3 of this Framework;

7.2.14 Policy TR3 (1) sets out "development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location". Policy TR3 further sets out that proposals which could generate significant amounts of movement, in the context of the area they are within, should be in locations that are sustainable or can be made sustainable. This means the location should limit the need to travel by private car and offer a genuine choice of transport modes, unless the nature of the development makes this impractical.

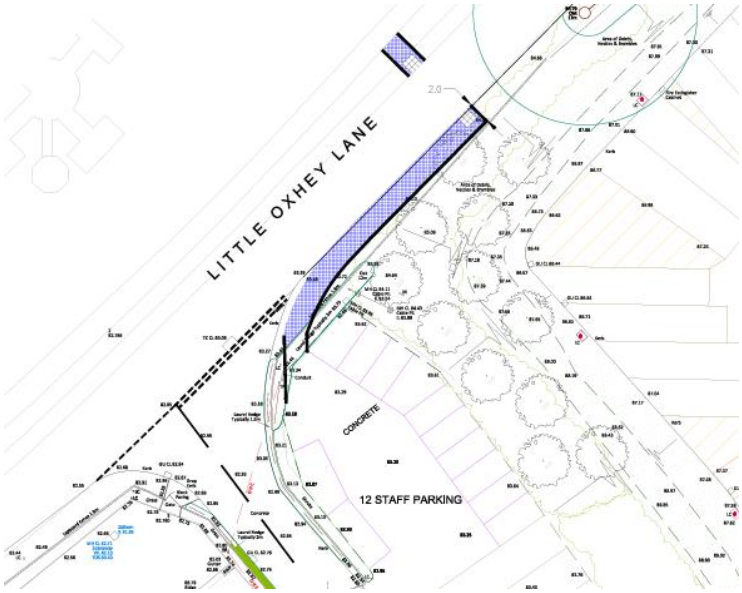
7.2.15 The NPPF sets out that:

Reasonable walking distance: For the purpose of policies S5, L3, GB7 (relating to land around well-connected stations), this should be considered to be around 800 metres, or around 10 minutes' walk time if topography, route availability and quality or physical barriers would prevent or discourage walking from up to 800 metres away.

7.2.16 This type of development proposal is distinct from residential development or some forms of commercial development owing to the transportation nature of the business. In turn the development should not be expected to fall within a settlement with good connections and has a well established business currently operating from the site. However, the business still has employees that would travel to the site to collect the coach/mini bus. It is not considered that the development makes it 'impractical' to offer a choice of transport modes in the context of policy TR3 however the movements are different to residential development.

7.2.17 The development remains closely related to Carpenders Park and is well connected. The application site is located approx. 1100m from Carpenders Park station and 1200m from Hatch End. However is located 400m from bus stops in Harrow Way which provide services to Bushey, Watford and North Watford.

7.2.18 As set out above the aim of policy TR3 is to ensure that development is focused towards sustainable locations and encourages a choice of transport modes. The site would allow for a choice for employees to access public transport services from Harrow Way or to cycle to a station. Secure cycle parking would be provided to encourage this. Furthermore the proposal also includes off site improvements (which would be secure by a S278 agreement with HCC) in order to encourage walking connectivity. This includes a 2m footway fronting the site and a pedestrian crossing point made of dropped kerb and tactile paving on either side of Little Oxhey Lane. There is currently no formal safe crossing point or footway to and from the site and as such this alteration would significantly improve pedestrian access.



7.2.19 When considering the proximity to bus services, cycle storage facilities and improvements to pedestrian access. Overall, the proposal would (as a result of the off site improvements via S278 agreement) make the site sustainable proportionately to the nature of the development. Overall, there is an existing established business operating from the site and the proposed development is offering enhanced connectivity. In the context of TR3 and the type of development the proposal is considered to be compliant with g(iii).

In the case of major development involving the provision of housing, the development proposed complies with policy GB8

7.2.20 The proposal does not include the provision of housing and thus GB8 does not apply.

7.2.21 In concluding, Officers consider that the application site comprises Grey Belt land and complies with the provisions afforded by GB7 (g) in its totality. Thus, the proposal comprises appropriate development in the Green Belt.

7.2.22 Should members reach an alternative view on any of the factors set out in GB7 (g) (i-iii) and also consider the development does not meet any other exception set out within the NPPF the proposal would then comprise inappropriate development and would also result in harmful impacts to the openness of the Green Belt and conflict with one of the purposes of the Green Belt. These would need to be advanced further. The NPPF sets out that unacceptable harm to the Green Belt and any other harm can only be outweighed in Very Special Circumstances. These are considered at the end of the report.

7.2.23 However as set out above, Officers conclude that the development would not be inappropriate in the Green Belt thus does not result in harm in this respect.

7.3 Impact on local landscape, character, street scene and nearby heritage assets

7.3.1 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect all development proposals to have regard to the local context and conserve the character, amenities and quality of an area. Policy DM7 of the Development Management Policies LDD (adopted July 2013) also states that the Council will require proposals to make a positive contribution to the surrounding landscape.

7.3.2 Firstly, taking the proposed element of the development which includes the extension of a significant amount of hardsurfacing into the undeveloped field to the south of the more established compound as well as a substantial two storey building constructed to the western part of the southern portion of the site. It is acknowledged that both elements would

alter the context of the southern part of the site. However this does not, in itself, automate harm.

7.3.3 The application has been accompanied by a Landscape Visual Impact Assessment (LIVA) and during the course of the application clarification was sought by officers in relation to some of the viewpoints taken. The topography of the site is such that land levels rise from west to east towards Oxhey Lane. The proposed building would be sited at the lowest part of the site which would assist in mitigating its visual impact as experienced from Oxhey Lane and Little Oxhey Lane. Initial concerns were had regarding longer range views from the west where the land rises up again toward the railway line and Pinner Wood. However, there are no direct views of the site owing to the railway embankment and vegetation belts. Some localised views would be likely of the building from Little Oxhey Lane however the visual impact and prominence of the building would, in part, be obscured by the existing building and mitigated by the change in topography with enhanced planting. There is the potential for some views further south however the road boundaries a relatively strong in this direction. There would be very limited longer range views from the east owing to the change in land levels and any shorter range views from Oxhey Lane would be screened by the highways vegetation and increased planting along the eastern boundary.

7.3.4 The proposal also includes the installation of lighting within the new portion of parking. Amendments have been received during the course of the proposal to reduce the number and provide further detail of the height of lights. The columns would reduce in height as the land levels rise towards Oxhey Lane. It is acknowledged that the principle of the introduction of lighting into the undeveloped part of the site would have an urbanising impact compared with the existing site. However this would be mitigated by the relatively low number of columns and reduced further by controlling that they are only turned on in line with the operating times of the parking area. Details of external lighting on the building would be reserved by condition.

7.3.5 Overall, there would be some localised harm through the size of the building, use of land for parking and associated infrastructure including lighting which would not be in keeping with the rural appearance of the site. However, this is tempered by the location of the site falling within an area which is somewhat varied in terms of character and would be adjacent to the established part of the site which already has a commercial character.

7.3.6 There is an existing closed boarded fence which has been erected along the eastern boundary of the site fronting Oxhey Lane. It is considered that this is an incongruous feature within the streetscene, at odds with the more informal and verdant style of boundary treatments evident in the locality. As part of the application process amended plans have been received to replace this with mesh metal fencing which would be erected ‘site side’ of the red line boundary with enhanced vegetation ‘road side’ in order to further mitigate it’s visual impact and soften the road frontage along Oxhey Lane. This would also provide some screening of the vehicles which are parked parallel with Oxhey Lane. Owing to the height of the minibuses, which would be parked for a greater length of the boundary, their roofs would be evident however in time the planting would establish along the boundary in order to provide more robust screening and reduce any adverse visual impact.

7.3.7 Turning to the existing area of parking, as set out above this fails to accord with the approved plans granted via 20/0748/FUL. The main deviations include the proximity of the parking area to the boundary and that it has been constructed at a higher level than approved (by approx. 2m). It is acknowledged that the planting between the boundary with Little Oxhey Lane has in recent years established however its effectiveness as screening is seasonal and certainly not as originally planned if the planning permission was lawfully implemented. In turn owing to the height of the coaches and their siting at an elevated land level they have become increasingly visible towards the junction. In order to mitigate this some of the coach parking has been relocated into the centre of the site, however, 5 coaches are still proposed to be parking in this area. There is insufficient space between the hardsurfacing and the boundary for any additional meaningful planting. As such the

evidence of coaches at an elevated height, in this location, does result in some isolated harm arising from the incongruity of the evidence of vehicles.

7.3.8 It is not considered that the extensions to the bungalow in situ has resulted in its appearance being unduly prominent or incongruous so to result in harm in this respect.

7.3.9 There are Listed Buildings to the south of the site towards Harrow. Namely: London Coal Duty Market x 2, Stables in the grounds of Melodies and Oxhey Lane Farmhouse. However owing to their siting relative to the proposed development it is not considered that any unacceptable adverse impacts would result to their setting.

7.3.10 Overall, it is considered that the proposal would have some adverse impacts on the character of the locality. This is by reason of the evidence of coaches parked at an elevated land level adjacent to the junction and the urbanising nature of the development spreading into the southern side of the site. Whilst this would be a level of isolated harm proposal would still conflict with Policy CP12 of the Core Strategy and Policy DM7 of the DMP LDD. This is discussed further in the planning balance section below.

7.4 Loss of C3 Use.

7.4.1 The proposal would include the total loss of residential accommodation within the existing bungalow. This floorspace has been used ancillary to the use of the rest of the 'bungalow' which operates as offices and training rooms. The floorspace that this lawfully remains within is now minimal however there would still be a technical loss of 1 dwelling. The district fails to have a 5 year housing land supply and thus there is an acute need for residential accommodation within the district as a whole. Whilst the loss of any residential dwelling would ordinarily be objected to in principle, in this case the residential dwelling is located in the centre of an established commercial business in a building which largely operates in conjunction with this. As such would not be desirable nor would it provide a good quality of accommodation for future occupiers. The loss of the C3 use is regrettable however this is tempered by the site circumstances and the lack of practical functionality of a residential use. As such in this case it is not considered that this element of the proposal is unacceptable.

7.5 Impact on amenity of neighbours

7.5.1 Policy CP12 of the Core Strategy states that the Council will expect all development proposal to protect residential amenities. Likewise, Policy DM9 of the Development Management Policies LDD states that planning permission will not be granted for development which has an unacceptable adverse impact on the indoor and outdoor acoustic environment or planned development and that external lighting does not have an unacceptable impact on neighbouring or nearby properties. Policy DM9 of the Development Management Policies LDD states that development proposals which include external lighting should ensure that there is no unacceptable adverse impact on neighbouring or nearby properties.

7.5.2 The closest residential properties to the application site are Laycot and Valley View which are located immediately opposite, separated by Oxhey Lane to the north east.

7.5.3 To avoid unacceptable vehicle movements late at night which could have an adverse noise impact when background levels are at their lowest it would be reasonable to restrict the hours of use in the event of an approval. The current hours for the use of the parking area are conditioned via 20/0748/FULat 06:00 and 19:00 Mondays to Fridays (inclusive) and 08:00-19:00 Saturdays and no vehicular movements whatsoever shall occur on Sundays or Bank or Public Holidays. It is considered reasonable to reapply this condition to the existing and new portions in order to protect neighbouring amenity.

7.5.4 The property opposite the site on Little Oxhey Lane is Carpenders Park Garden Centre. The development by virtue of its use would not have a detrimental impact on this property.

7.5.5 To mitigate impacts on neighbouring amenity, it would be reasonable to request specific details of the external lights and their light spill. However this is mitigated to some degree by the height at 1.8m being relatively low, and restrictions on the use of the new parking area which should avoid unacceptable impacts to residential amenity. Nevertheless, specific details will be sought by condition to ensure the mitigation is adequate.

7.5.6 As a result, subject to planning conditions protecting neighbouring amenity, it is not considered that the development would be harmful to nearby properties.

7.6 Wildlife and 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.

7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.6.3 The application has been submitted with a Biodiversity Checklist and ecological reports. Herts Ecology have reviewed the submitted details and have concluded that the site has low ecological implications. There is some potential for the presence of slow worms however it is considered that this can be dealt with by way of condition requiring a CEMP (careful working methods and pre-commencement interventions). Conditions will also be added to ensure the lighting is controlled by hours of use to mitigate adverse impacts to Bats.

7.7 Trees and Landscaping

7.7.1 Policy DM7 of the Development Management Policies LDD states that proposals for new development should be submitted with landscaping proposal which seek to retain trees and other important landscape and nature conservation features. Landscaping proposals should also include new trees and other planting to enhance the landscape of the site and its surroundings as appropriate. It goes on to state that development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997.

7.7.2 A number of individual protected trees exist along the site boundaries of Little Oxhey Lane (TPO291) and Oxhey Lane (T533). Owing to their siting and the location of the existing hardstanding it is not considered that any adverse impacts would result to these trees as a result of the development.

7.7.3 The application has been accompanied by an Arboricultural Impact Assessment. The report outlines that an elder shrub, 3 goat willows, a section of laurel hedge would be removed in order to facilities the proposed development. These are also category C. As such their removal is not resisted.

7.7.4 Furthermore, the proposal includes significant amounts of additional planting within the site which would compensate for the loss of these items. This includes additional planting along the southern boundary of the site together with the boundary with Oxhey Lane. The

southern boundary would include a native hedgerow with meadow planting in with a grassland mix.

7.8 Highways, Access and Parking

7.8.1 Policy CP10 of the Core Strategy (adopted October 2011) states that all development should demonstrate that it provides a safe and adequate means of access. The NPPF at policy TR6 sets out that development should be refused where it would result in unacceptable impacts to highway safety.

7.8.2 In respect of access, the proposed development would utilise the existing vehicle access from Little Oxhey Lane. The proposal has been reviewed by HCC Highways who consider that the existing access would be suitable to accommodate the proposed level of development. An emergency access would be retained on Oxhey Lane and conditioned.

7.8.3 In respect to traffic impacts the application has been accompanied by a transport statement. This has also been reviewed by the Highway's Officer who considers that the impact of the proposed operations on the surrounding network would not be unacceptable.

7.8.4 As set out in section 7.2 above the proposed development also includes the provision of a new footway outside of the site (on Little Oxhey Lane) and a crossing point. This would be secure by a S278 agreement and would include the submission of a Stage One Road Safety Audit.

7.8.5 The Highway's Officer has also reviewed the internal layout of the site and considers that the manoeuvring and emergency access arrangements are considered acceptable.

7.8.6 In respect to parking Appendix 5 of the DMP LDD sets out parking standards. Appendix 5 sets out that sui generis uses will be assessed on their own merits. The nature of the proposed development is such that it aims provide sufficient on-site parking for the fleet of vehicles operated by Lucketts. Thus, is considered to align with the aims of Appendix 5.

7.9 Energy Use

7.9.1 Policy CC2 and CC3 of the NPPF set out the expectations for development in order to mitigate climate change. This includes design approaches which conserve energy and other resources and take advantage of opportunities to draw low carbon energy.

7.9.2 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.

7.9.3 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.

7.9.4 An energy statement has been submitted with the application which confirms that the proposal will result in an energy saving of 48% thus exceeding the minimum policy requirements of DM4. A condition will be added to ensure the development is carried out in accordance with the details submitted.

7.10 Biodiversity Net Gain

7.10.1 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.

7.10.2 In this case Biodiversity Net Gain is applicable to the proposed development. Herts Ecology have reviewed the submitted information and consider that the LPA has sufficient information to determine the application subject to a BNG plan condition. Off site credits are required in order to meet the mandatory BNG. A Habitat management and monitoring plan (HMMP) has been requested by Herts Ecology however this is not considered reasonable given the requirement for purchasing off site credits.

7.11 Flood Risk and Drainage

7.11.1 Policy DM9 of the Development Management Policies LDD states that development will only be permitted where it would not be subject to unacceptable risk of flooding; and would unacceptably exacerbate risk of flooding elsewhere.

7.11.2 The application site is located within Flood Risk Zone 1. However, as it is a major development the submission of an FRA is required to deal with SUDs. The LLFA originally objected to the proposed development however additional information has been submitted during the application. The proposed drainage strategy includes the provision of an attenuation pond which would be located in the south western corner of the site where the land level is at its lowest. The LFFA have reviewed the additional information and considered that on this basis they raise no objection subject to the attachment of a number of conditions.

7.12 Refuse and Recycling

7.12.1 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

7.12.2 Details of refuse and recycling arrangements will be required to be submitted via condition which would be collected commercially. However, it is considered that there is sufficient space within the site for refuse storage and owing to the nature of the operations within the site that a refuse vehicle would be able to enter and exit the site in a forward gear

7.13 Planning balance

7.14 As outlined above Officers conclude that the proposed development would be acceptable in all regards. It is concluded that the proposal would comprise appropriate development in the Green Belt by virtue of its compliance with policy GB7 (g). However it is considered that there is some harm to the rural character of the area as expressed in section 7.3 above.

7.15 However, were members to reach an alternative stance in respect to any of the considerations above any identified harm would need to be weighed against the benefits of the scheme, and potentially consider whether any very special circumstances are required should it be determined that the development is inappropriate in the Green Belt.

7.16 As set out with section 7.2 there are material considerations in favour of the development. These include a demonstrable unmet need across the county for the specialist transport services provided by the applicant's business towards which the development proposal would support the sustainability of. Whilst it has not been concluded that were the development not to take place that the existing business would cease operations it would be constrained in its expansion and in turn limited to the contribution it can make to providing the special services across the district and wider county. Furthermore the applicant also sets out that the business supports a significant amount of jobs and the proposal would support in maintaining the existing local business. Additionally the continuation of the service would bring on going benefits to SEND individuals and their families. As such the scheme has economic and social benefits.

7.17 Policy S5 (Principle of development outside settlements) is not applicable as the application site falls on land within the Green Belt. However, at S5(5) states:

However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy .

7.18 Policy S5(2) states the circumstances in which the benefits of approving development proposals are likely to **be substantially outweighed by adverse effects** include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

7.19 In conclusion it is considered that the benefits are not substantially outweighed by the adverse effects arising from the scheme in the context of Policy S5.

8 Recommendation

8.1 That part retrospective PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 Those part of the development hereby permitted which have not commenced shall be begun within THREE YEARS of the date of this permission (with the exception of works pertaining to Conditions 3, 4, 5 and 6).

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: 201304/PL/801, B24054-TLP-101 Rev 5, 201304 / PL / 804 REV B, 201304 / PL / 805 REV B, 201304 / PL / 806 REV B, TRDC 001 (Location Plan).

Reason: For the avoidance of doubt, in the proper interests of planning and to ensure the development maintains the character of the area and the visual amenities of the Green Belt in accordance with Policies CP1, CP2, CP6, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM3, DM4, DM6, DM7, DM9, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Within FOUR MONTHS from the date of this permission, the parking area falling within the northern section of the application site (referred to as The Paddock on the submitted plans), shall be clearly laid out and demarcated in accordance with plan

number B24054-TLP-101 Rev 5, and shall thereafter be retained as per the approved demarcation and made available for use only in association with the use of the application site.

Reason: To ensure that the impacts on the character of the area are mitigated in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C4 Following completion of the works required by Condition 3 (parking demarcation), the native hedge and tree planting shown on drawing number B24054-TLP-101 Rev 5 shall be carried out before the end of the first planting and seeding season following completion of those works.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: To mitigate the visual impact of the new boundary treatment to enhance the appearance of the frontage along Little Oxhey Lane in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C5 Within SIX MONTHS of the date of this permission, the alterations to the boundary treatment along Oxhey Lane (namely the replacement of the closed timber fencing with wire mesh fencing (RAL 6005)) as shown on plan number B24054-TLP-101 Rev 5 shall be undertaken and thereafter retained in terms of design, siting and height.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C6 Following completion of the works required by Condition 5 (the erection of the new wire mesh fencing), the native hedge and tree planting shown on drawing number B24054-TLP-101 Rev 5 shall be carried out before the end of the first planting and seeding season following completion of those works and maintained so long as the wire mesh fencing is in situ.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: To mitigate the visual impact of the new boundary treatment to enhance the appearance of the frontage along Oxhey Lane in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C7 Part A

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works have been submitted to and approved in writing by the Local Planning Authority.

These works shall include:

- The new 2m wide stretch of highway footway fronting the site;

- Pedestrian crossing point made up of pedestrian dropped kerbs and tactile paving on either side of Little Oxhey Lane.

Part B

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: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy TR3 of the NPPF.

C8 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

i. parking of vehicles of site operatives and visitors
ii. construction of access arrangements including the routing of vehicles
iii. loading and unloading of plant and materials
iv. storage of plant and materials used in constructing the development
v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
vi. wheel washing facilities
vii. measures to control the emission of dust and dirt during construction
viii. a scheme for recycling/disposing of waste resulting from demolition and construction works
ix. Details of any temporary refuse and recycling collection arrangements which ensure refuse and recycling collection access are available to all occupied properties at each stage of the works.

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

C9 Notwithstanding the details set out on B24054-TLP-101 Rev 5 and soft landscaping subject to Conditions 4 and 6, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C10 Prior to the commencement of any development on site in connection with the additional parking area, full details of all external lighting including details of the position, height, design, spillage and intensity (including any affixed to the new building) shall be submitted to and approved in writing by the Local Planning Authority.

The lighting shall thereafter be installed only in accordance with the approved details and shall not be used outside of the hours of operation (06:00 and 19:00 Mondays to Fridays (inclusive) and 08:00-19:00 Saturdays and not at all Sundays or Bank Holidays) and no further external lighting to the additional parking area shall be installed thereafter.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C11 Prior to the first use of the additional parking area (referred to as Green Acre on the submitted plans) hereby permitted the proposed on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter made available for use only in association with the use of the application site.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 of the Development Management Policies LDD (adopted July 2013).

C12 No vehicular movements shall occur within any of the parking areas hereby permitted and as shown on Drawing B24054-TLP-101 Rev 5outside the hours of 06:00 and 19:00 Mondays to Fridays (inclusive) and 08:00-19:00 Saturdays and no vehicular movements whatsoever shall occur on Sundays or Bank or Public Holidays.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C13 The vehicular access onto Oxhey Lane shall only be used in the event of an emergency and at no other time.

Reason: To safeguard highway safety and the free flow of traffic in accordance with Policy CP10 of the Core Strategy (adopted October 2011) an Policy DM13 of the Development Management Policies LDD (adopted July 2013).

C14 The parking area hereby permitted B24054-TLP-101 Rev 5shall be used solely in connection with the business operating from the buildings existing and proposed and for no other purpose.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and the need to safeguard the amenities of the Green Belt and the surrounding areas in accordance with Policies CP1, CP2, CP3,

CP6, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policy SA1 of the Site Allocations Local Development Document (adopted November 2014) and Policies DM2, DM4, DM6, DM7, DM8, DM9, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C15 Prior to commencement of the development hereby permitted, a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP should detail how the mitigation measures recommended within the Preliminary Ecological Appraisal will be incorporated within the development scheme.

The CEMP shall include details of how the habitats adjacent to the development will be protected during the construction period given its proximity to the proposed development. The development shall then be carried out in accordance with the approved details and the measures retained thereafter.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C16 A Species enhancement plan as more particularly outlined in EcIA 7.5 shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented in accordance with the approved details.

Reason: To maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C17 Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement and FRA & Drainage Strategy and remaining in perpetuity for the lifetime of the development.

Reason: To prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C18 The development hereby approved shall not be occupied until details of the maintenance and management of the Sustainable Drainage Scheme (SuDS) in accordance with National SuDS Standard 7 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 network in addition to those listed in SuDS Standard 7 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 non-technical labelled drawing showing where they are located and how to access them.

- 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 prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C19 Upon completion of the surface water drainage scheme and prior to the first occupation 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 survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved and shall include as a minimum.

- CCTV survey of underground structures,
- A full set of "as built" drawings highlighting any minor changes to the approved drawings.
- Photographs of excavations (including soil profiles/horizons) and any installation of any surface water drainage structures and control mechanisms.

Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. 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 prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

C20 The development shall not be occupied until a scheme for the separate storage and collection of waste has been submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

C21 The building hereby permitted shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on the approved plan and as set out in the application form no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C22 Prior to the first occupation of the new building hereby permitted, details of provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The storage shall be provided prior to the first occupation of the new buildings, in accordance with the approved details and shall be permanently retained as such thereafter.

Reason: To ensure that secure bicycle storage facilities are provided to encourage use of sustainable modes of travel in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 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 0208 207 7456 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. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

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.

I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

I4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

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

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

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

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

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

I5 Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority. It is advised to discuss proposals for any works at an early stage of proposals.

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

I6 Agreement with Highway Authority: 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-i nformation/development-management/highways-development-management.aspx

I7 Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

I8 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx


A4008
Carpenders Park
Garden Centre
Oxhey Ln
Oxhey Ln
Little Oxhey Ln
A4008



















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PLANNING COMMITTEE – 22 October 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 7.20 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.

Update – October 2026
Members resolved at the August Planning Committee Meeting held on 20 August 2026 to recommend refusal of this application. The reasons for refusal included impact on Green Belt, heritage harm and failure to complete a S106 agreement to secure affordable housing and other essential planning gains.

This application is now being referred back to Committee for further consideration. The application was discussed at Planning Committee on 20 August, following the then very recent publication of a new National Planning Policy Framework on 17 August 2026. The application was supported by an addendum to the published Committee Report which provided an outline of the NPPF changes relevant to the application. Members at the August meeting raised concerns about the lack of time to fully consider the policies set out within the new NPPF and addendum and how this would impact on the assessment of the application. In light of this it has been decided that the application should be referred back to Committee for determination and supported by a fully updated Committee Report setting out the assessment of the application against the policies set out within the new NPPF and Development Plan. The publication of a new NPPF constitutes a material change in circumstances, and in view of it being only recently published on 20 August and concerns raised at the previous meeting by some members about lack of time to consider the new NPPF, this updated Report will enable Members to have full regard to the application scheme in light of the NPPF when determining the application. This report supersedes the report published and considered at the August Committee Meeting and builds on and provides greater clarity and consideration on the details set out within the Addendum.

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 the scheme in the context of the Three Rivers Local Development Plan and all relevant material planning considerations, including the policies of the National Planning Policy Framework (NPPF). The responses from consultees have also been considered, and a list of all consultees is included at section 4 of the Committee report with their full comments provided in **Appendix 1** attached to the report. With the exception of the Conservation Officer who has commented that the proposal would result in a low level of 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 NPPF Policy GB7(1).g and meets the Golden Rules as set out within Policy GB8 of the NPPF. In addition, application is considered to meet Policy GB7(1)(h). As such, it is considered that the development is an appropriate form of development in the Green Belt. A low level of 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.

The benefits of the scheme, which are considered at section 7.21 of the report, include the need for housing, the need for affordable housing and compliance with the 'Golden Rules'. These hold substantial weight in favour of the development.

Overall, the report clearly demonstrates that the benefits of approving the development proposal would not be substantially outweighed by adverse effects through the identified low level harm to the setting of the Grade II Listed Building.

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 Aubern 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.**

With the exception of the receipt of revised comments from the Conservation Officer, no further consultee comments have been received in relation to the application following the publication of the NPPF. It is not considered that the content of the revised NPPF have resulted in any changes to the consultee positions as 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 Watter	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: 55 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; Grey Belt finding is unreasoned; Lack of assessment on impact on openness; Green Belt Reviews have been disregarded and impact is just based on site visits; Policy GB7.h is not engaged; Assessment against the golden rule does not take into consideration the standards now in force; the planning balance has not been struck

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; Infrastructure capacity is not demonstrated

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; Report provides too much emphasis on the emerging local plan that just holds limited weight

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 August 2026 the National Planning Policy Framework (NPPF) was updated and may be read along with the National Planning Practice Guidance (NPPG) as relevant government planning policy and guidance. As identified within the NPPF, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The national decision-making policies in the NPPF are a material consideration in making these decisions and should be read alongside the policies in the development plan. Paragraph 1 of the NPPF states that it is a material consideration of critical importance. Planning decisions must also reflect relevant international obligations and statutory requirements, as must the preparation of development plans.

A number of NPPF chapters are relevant to the consideration of this application, with the most important being:

3 – Decision making policies
4 – Achieving sustainable development
5 – Meeting the challenge of climate change
6 – Delivering a sufficient supply of homes
12 – Making efficient use of land
13 – Protecting Green Belt land
14 – Achieving well-designed places
15 – Promoting sustainable transport
16 – Promoting healthy communities
17 – Pollution, public protection and security
18 – Managing flood risk and costal change
19 – Conserving and enhancing the natural environment
20 – 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 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 new Three Rivers 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 consultation period has now expired. 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 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. Based on the current Development Plan 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 It is noted that the Emerging Local Plan has completed Regulation 19 consultation and this includes future site allocations for housing within the District. This document includes the application site referred to as CFS13 in the Site Allocations Document. This document sets out that the site would have a phasing of 1-10 years thus is anticipated to be delivered early within the plan period. Thus, if permission was granted and delivered within the allowed time period this would meet the phasing if the Local Plan progresses in accordance with the estimated delivery timeframes. Thus, the granting of permission would not prejudice the Emerging Local Plan or result in the premature delivery of housing.

7.1.5 Notwithstanding this, it is important to note that the NPPF makes it clear that evidencing a housing need/unmet housing need is not solely reliant on the current housing land supply. The Housing Delivery Test is also material to this consideration. With regards to evidencing unmet need the NPPF states:

'Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or **scores below 75% in the most recent Housing Delivery Test**).

7.1.6 The latest published housing delivery score for Three Rivers District Council for 2025 sits at just 45% significantly below the 75% delivery as required by the NPPF. Thus, irrespective of the status of the Emerging Local Plan and future land supply there is still an identified evidenced unmet need for housing of which the provision of 70 dwellings would make a positive material contribution towards.

7.1.7 NPPF Policy HO7 relates to meeting housing need and states:

'In applying the policies in this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1'.

7.1.8 The recent Local Housing Need Assessment identifies that there is an annual affordable housing need (both rented and low cost ownership products) of 527 units. Thus, considering the current housing land supply, housing delivery test score and demonstrated affordable housing need substantial weight will be given to the delivery of both the market and affordable housing which would contribute towards meeting the evidenced needs of the community.

7.1.9 *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 and recently updated August 2026 NPPF version, 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 Chapter 13 of the NPPF states "the objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The Government attaches great importance to Green Belt, the essential features of which are their openness and permanence". Policy GB2 identifies the 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 Policy GB6.2. states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness'.

7.2.6 NPPF Policy GB7 sets out the categories of development that are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or required to demonstrate very special circumstances:

a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;

b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building40. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;

c. Limited infilling in villages lying within the Green Belt;

d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);

e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;

f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:

i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);

ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

iv. 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.

g. Development where all of the following apply:

i. 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;

ii. There is an evidenced unmet need for the type of development proposed41;

iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework42; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

h. Residential or mixed-use development which would:

i. Be within reasonable walking distance of a well-connected station (applying

the definitions in the glossary at Annex B);

ii. Be physically well-related to the station or the settlement within which the station is located;

iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;

iv. Not prejudice any proposals for long-term comprehensive development in the same location; and

v. In the case of proposals for major development, comply with policy GB8.

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

7.2.8 The development should be assessed against Policy GB7.g.

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

Grey belt: *For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.*

7.2.10 It is prudent to note that the definition of Grey Belt has changed since the 2024 revision removing the following sentence: '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'. Thus, the definition of Grey Belt no longer takes into consideration other factors such as impact on heritage assets.

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) of NPPF Policy GB.2. Annex E of the NPPF, and the PPG sets out the considerations for informing these judgements against purposes (a), (b) or (d) of NPPF Policy GB.2.

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 Annex E of the NPPF which provide the considerations on how sites should be judged 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 Annex E 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 NPPF Annex E 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 NPPF Annex E 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; and/or
- being subject to other urbanizing influences

7.2.16 NPPF Annex E 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

7.2.17 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 dwellings along the north western, north eastern and south eastern boundaries. Thus, the site is visibly enclosed along three sides by existing development, with Oxhey Lane enclosing the south western boundary.

7.2.18 The site is considered to be largely enclosed by significant existing development and the development of the site for residential would not result in an incongruous pattern of development, for example would not result in an extended 'finger' of development, into the Green Belt.

7.2.19 Based on the analysis above the site makes a weak contribution to purpose a) 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).

7.2.20 The assessment of the contribution a site makes to purpose a) relates only to whether the development of the site would result in the sprawl of a large built-up area and not the merging of two settlements. The only large built up area that the site is associated to is Watford. The settlement boundary of Carpenders Park is sited approximately 350m from the southern most point of the application site and on the opposite side of Oxhey Lane. Thus, the site is physically separated from Carpenders Park and the contribution the site makes to purpose a) does not relate to Carpenders Park. It is noted that there is a resolution to grant permission for the construction of 96 houses on a neighbouring site (reference 25/1055/FUL). The assessment for that application stated: 'Due to the positioning of the site it is considered to be detached from Carpenders Park and as such it is not considered the proposal would result in sprawl associated with the settlements of Carpenders Park and South Oxhey'. That site was independently considered to make just a moderate contribution to the urban sprawl of Watford due to its containment. Each application is to be assessed on their individual merits and the grant of permission of development of a neighbouring site is not material to the judgements made for the application site.

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

7.2.21 Annex E 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
- If developed, would be likely to result in the loss of visual separation of towns.

7.2.22 Annex E 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

7.2.23 Annexe E 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

7.2.24 The site is open, however, it is visibly contained by development. The site is small in nature and does not form part of a substantial gap between Watford and Carpenders Park and the development of the site would not result in the loss of visual separation of towns. It should be noted (as expanded on below) that Carpenders Park is a large built up area but not a town. Thus, Bushey and Harrow are nearest adjacent towns; the development of the site would not serve to close the gaps between Watford and these towns.

7.2.25 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'. Annex E of the NPPF makes it clear that purpose b) 'relates to the merging **of towns, not villages**' this is a different assessment to whether a settlement 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.

7.2.26 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 or no contribution to purpose b) in preventing towns from merging.

7.2.27 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 or no contribution to purpose b.

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

7.2.28 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.

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

7.2.30 The application site is therefore considered to meet the NPPF definition of Grey Belt.

7.2.31 Further, the application site (Site CFS13) is identified in Regulation 19 emerging Local Plan Site Allocations document as being Grey Belt.

7.2.32 With regards to whether the development would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, 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'.

7.2.33 The application site consists of an enclosed and very small portion of land (2.7 hectares) on the outer part of the land identified within Area 1 where 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. Further although the site is open in character it is visibly contained by built development thus the construction of 70 units of the site would not result in encroachment into the countryside (purpose c).

7.2.34 It is concluded that the site falls within the definition of Grey Belt and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

7.2.35 NPPF Policy GB7.g.ii. requires that there is an evidenced unmet need for the type of development proposed. Footnote 41 of the NPPF sets out what consists of evidenced unmet need stating:

'Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Test result was below 75% of the housing requirement over the previous three years'.

7.2.36 As set out within paragraphs 7.1.5 and 7.1.6 of this report there is a current housing land supply of just 1.2 years and a housing delivery test result of just 45%. Thus, the unmet need for housing is evidenced by both a lack of a five year supply of deliverable housing sites and that the Housing Delivery Test result is significantly below the 75% threshold of the housing requirement over the previous three years. Thus, the delivery of 70 residential units would meet an evidenced unmet need.

7.2.37 NPPF Policy GB7.g.iii. requires that the development would be in a sustainable location, with particular reference to policy TR3 of this Framework. NPPF Policy TR3 states:

1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

   a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;

   b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;

   c. Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;

   d. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and
   e. In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.

2. The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development.

7.2.38 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 10 minute walk to the station and an 11 minute walk on return journey), bus stops sited close by with hourly bus services during the week and amenities provided in nearby Villers Road. These are easily accessible on foot via lit footpaths. The site is considered to be in a location which would help to limit the need to travel by private car and would be in a location where a genuine choice of transport modes for residents is available.

7.2.39 The proposal would not include any off-site improvements to the footpaths leading to the site, because as existing there is a lit footpath where the adjacent road is 30mph which would be suitable for cycling and not unpleasant for walking. The provision of traffic islands would facilitate the crossing of cyclists onto the other side of the road. 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, the proposed highways improvements, and combined with the monetary contributions, the proposal would meet the sustainability requirements of NPPF Policy TR3. No significant adverse impacts from the development on the transport networks or environmental impacts have been identified. Further, using the Department for Transport's Connectivity Tool, the majority of the site has an overall connectivity score of 69%. It is therefore considered that

the site meets the requirements of NPPF Policy TR3. The highway impacts of the site are discussed in more detail in the relevant section below.

7.2.40 Thus the proposed development would meet NPPF Policy GB7.g. points i, ii and iii. Point iv will be discussed later in this section.

7.2.41 The 2026 version of the NPPF has introduced of GB7.h. Although it is considered that the proposed development meets the requirements of NPPF Policy GB7.g. points i, ii and iii, as the development is for residential development, GB7.h. would also be applicable. With regards to GB7.h.i the site is within reasonable walking distance of a well connected station. Bushey Station (although located in Watford) provides links to Watford Junction and London Euston. Bushey Station is located approximately 0.7miles (1100m) from the proposed site entrance (approximately 10/11 minutes walk as walked by the case officer). Annex B defines 'Reasonable Walking Distance' and 'Well Connected Station' as:

'Reasonable walking distance: For the purpose of policies S5, L3, GB7 (relating to land around well-connected stations), this should be considered to be around 800 metres, or around 10 minutes' walk time if topography, route availability and quality or physical barriers would prevent or discourage walking from up to 800 metres away. Where a reasonable walking distance is required to be calculated when applying policies S5(1)(h), L3(2)(c) and GB7(1)(h), and only part of the site falls within the reasonable walking distance, those sub-paragraphs of policies S5, L3 and GB7 only apply to the area of the site within that reasonable walking distance.'

'Well-connected station: Railway stations and underground, tram and light rail stops located within a top 80 Travel to Work Area located partially or fully within England by Gross Value Added (GVA)72 and which, in the normal weekday timetable, are served (or have a reasonable prospect of being served due to planned upgrades or through agreement with the rail operator) throughout the daytime by at least four trains or trams per hour overall, or at least two trains or trams per hour in any one direction.'

7.2.42 Bushey Station is some 300m above the 800m distance quoted above, but is considered as a matter of planning judgement to fall within a reasonable distance that would encourage people from the site to walk from the site to the station; especially when considering the walking times to the station where the distance and topography comfortably sit within the 'around 10 minute walk' time. The station is easily accessible from the site by existing lit footpaths with safe crossing points. It is noted that the furthest part of the site would exceed 1100m but the site is small in area (covering just 2.7 hectares) and has a relatively flat topography. It is considered that the site as a whole is within a reasonable walking distance from Bushey Station that provides a legitimate alternative to public transport links than the use of private motor vehicles. The bus services sited in close proximity to the site (Pinner Road stop sited 200m from the northern corner of the site and Sherwood Road bus stop sited adjacent to the northern corner of the site) provides access to and from Bushey Station. Bushey Station meets the definition of a well connected station providing a number of hourly services in each direction.

7.2.43 With regards to NPPF Policy GB7.h.ii. the site is surrounded by residential development and is considered to be well related to the existing settlement of Watford of which Bushey Station is located within.

7.2.44 NPPF Policy GB.7.h.iii. the proposal would be subject to infrastructure contributions that would provide necessary improvements to local infrastructure that would accommodate the proposed development.

7.2.45 NPPF Policy GB7.h.iv. the application site is an allocated site within the emerging Regulation 19 Local Plan Site Allocations and is an independent site that would not prejudice the any long term comprehensive development in the same location.

7.2.46 As such the development is considered to meet the requirements of NPPF Policy GB7.h points i, ii, iii and iv.

7.2.47 Both NPPF Policy GB7.g.iv and GB7h.v. requires proposals for major development to comply with Policy GB8. NPPF Policy GB8 states:

'1. 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, all of the following contributions ('Golden Rules') should be made:

a. Affordable housing which reflects either:

i. Development plan policy requirements for major development on land within or released from the Green Belt (as established under policy HO5(1)(a)(ii)); or

ii. Until such policies are in place, a contribution which is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of a 50%. In the absence of a preexisting requirement for affordable housing, a 50% affordable housing contribution should apply by default.

b. Necessary improvements to local or national infrastructure; and

c. The provision of new green space, or improvements to existing green space, which is accessible to the public. New residents should be able to access good quality green spaces within a short walk of their homes, whether through on-site provision or through access to offsite spaces. This provision should:

i. Make a positive contribution to the landscape setting of the development;

ii. Support nature recovery; and

iii. Meet local standards for green space provision where these exist in the development plan. Where no locally-specific standards exist, development proposals should meet national standards relevant to the development (these include Natural England's standards on accessible green space and urban greening factor and Green Flag criteria). Where land has been identified as having potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes.

2. In considering applications for major development involving the provision of housing on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, substantial weight should be given to the importance of complying with the Golden Rules.'

7.2.48 With regards to Policy GB8.1.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 GB8(1)(a).. The quantity, tenure mix and unit sizes of the affordable housing provision is discussed in greater detail in Section 7.4 of this report.

7.2.49 In respect of Policy GB8.1.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 7.20 of this report. The proposed development would provide necessary improvements to local infrastructure in accordance with this policy.

7.2.50 In respect of Policy GB8.1.c, the development would provide new green spaces on site including a play area that due to its siting would be accessible for residents outside of the

site. Merry Hill is sited approximately 1.1 miles and 24 minute walk from the site and Oxhey Green and Oxhey Green Play Area would be sited 0.6 miles, approximately 16 minute walk from the site. The on site open space would be sited so it would run along Oxhey Lane and would positively contribute to the landscape setting of the development through the set back of the built form from the public vantage points and provide a soft landscape buffer. This open space would provide areas for on-site nature provisions but also contributions towards off site BNG would be provided.

7.2.51 NPPF Policy GB8.1.c.iii requires the green space to meet local standards. The open green space that would be provided as part of the development would have an area of approximately 0.57hectares, this would provide in excess of 10% of the site area which would meet the open space requirements as set out within the Open Space, Amenity and Children's Playspace SPD. An additional 0.34hectares of green space would be provided along the perimeter of the site that would provide a wildlife corridor.

7.2.52 In accordance with Policy GB8.2, it is considered that the proposed development would comply with the Golden Rules and substantial weight should be given in favour of the grant of permission. The proposed development would therefore meet the requirements of Policy GB7.g and GB7.h and would represent an appropriate form of development within the Green Belt.

7.2.53 The proposal is considered to meet the requirements of Policy GB7.g and GB7.h and 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 Chapter 12 of the NPPF states that; "The objective of the policies in this chapter is to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'. Chapter 14 relates to achieving well-designed places stating; 'The objective of the policies in this chapter is to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes'.

7.3.2 Policy DP3 states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

7.3.3 Policy DP3 sets out a number of principles that development proposals should reflect. The application is in outline form only where all matters are reserved other than the access. The principles of the siting of the green space and building heights will be approved as part of this application where the development would be required to be carried out in accordance with the Design Code. However, the detailed aspect of the scheme including landscaping details, design and layout would be considered against NPPF Policy DP3 at reserved matters stage.

7.3.4 Notwithstanding this, as referenced in NPPF Policy DP3 the density of the development is material to the assessment of the outline application. NPPF Policy L3 identifies that development should meet appropriate densities stipulating that for sites within reasonable walking distance of a well connected station a density of at least 35 dwellings per hectare should be achieved within the net developable area. Where a station provides twice the

minimum service frequency required for a well-connected station a higher density of 45 dwellings per hectare should be achieved. The developable area of the site is 1.7 hectares resulting in a density of 41 dwellings per hectare. This is just below the 45 dwelling per hectare threshold however consideration is to be had to the constraints of the site including siting of a pipeline buffer and siting and density of the dwellings (for example lower density along Oxhey Lane opposite the heritage asset) to minimise the impact on the setting of the heritage assets as discussed in section 7.6 this report. The proposed density is therefore considered to be acceptable taking into consideration the constraints of the site.

7.3.5 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'.

7.3.6 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'.

7.3.7 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'.

7.3.8 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.).

7.3.9 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’.

7.3.10 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.

7.3.11 The application is also accompanied by an illustrative masterplan which accords with the Land Use Parameters Plan and demonstrates one way in which 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.

7.3.12 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'*.

7.3.13 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.'

7.3.14 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.

7.3.15 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.

7.3.16 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.

7.3.17 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 accordance with the requirements of NPPF Policy GB8 (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 would

provide 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 Policy GB7.g.iv and GB7.h.v requires the development to meet the golden rules (as discussed within the Green Belt Section 7.2 of this report). Policy HO5.1.a.ii of the NPPF states:

'In relation to affordable housing:

i. Setting requirements for the type and mix of affordable housing (applying the definition in the glossary at Annex B) required to meet identified local needs, including the minimum proportion of Social Rent homes required as part of major development. In Designated Rural Areas development plans may set affordable housing requirements for residential developments which are not major development; and

ii. Setting a specific affordable housing requirement (or requirements) for major development involving the provision of housing on land which is proposed to be released from the Green Belt, or which may be approved on land within the Green Belt'.

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. Policy HOU3.5 of the Emerging Local Plan states:

'All major development involving the provision of housing in the Green Belt (i.e. sites for 10 or more homes; or with a site area of 0.5 hectares or more) should provide at least 50% of the total housing provision as affordable housing. Any development in the Green Belt resulting in a net gain of 1-9 dwellings should provide at least 40% of the total housing provision as affordable housing, as set out in paragraph 1 of this policy. An affordable housing split in line with policy criterion 2 is expected'.

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 (Policy HOU3 Criterion 2). The proposed 50% affordable housing contribution would exceed the requirements of Policy CP4 of the Core Strategy whilst the mix would be considered acceptable as it would meet Three Rivers most up to date needs as identified within the Emerging Local Plan. 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 NPPF Policy HE5 states:

1. Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets’ importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be referred to in making this assessment, and appropriate expertise employed where necessary.

7.6.3 The application is supported by a heritage statement.

7.6.4 Policy HE6 states:

1. ‘When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial 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 effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

2. Development proposals which would have a positive effect on a designated heritage asset should be supported.

3. Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.

4. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.’

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 the significance of 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 (comments updated to account for the 2026 NPPF):

In these terms, the proposal is likely to result in harm to Oxhey Grange Lodge through harm to its setting as described in the first heritage consultation response. However, this would be a low level of harm and would not be substantial harm or total loss of significance. In regard to Oxhey Grange itself and Watford Heath Conservation Area, there is likely to be no effect as described in the first heritage consultation response.

Other relevant NPPF 2026 policies include policy HE6 'Proposals Affecting Designated Heritage Assets' states that substantial weight should be given to the assets conservation. It also states that harm to a designated heritage asset should be weighed against any public benefits.

As per the first heritage consultation response, 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. This response has been made with regard to Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act and NPPF 2026 Chapter 20 'Conserving and Enhancing the Historic Environment''

7.6.9 In summary, the proposal, based on the layout proposed within the Design Code, is considered to result in a low level of harm to Oxhey Grange Lodge and a neutral impact on Oxhey Grange.

7.6.10 The application site sits adjacent to but not within Watford Heath Conservation Area. The Watford Heath Conservation Area Appraisal identifies that 'The open grassland heath has significant visual value and the buildings around it have a strong relationshipto it. The resulting urban form has the character of a village green'. The application site is visually and physically detached from the open grassland sited within Watford Heath Conservation Area. The development of the site would not detract from the visual value of the open space within Watford Heath or take away from the village green character of Watford Heath Conservation Area. This is reflected in the Conservation Officer's comments which identifies that no harm to the Conservation Area has been identified. The proposal would not detract from the neighbouring Locally Listed Building.

7.6.11 As noted above, the NPPF advises that where a development proposal will lead to 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, substantial weight should be given to the asset's conservation and any harm to a designated heritage asset will be a matter of considerable importance and weight.

7.6.12 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 and 45% housing delivery score 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 low level of 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.

7.6.13 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.'

7.6.14 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 low level of 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

7.6.14 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.

7.6.15 Herts Archaeology have raised no objections to the development of the site subject to conditions.

7.7 <u>Highways & Transport Impacts</u>

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 NPPF Policy TR6 states:

1. Development proposals that are likely to generate significant amounts of movement should be supported by:

a. A transport statement or transport assessment (depending on the extent and significance of the transport issues involved), which is proportionate to the nature and scale of the development, so that the likely impacts of the proposal for transport can be assessed and monitored; and

b. A travel plan, which indicates how sustainable transport objectives will be delivered, monitored and managed over time.

2. Transport assessments and statements, and travel plans, should reflect the transport vision for the development and the transport strategy for the area in which it is located, and how these are intended to be achieved (including, in the case of travel plans, identifying fallback options if initial measures do not deliver the expected outcomes).

3. In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).

4. Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

7.7.4 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.

7.7.5 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

7.7.6 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.

7.7.7 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.

7.7.8 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."

7.7.9 With regards to accessibility of the site, in relation to NPPF Policy TR3, 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 10 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.

7.7.10 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.

7.7.11 It is reasonable to assume that access to Attenborough Doctor's Surgery Carpenders Park (located approximately 1 mile and 24 Minute walk) 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 adjacent 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.

7.7.12 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.

7.7.13 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.

7.8 Vehicle Parking

7.8.1 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.

7.8.2 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

7.8.3 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.

7.9 Impact on residential amenity of neighbours

7.9.1 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).

7.9.2 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.

7.9.3 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.

7.9.4 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.

7.9.5 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.

7.10 Pollution – Air Quality

7.10.1 Policy P3 of the NPPF states:

1. Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

2. Within this context development proposals should:

a. Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;

b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);

c. Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;

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

- Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or
- Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.

7.10.3 The application is accompanied by an Air Quality Report. The 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.

7.11 Pollution – Noise and Vibration

7.11.1 NPPF Policy P3.2.d states development should:

d. Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);

7.11.2 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.

7.11.3 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.

7.12 Pollution – Light

7.12.1 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.

7.12.2 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 NPPF Policy N2 states:

1. To contribute positively to the natural environment, and support nature's recovery, development proposals should:

   a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply);

   b. Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible;

   c. Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;

   d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;

   e. Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;

   f. Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and

   g. Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.

2. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused.

7.14.3 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”.

7.14.4 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.

7.14.5 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. The development would include green infrastructure along the frontage of the site and would include a landscape buffer along the other boundaries. The site is contained by development and a highway but would still maintain links of green space along the boundaries of the site and the green infrastructure would be used to provide mitigation for both biodiversity and surface water in accordance with the NPPF.

7.14.6 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 on biodiversity impacts subject to conditions.

7.15 <u>Landscaping and Impact on trees</u>

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 Policy N6.2. states “Irrespective of a site’s status in nature conservation terms, development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons62 and a suitable compensation strategy exists.”

7.15.3 NPPF Policy N3 states:

1. In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:

a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;

b. Ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and

c. Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development.

7.15.4 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, taking into consideration NPPF Policy N3 will be considered at reserved matters application stage.

7.15.5 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 NPPF Policy CC2 states:

1. In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

a. Accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles;

b. Support good access to facilities in order to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities;

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 and the NPPF, 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 of the DMLDD or requirements of the emerging Local Plan if adopted at reserved matters stage of submission.

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).

7.17.4 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.

7.17.5 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.

7.17.6 Thus the proposed development would be in accordance with Policy CP1 of the Core Strategy, Policy DM8 of the DMP LDD and NPPF.

7.17.7 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 Officer 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 in the context of biodiversity net gain this is a small site and of medium difficultly. 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 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. The ICB confirms that 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.

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.

7.21 Presumption in favour of Sustainable Development and Planning Balances

7.21.1 Although the NPPF maintains a presumption in favour of sustainable development, the previous Paragraph 11 has been replaced. Section 4 of the NPPF states that the objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including maximising the potential for growth on suitable land within settlements.

7.21.2 Whilst the application site would be closely related to the settlement of Watford due to its proximity to the services provided within the Borough of Watford, the site sits outside of any of the identified settlement boundaries within Three Rivers. NPPF Policy S5 'Principle of development outside settlements' therefore applies to the application. As the development is considered to represent appropriate development within the Green Belt NPPF Policy S5.5 is applicable which states:

'This policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and/or GB8 (as appropriate). However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy.'

7.21.3 NPPF Policy S5.2 states:

'In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.'

7.21.4 The Council can only demonstrate a 1.2 year housing land supply and only has a 45% housing delivery test score. As a result, there is an evidenced unmet need for housing including affordable housing within the District. In respect of Policy S5 it has been identified that the proposed development would result in a low level of harm to the setting of the Grade II Listed Building. Heritage assets are an asset of particular importance. Although this harm would weigh against the proposal in the balancing exercise, as identified within Section 7.6 of this report, it is not considered that this identified level of harm would provide a reason to refuse the development and would not fail to comply with the national decision-making policies as set out in chapter 20 of the NPPF.

7.21.5 In accordance with NPPF Policy S5.(2) an assessment should be made as to whether the benefits of approving development proposals are likely to be substantially outweighed by adverse effects.

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

7.21.7 With regard to any adverse effects the proposed development would result in low level 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'.

7.21.8 The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation and any harm to a designated heritage asset will be a matter of considerable importance and weight. The weight attached to the level of identified harm is a planning judgement.

7.21.9 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 low level harm to the setting of the Grade II Listed building.

Benefits of the Scheme

7.21.10 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. In accordance with NPPF Policy HO7 **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. In accordance with NPPF Policy HO7 **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.

Delivery in accordance with Golden Rules – The proposed development would deliver affordable housing and infrastructure provisions in accordance with the Golden Rules. In accordance with the requirements of the NPPF **substantial weight** is attributed to this.

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 as such no weight is attributed to the sustainable location of the site as this is considered to be complaint with the sustainability policies set out in the Development Plan and NPPF.

However, the proposal would include contributions to enhance existing bus services and will make improvements to existing bus stop which would be of a benefit to existing and future occupants. **Moderate weight** will be attributed to these contributions to improve the existing bus services that would also benefit other residents.

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	Substantial
Sustainable development	Moderate
Infrastructure	No weight
Green Infrastructure	No weight

7.21.11 As set out in detail within this report the proposal would be in accordance with the national decision-making policies. Notwithstanding the significant weight attributed to the impact on the heritage asset, this would not substantially outweigh the benefits of the scheme. Thus, in accordance with NPPF Policy S5.5 the development should be approved.

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 7.20 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 Watter	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 it the developer plans to formally hand over to the leisure facility to the Parish Council or Three Rivers District Council. This must include DDA compliancy certification as per the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland)., details of installation, quality details of all materials used with the relevant certification, detailed maintenance guides for each piece of equipment, RoSPA inspection of installed pieces of equipment, adherence to RoSPA recommendations such as gates and fences etc.
- 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 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:

a. Construction vehicle numbers, type, routing;

b. Access arrangements to the site;

c. Traffic management requirements

d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);

e. Siting and details of wheel washing facilities;

f. Cleaning of site entrances, site tracks and the adjacent public highway;

g. Timing of construction activities (including delivery times and removal of waste);

h. Provision of sufficient on-site parking prior to commencement of construction activities;

i. 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 CH0101have 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 is 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]

1.1.10.1 **Updated comments received 2 October 2026 referencing the Policies set out within the 2026 NPPF:**

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)

There are no heritage assets, either designated or non-designated on the Site. The Heritage Statement has identified three heritage assets for assessment due to potential impact on their setting:

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

An initial heritage consultation response was provided on 15th January 2026. This found that due to the visual openness of the Site, and the quantum of development, the proposal would be likely to have the following heritage impacts: a lower degree of less than substantial harm to the significance of the Grade II listed Oxhey Grange Lodge and no heritage harm to the Grade II listed Oxhey Grange itself and Watford Heath Conservation Area.

The proposed development has not changed since then in heritage terms. However, a new version of the NPPF has been adopted in August 2026, with altered policy wordings in relation to heritage considerations and 'less than substantial harm' is no longer contained within the policy. In 2026 NPPF terms, Chapter 20 'Conserving and Enhancing the Historic Environment' is most relevant. Policy HE5 'Assessing effects on heritage assets' states that assessment of development proposals on the significance of heritage assets including effects on setting, should identify impacts. The type of impact described in the policy can be summarised as: positive effect; no effect; harm; substantial harm and total loss of significance.

In these terms, the proposal is likely to result in harm to Oxhey Grange Lodge through harm to its setting as described in the first heritage consultation response. However, this would be a low level of harm and would not be substantial harm or total loss of significance. In regard to Oxhey Grange itself and Watford Heath Conservation Area, there is likely to be no effect as described in the first heritage consultation response.

Other relevant NPPF 2026 policies include policy HE6 'Proposals Affecting Designated Heritage Assets' states that substantial weight should be given to the assets conservation. It also states that harm to a designated heritage asset should be weighed against any public benefits.

As per the first heritage consultation response, 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.

This response has been made with regard to Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act and NPPF 2026 Chapter 20 'Conserving and Enhancing the Historic Environment'

1.1.10.2 **Original comments received subject to the 2024 NPPF**

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 m^2 (£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 Carpender'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 x 199 m2 = 16.716m2 of additional space required

16.716m2 x £7,000* per m2 = £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 NPPF[1]. 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 determined in accordance with Paragraph's 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 below of 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 16 records of GCN which overlap the site boundary, as stated in the EIA report. Therefore, I would recommend that the LPA request for 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

<u>Conditions and Informatives</u>

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.

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 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

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

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

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

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

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

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

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

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

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to

this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

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

I2 The 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.

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

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The 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.

I4 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I5 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.

I6 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).

I7 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

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

I8 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

I9 *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.*

I10 *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

I11 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.

I12 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.linesearchbeforeudig.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 – 22 October 2026

26/0331/FUL – Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) with accommodation in the roof served by front dormers, side/rear rooflights, solar panels, alterations to vehicular access, with associated car and bike parking, refuse and recycling storage, landscaping works at Greystone Works, The Green, Croxley Green, Hertfordshire

Parish: Croxley Green Parish Council
Expiry of Statutory Period: 19.06.2026
Extension of Time Agreed: 30.10.2026

Ward: Dickinsons
Case Officer: Alannah Stringer

Recommendation: That Planning Permission be approved subject to conditions.

Reason for consideration by the Committee: The application has been brought in to committee at the request of Croxley Green Parish Council, who have raised concerns regarding overdevelopment and the overbearing nature of the development, in addition to inadequate parking and negative impact on neighbouring amenity.

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=TB4J4LQFK5G00

1 Relevant Planning History

1.1 20/1494/FUL - Variation of Condition 2 (Approved Plans) of planning permission 19/2213/FUL (Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) including accommodation within the roof served by dormers to the front and rooflights to side and rear, alterations to vehicular access, associated car and bicycle parking, refuse and recycling storage, landscaping and associated works) to allow for internal alterations to the first and second floor level units. Permitted 22.10.2020.

1.2 19/2213/FUL - Demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) including accommodation within the roof served by dormers to the front and rooflights to side and rear, alterations to vehicular access, associated car and bicycle parking, refuse and recycling storage, landscaping and associated works. Permitted 28.05.2020

1.3 16/1366/FUL – Demolition of existing workshops and construction of three storey building containing six one bedroom flats and associated car parking and landscaping. Refused 18.08.2016.

R1 In the absence of an acceptable redevelopment scheme for the site the demolition of the existing building(s) would lead to a vacant site with no permitted use or buildings, which would be detrimental to the character and appearance Conservation Area. The proposal would therefore be contrary to Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

R2 The proposed development by reason of its siting, scale, height, design, proposed material, lack of amenity space and limited soft landscaping would be a cramped, visually prominent and intrusive form of development which would fail to preserve the amenities of the locality and wider Conservation Area contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

R3 The proposed development by reason of its siting, scale, height, design including proposed materials and siting of windows would be a visually intrusive and prominent form of development which would result in unacceptable levels of both actual and perceive overlooking to the residential occupiers of New Parade, and The Cottage, The Green. Furthermore, the proposed development by reason of its size, scale and siting would result in adequate amounts and quality of amenity space, detrimental to the amenities of the future occupiers of the site, contrary to 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). The application was subsequently dismissed on appeal (appeal reference APP/P1940/W/16/3161584).

1.4 12/0662/FUL – Demolition of existing buildings and removal of commercial use, construction of a two storey residential building comprising four no. two bed flats. Permitted 03.07.2012.

1.5 10/2071/FUL – Demolish the existing buildings, removal of commercial use and construct a two storey residential building comprising six no. one bed flats. Refused. 07.12.2010.

Refused for the following reasons:

R1 The proposed development by reason of its size, scale number of units, layout, siting and position of buildings would result in inadequate amounts and quality of amenity space provision for the proposed dwellings which would be detrimental to the amenities of the future occupiers of these units, contrary to Policies GEN1 and GEN3 and Appendices 1 and 2 of the Three Rivers Local Plan 1996-2011 (adopted 2001).

R2 The proposed development by reason of its siting, scale, bulk and horizontal detailing and emphasis would result in a cramped development out of character with features of adjacent buildings, and would fail to preserve or enhance the character or appearance of the Conservation Area; contrary to Policy C1 of the Three Rivers Local Plan 1996-2011 (adopted 2001).

R3 The proposal would provide insufficient off-street parking provision to meet the needs of the development. The failure to provide adequate off street parking elsewhere to serve the development that would be detrimental to the amenities of neighbouring residents by reason of disturbance and general activity and to highway and pedestrian safety and the free flow of traffic. As such the proposed development would fail to comply with Policies T7, T8, GEN1 and GEN3 and Appendices 1 and 3 of the Three Rivers Local Plan 1996-2011 (adopted 2001).

R4 The proposed development fails to demonstrate how renewable energy systems would be incorporated into the building to achieve sustainable design and aim to be a carbon neutral development. This fails to meet the requirements of Policy ENG1 of the East of England Plan, Policy GEN1 and Appendix 1 of the Three Rivers Local Plan 1996- 2011 (adopted 2001) and the Adopted Supplementary Planning Document – Sustainable Communities (2007).

The application was subsequently dismissed on appeal (appeal reference APP/P1940/A/11/2153809).

2 Description of Application Site

2.1 The Greystone Works is located to the rear of New Parade, The Green. Historically the site has been used for storage and as a roofing contractor's yard. The site contains a single storey building that is separated into four individual units. Two further single storey buildings are sited to the rear and an external storage area is sited to the south of the site. The site boundaries consist of single storey brick walls of the buildings and other brick walls sited around the boundaries of the site.

2.2 The site is served by a vehicular access to the south. The site can also be accessed via New Parade.

2.3 Immediately to the east of the site of the site is New Parade. This is a three-storey building consisting of commercial units at ground floor level and residential units at first and second floor level. These appear to be served by amenity areas located above ground floor projections facing towards the application site. A service area is sited to the rear of the building.

2.4 The Cottage is located to the north of the site. This is a detached residential dwellinghouse set back from The Green behind New Parade; there is also a vehicle access to The Cottage from Windmill Drive to the rear of the site. To the south of the site is an existing building which appears to be associated with the existing commercial units fronting The Green. To the west of the site is Windmill Drive, and beyond that the rear garden boundaries of properties 13-19 Windmill Drive which are approximately 8 metres from the application site.

2.5 The application site is located in Croxley Green Conservation Area. There are also 3 nearby listed buildings including Church of All Saints (List Entry Number 1100842) which is approximately 42m to the east of the application site; K6 Telephone Kiosk All Saints Church (List Entry Number 1347867) which is approximately 27m east of the application site; and The Windmill, Windmill Drive (List Entry Number 1100797), which is located approximately 103m to the southeast of the site. All listed buildings in the vicinity are separated from the application site via intervening residential or commercial development.

3 Description of Proposed Development

3.1 This planning application seeks planning permission for the demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) with accommodation in the roof served by front dormers, side/rear rooflights, solar panels, alterations to vehicular access, with associated car and bike parking, refuse and recycling storage, landscaping works.

3.2 The existing buildings would be demolished and the external commercial storage area removed. The proposed replacement building would have a maximum depth of 14m, width of 15.8m and maximum height of approximately 9m with 8.3m high subordinate projections. The proposed development would have a crown roof with two subordinate pitched roof projections to the flank. The building would consist of four two-bedroom flats (two at ground and two at first floor and roof level). The second-floor accommodation would be served by two front dormers, each of which would have a width of 1.3m, height of 1.7m and depth of 1.9m, and rooflights to the flanks, rear and within the flat roof form.

3.3 The development would be set back a minimum of 0.9m from the front boundary of the site, set in 4.9m from the northern boundary, 2.7m from the southern boundary and 1m from the rear boundary.

3.4 The proposal would include the provision of five parking spaces along the frontage with two private amenity areas serving the ground floor flats and a shared amenity space sited along the northern aspect of the site. A bin and bike store would be sited along the northern boundary which would have a maximum height of 2.7m with a flat roof, width of 5.4m and depth of 2.5m.

3.5 Additional information was submitted during the application relating to highways technical details and visibility splays. Following continuous consultation with Hertfordshire County Council Highways and ongoing discussions with the applicant, amended plans were provided which altered the parking arrangements to ensure visibility splays could be achieved.

3.6 The proposal under consideration is identical to the previously approved application 19/2213/FUL. The only physical alteration to the approved scheme is the relocation of one

parking space away from the northern boundary, to ensure improved highway visibility. To illustrate the minor change between the previously approved and current proposal, extracts of the approved site plan (19/2213/FUL) and site plan submitted with this application, are included below.

3.7 In addition to the above, whilst the previous scheme was subject to an Affordable Housing Contribution, the current application is not viable to make a contribution. This is demonstrated by the submitted Viability Report, and agreed by the Council's external assessor, as discussed in more detail below.



Current Proposal (26/0331/FUL) is top image with repositioned parking space identified to the top. Lower image is approved scheme (19/2213/FUL)

4 Consultation

4.1 National Grid (Gas): No response received.

4.2 Croxley Green Parish Council: [Objection and Call In]

Croxley Green Parish Council objects to this planning application and notes that it is within the Conservation Area.

CGPC considers the proposed application is overdevelopment of the site on limited space, the scale of the application is overbearing, CGPC Considers a lower two-storey building would be more suitable on this site.

There is inadequate parking provision, especially considering this is on a small service road as main access. It will overlook neighbours' gardens, particularly those on Windmill Drive.

If the officer is minded to approve, CGPC requests the application be called in for decision by the TRDC planning committee.

4.3 Conservation Officer: [No Objection]

Greystone Works is in Croxley Green Conservation Area which has a Conservation Area Appraisal (CAA) adopted in 1996. There are three Grade II Listed Buildings nearby which are listed below. However, due to existing intervening development and limited views from and towards the listed buildings, they would not be impact by the proposal:

- *Church of All Saints (List Entry Number: 1100842)*
- *K6 Telephone Kiosk All Saints Church Croxley Green (Listed Entry Number: 1347867)*
- *The Windmill, Windmill Drive (Listed Entry Number: 1100797)*

It is proposed to demolish the existing buildings on the Site and replace them with a cruciform two-storey building containing 4no. x 2 bed residential units with private and communal amenity space, cycle and bin storage and car parking facilities.

There is no heritage objection to the demolition of the existing units and redevelopment of the Site. The principle has been agreed through a similar approved application 12/0662/FUL. This previous approved (now expired) scheme was sensitively designed as a pair of semi-detached houses in a more vernacular style in keeping with the character of the Conservation Area.

The current proposal is identical to that granted permission in 2019 (19/2213/FUL), which has now lapsed, with later variation under 20/1494/FUL. The current application has been accompanied by a Heritage Impact Assessment (HIA).

The HIA states that the application proposals would effect a change in the appearance of the Conservation Area but would overall enhance its character. Some of the reasons given are that the existing buildings are of poor quality, that the new building would use local building materials common elsewhere within the Conservation Area and that detached buildings in larger plots are common within the Conservation Area.

These points are acknowledged. However, as stated in the heritage response to the previously approved scheme 19/2213/FUL there are concerns in relation to the design as a neo-Georgian style which has the appearance of a single, large dwelling with a central formal doorway and secondary side entrances. The bulk and formal symmetrical design of the proposal would appear isolated and incongruous in a street scene with a subservient appearance, which is characterised by the rear elevations and boundary treatments of properties along The Green and Windmill Drive within the street scene.

The principle of a residential building here is acceptable and the previously granted permission for the same proposal is acknowledged. However, there is an opportunity to enhance the appearance of this part of the Conservation Area and the current proposal, for the reasons previously highlighted would not achieve this. It is considered that the design could be improved.

Regarding Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the proposal does not preserve or enhance the character and appearance of the Conservation Area. The inappropriate design is considered to cause a low level of less than substantial harm to the significance of the Conservation Area.

4.4 Hertfordshire Highways – Consultation 1: [Objection]

Initial Consultation Response dated 30 April 2026.

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reason:

1. Insufficient details have been submitted to demonstrate that the proposed transport and access arrangements are acceptable and sufficient. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy Framework (NPPF) and Hertfordshire County Council's (HCC) Local Transport Plan 4 (LTP4).

Comments

The development site is located on Windmill Drive an unclassified local access road considered highway maintained at public expense and subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, Windmill Drive is categorised as P2/M1 (e.g. Residential Street). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal. The county council considers Arden Way not to be a traffic sensitive road.

The Highway Authority is recommending refusal due to insufficient information concerning two matters.

The first is that some of the land contained within the red line in site drawing 1003-(PL)012-A is considered highway maintainable at public expense. For the Highway Authority to understand the proposed plans and the proximity of land considered highway maintainable at public expense we would need the applicant to provide a highway boundary overlay onto the block plan. This would inform us as to whether any land is requiring stopping up in order to proceed with demolishing and/or constructing the proposals.

Highway boundary plans can be secured following the link below: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/ext ent-of-highways.aspx

Second, the Highway Authority notes that the proposed dropped kerbs and vehicle crossovers at the front of the property will require unobstructed visibility splays of 2.4m by 43m (the Highway Authority would allow smaller visibility splays based on recorded 85th percentile speeds on Windmill Drive, congruent with Manual for Streets table 7.1). We note that at the northern boundary (according to most recent satellite imagery) there appears to be both a smaller picket style fence and a taller fence and hedgerow. It is not clear that a visibility splay is possible without being obstructed by third party land. We thereby request that visibility splay plans are provided to ensure access arrangements are safe in line with the NPPF and Hertfordshire's LTP4 (Local Transport Plan).

Finally, the Highway Authority would recommend the provision of cycle parking spaces within the proposals; if the two issues above are satisfied the HA would recommend the inclusion of a condition requiring this.

4.4.1 Hertfordshire Highways – Consultation 2: [Objection]

Second Consultation Response date 29 June 2026 (following provision of visibility splays)

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

Insufficient details have been provided to demonstrate a sufficient level of available vehicle-to-vehicle visibility. This means that the Highway Authority has not been provided adequate information to confirm that the proposals do not have the potential to interfere with the safe flow of users on the adjacent highway due to the lack of a sufficient level of available vehicle to vehicle visibility (or vehicle to pedestrian visibility) at the proposed access point. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy Framework and Hertfordshire's Local Transport Plan 2018.

The Highway Authority provided a response in May recommending refusal for this application due to insufficient information relating to access arrangements - specifically vehicle-to-vehicle visibility at the northernmost proposed access point. The applicant has subsequently provided visibility splays but this has not been drawn correctly in line with Manual for Streets (MfS).

MfS states, for the y distance, that: "The Y distance represents the distance that a driver who is about to exit from the minor arm can see to his left and right along the main alignment. For simplicity it is measured along the nearside kerb line of the main arm, although vehicles will normally be travelling a distance from the kerb line. The measurement is taken from the point where this line intersects the centreline of the minor arm."

The provided visibility splays have not be measured along the nearside kerb and site drawing 1003-(PL)030-A, if anything, demonstrates how limited the visibility could be at the northern junction; practically the whole junction is outside of the visibility splay provided.

We would recommend amended visibility splays are provided ensuring congruence with Manual for Streets sections 7.5, 7.6 & 7.7. We would also reiterate that we would be happy to lower the y distance of the splay if lower speeds can be evidenced by a survey. If recorded speeds show an 85th percentile lower than 30, we would accept splays with the measurements outlined in table 7.1 of MfS.

4.4.2 Hertfordshire Highways – Consultation 3: [Objection]

Third Consultation Response date 10 July 2026 (following receipt of Highway Technical Details, Highway Boundary Plan and Visibility Splays)

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

1. Insufficient details have been provided to demonstrate a sufficient level of available vehicle-to-vehicle visibility. This means that the Highway Authority has not been provided adequate information to confirm that the proposals do not have the potential to interfere with

the safe flow of users on the adjacent highway due to the lack of a sufficient level of available vehicle to vehicle visibility (or vehicle to pedestrian visibility) at the proposed access point. The proposals are therefore contrary to policy guidelines as outlined in the National Planning Policy Framework and Hertfordshire's Local Transport Plan 2018.

The Highway Authority has been notified of further information having been submitted relating to this application. We were also notified by the Local Planning Authority of a number of points made by the applicant relating to the speed and volume of vehicles and the overall context of this on Windmill Drive.

We do accept that the cul-de-sac nature of this location would limit the number of vehicles entering and exiting the road, and that these vehicles would be unlikely to be travelling particularly fast. Resultantly we do accept that a reduced x and y visibility splay would be acceptable, say for instance a 2m x 25m splay. Manual for Streets states:

"A minimum figure of 2m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered."

Similarly, on the basis that speeds are lower than 30mph, we would accept a 25m SSD in line with Table 7.1 and 20mph speeds.

However, submitted splays continue to demonstrate that even a 2m x 25m may not be possible for Bay 5 when taking into account the neighbouring fence to the north. This could be obstructed at any point and third party land should not be used within a visibility splay for that reason. The onus is on the applicant to prove otherwise or amend their plans in order to satisfy these requirements.

Furthermore, the applicant has provided a highways boundary plan outlining land considered highway at public expense. Now that this is confirmed, the applicant will need to confirm whether they intend to stop up this section of the highway to remove its highway rights. We would request a further plan outlining this section as due to be stopped up. The Highways Act, Section 137 states that it is an offence to obstruct the free passage along a highway without lawful authority or excuse.

A parked vehicle on Bay 5, where highway land (albeit a small amount) is identified, would be an obstruction to this.

We are therefore reiterating our recommendation of refusal until these two points can be satisfied.

4.4.3 Hertfordshire Highways – Consultation 4: [No Objection, subject to conditions]

Fourth and final consultation response dated 18 August 2026 (following provision of amended plans which demonstrate movement of Parking Bay 5 and amended technical details including visibility splays).

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:

COND1): Provision of Access and Parking

Prior to the first occupation of the development hereby permitted the proposed access works and on-site car parking areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Informatives

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

AN1) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under 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 County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction work commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments

Introduction

The Highway Authority has already provided three responses for this application, once in May and twice in July. All previous responses were recommendations of refusal relating to the safety concerns related to access arrangements. The main contention surrounds the potential (or lackthereof) ability of the site to achieve adequate levels of visibility for vehicles travelling southbound on Windmill Drive, as private property associated with The Cottage could potentially obstruct sightlines, especially when the parking associated with this site is proposed to be located adjacent to this boundary.

The applicant has - since our last response - amended their parking plans to move their fifth parking space (the most northerly space) to join up with the other two spaces nearby in order to maximise the potential for visibility. This response from the Highway Authority reflects this amendment.

The development site is located on Windmill Drive an unclassified local access road considered highway maintained at public expense and subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, Windmill Drive is categorised as P2/M1 (e.g. Residential Street). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRoW map) directly affects the site or would be affected by the proposal.

Access

The site holds an existing vehicular access point to the south of the site. This is a vehicle crossover with dropped kerbs. No changes to the existing access are proposed. This access shall allow vehicles to enter the site and utilise two of the five proposed parking spaces. A vehicular access to serve the remaining three spaces is proposed to the northwest of the site. Any works within the highway to facilitate access and parking would need to be technically approved via a Section 278 agreement with the County Council as the Highway Authority. More information on this can be found under advisory note 1 (AN1).

The Highway Authority also feel it necessary to recommend the imposition of a condition requiring the access and parking areas are built prior to first occupation in order to ensure that the relevant access works (including anything built within land considered highway) is completed to the specification of the Highway Authority.

In earlier responses, the Highway Authority determined that based on the speed limit of the road, and in line with Manual for Streets guidance, an unobstructed visibility splay of 2.4m by 43m was necessary to ensure access arrangements were safe and suitable. Since this time, the applicant has provided comments to aid an agreed reduction of the required splay dimensions, based on the true context of Windmill Drive, specifically relating to traffic volume and speeds. Manual for Streets states that in low traffic and speed environments, the 2.4m figure can be reduced to 2m. Additionally, if speeds in Windmill Drive are more likely to be 20mph, then a splay based on this speed can be provided. This means that a visibility cone of 2m by 25m would be acceptable.

Whilst four of the five spaces proposed could achieve this, subsequent submitted documents showed that the most northern space was unable to have unobstructed visibility based on the location of private land to the north. The site layout has since been amended, bringing this space closer to the other spaces, which has resulted in this visibility cone now being achievable. As a result, the Highway Authority removes its recommendation of refusal based on the layout change and the low-traffic and low-speed nature of Windmill Drive.

Stopping up

In previous responses, due to the initial parking layout, the Highway Authority determined that a stopping up order was required in order to facilitate the positioning of parking bay 5. This bay had a small section of land considered highway maintainable at public expense. It is against the Highways Act to park on such land as it is considered an obstruction.

Resultantly, we requested a stopping up plan (see drawing no. 005-1 now 'Superseded Interaction with extent of public highway').

The necessity of stopping up has been removed by the relocation of parking bay 5. The Highway Authority no longer feels it necessary to remove highway rights and would no longer support it as an option. No parking will be taking place on land considered highway maintainable at public expense.

This land should be kept as highway in order to keep visibility lines clear.

Trip generation

The creation of four residential units at this location will not result in a significant increase in the number of trips to and from the site. No severe impact on the highway network is therefore identified.

Parking

As stated above, five parking spaces are proposed for this development. These spaces have been provided with dimensions as recommended by Manual for Streets. HCC as the Highway Authority holds their own design guides which recommend a slight increase of 5m x 2.5m. However, we appreciate that as these spaces are off the public highway, so the national recommendation is acceptable.

The Local Parking Authority shall be responsible for determining whether the level of parking provided is acceptable in line with local parking standards. A secure and covered bike store has been provided.

Accessibility

The site is located in Croxley Green, a medium-sized settlement between Rickmansworth and Watford. Croxley Green contains a number of services including a primary school, recreation ground, church, surgery, community club and a number of public houses.

The nearest bus stop is a 160m walk from the site. The Sportsman Public House stop provides the 320 and 322 services to Hemel Hempstead every 30 minutes. Windmill Drive and surrounding roads contain segregated footways which allow a pedestrian link to the wider area.

Surface water flood risk to the highway

Provision should be made to ensure that surface water does not flow and is not discharged onto land considered highway maintainable at public expense. This is enforceable under Section 163 of the Highways Act 1980. The site has not been located within flood zone 2 or flood zone 3 - areas which have above 0.1% probability of flooding - nor is it identified as at risk of surface water flooding by the 'Flood map for planning' gov.uk website.

Emergency vehicle access

The NPPF states that developments must be accessible to emergency vehicles. In line with building regulations, access for a pumping appliance should be provided to within 45m of a single building (and within 45m of all points within the building). As far as it can be reasonably ascertained from submitted plans, the proposed development would be within the recommended emergency vehicle access distance from the highway.

Access for waste collection vehicles

Required access for waste collection vehicles will not be altered as these vehicles already enter this section of Windmill Drive to serve a number of existing dwellings. A bin storage

point is located to the east of the proposed parking spaces and does not require residents to carry waste more than 30m in line with Manual for Streets.

Conclusion

HCC as Highway Authority has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the above condition and highway informative / advisory notes.

5 Public/Neighbour Consultation

5.1.1 Number consulted: 36.

5.1.2 No of responses received: 20

5.1.3 Site Notice: Posted: 19.05.2026. Expired: 10.06.2026.

5.1.4 Press notice: Published: 15.05.2026. Expired: 06.06.2026

5.1.5 Summary of responses: 20 Objections:

Concerns were raised regarding the following:

- *Significant scale of building would be intrusive/ invasive and result in an overly cramped plot*
- *Proposal represents overdevelopment*
- *Opposition to scale and crown roof and excessive height*
- *Loss of views*
- *Negative impact on neighbouring amenity, including direct overlooking of homes on Windmill Drive – unreasonable levels of overlooking*
- *Loss of light in afternoon and evening to homes on New Parade*
- *The service road is already congested/ busy – the proposal will increase congestion and increase parking pressures locally and obstruct access. Windmill Drive already experiences significant parking pressures and this would exacerbate that.*
- *Inadequate parking*
- *Inadequate external amenity space*
- *Out of character of the locality and would result in harm to the Conservation Area*
- *Construction traffic and construction period will result in a danger to residents and road closures*
- *Represents backland development*
- *Unsuitable housing mix for the area*
- *Swift Bricks should be integrated into the new development (integrated nest boxes) in line with the Hertfordshire Local Nature Recovery Strategy*

Officer Comment:

Private views are not a material consideration in the determination of a planning application. All other concerns raised will be addressed throughout this report.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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

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.

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

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

The Environment Act (2021).

6.2 Statutory 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 PSP2, CP1, CP2, CP3, CP4, CP6, CP8, 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, DM4, DM6, DM8, DM10, DM13, Appendix 2 and Appendix 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policies Policy SA1 is relevant.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018). Relevant policies include: CA1, HO1, HO2, HO3 and RE2.

6.3 Other Material Considerations

In August 2026 the National Planning Policy Framework (NPPF) was updated. Relevant Policies include: S3, S4, HO7, HO8, HO13, L2, L3, DP3, DP4, TR3, TR4, N2, HE4, HE5, HE6, HE9.

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. Relevant Policies include SP2, HOU1, HOU2, HOU3, EE1, CNZ2A, BGL1, DH1, DH2, TC1, TC2, Appendix 1 and Appendix 3.

Croxley Green Conservation Area Appraisal (1996).

Affordable Housing Supplementary Planning Document (adopted June 2011).

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

7 Planning Analysis

7.1 Principle of Residential Development

7.1.1 Relevant to the determination of this application are the following National Development Management Policies (NDMP, 2026) within the 2026 NPPF: Policy S3, Policy S4, Policy HO4, Policy HO7 and Policy L2.

7.1.2 The application proposes the demolition of existing workshops and construction of a two-storey building containing 4 residential units (Use Class C3) with accommodation in the roof served by front dormers, side/rear rooflights, solar panels, alterations to vehicular access, with associated car and bike parking, refuse and recycling storage, landscaping works.

7.1.3 The application site has not been allocated as a housing site by the Site Allocations Local Development Document, and as such is not currently identified as part of the district's housing land supply. The site has also not been allocated as part of the Site Allocations set out in Part 1 of the emerging TRDC Local Plan (2026 – 2042), which is currently undergoing a Regulation 19 Consultation. As such, the site should therefore be considered a windfall site.

7.1.4 Policy CP2 of the Core Strategy (adopted 2011) states that applications for windfall sites will be considered on a case-by-case basis, having regard to:

> v. the location of the proposed development, taking into account the Spatial Strategy
> vi. the sustainability of the development and its contribution to meeting local housing needs
> vii. infrastructure requirements and the impact on the delivery of allocated housing sites
> viii. monitoring information relating to housing supply and the Three Rivers housing target.

7.1.5 The current Spatial Strategy states that new development will be directed towards previously developed land and appropriate infilling opportunities within the urban areas of the Principal Town and Key Centres, which are identified as the most sustainable locations in the District. This strategy is supported by Policy PSP2 in the Core Strategy which states that future development will predominantly be focused on sites within the urban area.

7.1.6 The application site is on previously developed land and is located in the Key Centre of Croxley Green, in close proximity to public transport and amenities. The sustainable and urban location complies with the approach set out in Spatial Strategy and with Policy PSP2 and the National Development Management Policies.

7.1.7 TRDC have a current housing land supply of 1.2 years via Three Rivers Housing Land Supply 2025 Update (April 2026) and as such there is a presumption in favour of sustainable development in Three Rivers. The proposal would provide an uplift of 4 new 2-bedroom residential units. Furthermore, the principle of residential development has been established via the granting or a near identical planning permission on the site (19/2213/FUL, amended by 20/1494/FUL), which has now lapsed.

7.1.8 Thus, no objections are raised in relation to the principle of residential development on this site, subject to the assessment against all other material planning considerations, benefits and effects.

7.2 Principle of Loss of Commercial Use

7.2.1 Policy CP6 of the Core Strategy relates to employment and economic development and states that the Council will support development that provides for a range of small, medium and large business premises. In addition, it states that development will continue to focus

employment use within key employment areas within the district. Policy RE2 of the Neighbourhood Plan also highlights that there will be a presumption against change of use from any B Use Classes to residential.

7.2.2 The current application is near identical to the previously approved application (19/2213/FUL). The only physical difference between the proposals is the movement of Parking Bay 5.

7.2.3 The previous planning application has established that the loss of a mixed-use development would be acceptable, and the loss of employment land has also been established in other historic applications. The Officer for the previous planning application set out the following:

'However, the workshops are not located in a key employment area and the submitted details identify that the buildings are of poor quality and has a history of vacancy, as indicated in the Planning Statement and evidenced on site. Furthermore, the principle of the loss of this employment land has been previously agreed. Furthermore, the existing employment use does not integrate well with the predominant residential use of the surrounding area and has limited parking provisions to serve the existing use. The proposed development would also contribute to the housing stock and make a monetary contribution towards affordable housing provision.

As such, although the proposal would result in the loss of a small employment provision within the district taking into consideration the siting of the site within a predominantly residential area, poor quality of the existing buildings and limited space, no objections are raised to the loss of the small employment contribution that the site provides. Furthermore, there is a significant need for housing within the district of which the proposed development would contribute.'

7.2.4 No physical change in circumstances has occurred at the site which would result in a materially different conclusion being made by Officer's. Notwithstanding this, the assessment below considers new and emerging policies which are materially relevant to the consideration of this application.

7.2.5 Further to the above, the publication of the revised NPPF in August 2026 also introduced National Development Management Policies, the following of which are relevant to this application: L2: Making Effective Use of Land. NMDP Policy L2 sets out that substantial weight should be given to the benefits where a development proposal would achieve one or more of the following: (b). *Making better use of vacant and underutilised land and buildings (such as: by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required).*

7.2.6 The proposal would result in the redevelopment of underutilised and buildings/ the redevelopment of underutilised business sites. As such, it is considered that the principal of the loss of the commercial space is acceptable in this regard.

7.3 Housing Mix

7.3.1 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. The most recent Local Housing Needs Assessment was published in 2024 and has identified the indicative targets for market sector dwelling size within the Three Rivers District as follows:

1 bedroom 4% of dwellings
2 bedrooms 21% of dwellings
3 bedrooms 42% of dwellings
4+ bedrooms 32% of dwellings

7.3.2 The development would result in 100% two bed units.

7.3.3 The SHMA and Core Strategy recognise that the proportions of housing mix may be adjusted for specific schemes to take account of market information, housing needs and preferences and specific site factors. The number of units and bedroom sizes is limited by the size of the site. No objections are therefore raised in relation to the provision of 100% two-bedroom units on the site which would not prejudice the ability of the Council to meets its overall housing needs.

7.4 Affordable Housing

7.4.1 Policy CP4 of the Core Strategy stipulates that all new development resulting in a net gain of one or more dwellings will be required to provide 45% affordable housing provision. As a guide, the Council will seek 70% of the affordable housing provided to be social rented and 30% to be intermediate. For schemes of between 1-9 units a commuted payment would be accepted. **Appendix A** of this report sets out the position of the Council and evidence relating to the application of the affordable housing threshold in Core Strategy Policy CP4: Affordable Housing.

7.4.2 To comply with Core Strategy Policy CP4, the proposed development would be required to provide a commuted sum of £149,250 (prior to indexation) towards affordable housing. Based off of the April 2026 RPI, a policy complaint sum would have been £262,773.92 (inc. indexation).

7.4.3 The previously approved scheme was subject to a S106 agreement which secured a commuted sum of £95,000. This was deemed as a viable payment following the submission and review of viability evidence. In calculating the benchmark land value in 2019, it was agreed by the applicant and the external assessor that this value was £280,000. The total build cost at the time of the previous approval was confirmed at £1,531 per m2. The value of the resultant properties was identified as an average sales value of £453 per square foot.

7.4.4 The current application is from a new applicant, for the same scheme. The previous scheme's planning permission has expired.

7.4.5 The current application is accompanied by a Financial Viability Assessment whereby the applicant submitted that it would not be viable to make the commuted sum payment. This was reviewed by the Council's independent viability consultant, Adams Integra. Adams Integra has confirmed that it would not be viable for any commuted sum to be paid. The benchmark land value for the current application is stated to be £312,856.80. The build costs for the scheme in 2026, 7 years after the previous assessment, is stated to be £2,313 per m2. The value of the resultant properties for the current application has been identified as averaging of approx. £511 per square foot.

7.4.6 The applicant has confirmed that singe the previous application, property prices have fallen and construction costs have risen. The changes to the residential market place over the six year period means there is now a different conclusion regarding viability, which has been thoroughly tested and is accepted.

7.4.7 Given the above, the application is acceptable in this regard as it has been demonstrated that a financial contribution would not be viable.

7.5 Design and Impact on Street Scene and Heritage Assets (Conservation Area and Listed Buildings)

7.5.1 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.' 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'.

7.5.2 In terms of new residential development, Policy DM1 of the DMLDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will be 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.)

7.5.3 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.

7.5.4 The site is located within Croxley Green Conservation Area and as such Policy DM3 of the Development Management Policies document is relevant. This stipulates that within Conservation Areas development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area. In relation to demolition, Policy DM3 of the DMP LDD stipulates development involving demolition will only be granted if it can be demonstrated that the structure to be demolished makes no material contribution to the special character or appearance of the area.

7.5.5 The Croxley Green Conservation Area Appraisal describes the Croxley Green Conservation Area as overwhelmingly green and open in character and appearance.

7.5.6 Policy CA1 of The Croxley Green Neighbourhood Plan requires that development should seek to conserve and enhance the character of the area through careful design and massing of new buildings. The application site is within Character Area 2 as set out within the Neighbourhood Plan.

7.5.7 With regards to Conservation Areas and Impact on Designated Heritage Assets, Chapter 20 of the NPPF (2026) and NMDP's HE5 and HE9 are relevant. Policy HE9 sets out that 1) development proposals within or affecting the significance of conservation areas should: a) retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and b) consider the areas special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of the development.

7.5.8 Policy HE6 (4) sets out that where a development proposal would harm the significance of a designated heritage asset the effect on the designated heritage asset should be weighed against any public benefits resulting from the proposal.

7.5.9 The principle of the design, scale and siting of the development has been accepted as per the previously approved planning application. The resulting development would not materially differ in external appearance, subject to the re-positioning of Parking Bay 5 in

from the boundary. Notwithstanding this, the Conservation Officer was consulted on the proposal. In this regard, the Conservation Officer has confirmed that the proposed development would not result in harm to any of the nearby Listed Buildings by virtue of the existing intervening development; however, they have stated that whilst the principle of development within the Conservation Area has been accepted, the proposal would result in the lowest level of less than substantial harm and would not conserve the character and appearance of the conservation area. The Conservation Officer's comments were made under the previous version of the NPPF; under the current NPPF as revised in August 2026, the level of harm would equate to a low level of harm.

7.5.10 Whilst due regard is given to the comments provided by the Conservation Officer and the comments submitted by neighbours who are concerned with the impact of the scale and design on the significance of the conservation area, it is considered that the application is not materially different to that which was previously approved, and the reasons set out by previous case officer are material to the consideration of this application.

7.5.11 The existing buildings are to be demolished; however, no objection is raised to the demolition of the existing buildings on site as the existing use and built form are considered to detract from the overall character and appearance of the street scene and Conservation Area.

7.5.12 The proposed replacement building would be sited within a varied street scene, and this section of the Conservation Area, between the rear of the shopping parade and Windmill Drive does not make a positive contribution to the Conservation Area. The previous officer's report set out that the proposed replacement building would not result in a contrived feature and would not result in any demonstrable harm to the visual amenities of the street scene or character of the area. There would be sufficient spacing to the boundaries which would prevent the building appearing cramped within the plot, and therefore the building would not represent overdevelopment.

7.5.13 With specific regard to the height of the building, whilst concerns over the scale are acknowledged and it is accepted that the building would appear more prominent within the street scene than the existing built form and surrounding development, the highest point of the building would be set in a significant distance from both flank boundaries, and the roof form would be hipped, softening its appearance. The proposed building would also not appear out of character as a 2-storey building with roof accommodation given the three-storey building sited to the east of the plot. As indicated on the submitted proposed street scene, the proposed building would appear more limited in scale and would be framed by a building of a larger scale to the rear. As such, it is not considered that the proposed building would appear unduly prominent nor intrusive. Furthermore, the design features such as sash windows, soft landscaping and front porch would be positive features typical of the conservation area.

7.5.14 Overall, the proposed development is not considered to result in demonstrable harm to the character and appearance of the Conservation Area. Although it is recognised that a very low level of harm would result to the Conservation Area by virtue of the scale and design the development, as identified by the Conservation Officer, in the planning balance this low level of harm would be clearly outweighed by the substantial weight afforded to new housing which otherwise would be acceptable in accordance with the NPPF and local development policies.

7.5.15 In summary, the proposed development would not result in any adverse harm to the character or appearance of the street scene or conservation area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013),CA1 of the Croxley Green Neighbourhood Plan the Croxley Green Conservation Area Appraisal and the NPPF (2026).

7.6 <u>Impact on Neighbours</u>

7.6.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.6.2 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. Appendix 2 of the DMP LDD sets out that first floor additions should not intrude a 45-degree splay line which taken from a point of the joint boundary level within the rear of the neighbour. However, this principle is dependent on spacing and the relative positions of the dwellings. Consideration should also be given to the juxtaposition of properties, land levels and extensions. Although the 45-degree principle relates to extensions, it is also applicable when assessing the harm arising from replacement buildings.

7.6.3 A number of concerns have been raised from residents of neighbouring dwellings regarding overlooking of properties on Windmill Drive and the loss of light to the flats on New Parade.

Impact on neighbours to the North and South: No. 3 The Green and The Cottage

7.6.4 The widest parts of the building served by subordinate flank projections would be set in from the northern by a minimum of 5m, and the southern boundary by a minimum of 2.7m. The northern flank of the main body of the proposed building would be set in by 13.7m, and the respective southern flank would be set in by approximately 5.6m. This is in exceeded of the guidance set out in Appendix 2, which advises that a minimum distance of 1.2m should be maintained to prevent the appearance of terracing.

7.6.5 Whilst this would be a detached building and therefore would not appear terraced, the proposed spacing – in combination with the hipped projections and roof forms – is considered to prevent the proposed development from resulting an unduly prominent relationships to the neighbours to the north and south and would not result in any harm to the residential amenities of the dwellings to the north and south.

7.6.6 With regard to The Cottage, to the north, whilst there would be first floor windows which would be non-obscured, this would not result in unacceptable levels of overlooking of this neighbour's private amenity space by virtue of their relationship to the neighbouring site and the proposed built form: the proposed side projection would act as mitigation preventing overlooking of first floor windows towards the front of the proposed building; the rearmost flank window would provide some views of the rearmost portion of this neighbours garden, but would not provide views of the private amenity space immediately to the rear of the dwelling. As such, the application is considered acceptable in this regard.

7.6.7 With specific respect to any potential impact on No. 3 The Green to the south, it is acknowledged that the proposed building would be adjacent to the flank wall of this property. Whilst the wall of No. 3 The Green abuts the southern boundary and contains a number of high-level obscured windows; this does not appear to contain clear glazed habitable room windows. Although it is acknowledged the south elevation of the proposed building would be clearly visible from the first-floor rear-facing windows at No. 3 The Green. This elevation is set off the boundary by 2.7m and is limited in depth, and so would have a limited impact on the amenities of the occupants of No. 3. The main form of the building would be set further off of this boundary, thereby mitigating harm. Furthermore, the proposed building would not intrude the 45-degree splay line taken from the rear most point of the neighbouring building. Therefore, the proposal would not result in any unacceptable loss of light or harm to the visual amenities of No.3 The Green. In addition, whilst there would be first floor windows to this flank, these would not result in unacceptable levels of overlooking due to the relationship between this neighbour and the proposed building. Furthermore, the siting and scale of the building, and the location of the fenestration, is identical to that which was previously approved.

Impact on New Parade flats

7.6.8 With regards to the flatted development, New Parade, the proposed building would be positioned approximately 1.2m from the rear boundary which is shared with this site. The proposed building would introduce built form that would be significantly higher than the existing building however the ground floor level of the neighbouring properties to the rear serve commercial units and as such any loss of light to these units would not justify a reason for refusal.

7.6.9 The first and second floor levels of this building serve residential accommodation, and the roofs of the single storey projections are utilised as external amenity space. Although the height of the proposed building and relationship to this boundary is acknowledged, the proposed building would be sited approximately 12.2m from the residential levels of this neighbouring building. In conjunction with the hipped roof form, staggered rear elevation (increased distance between the neighbouring building to the east/ rear and the side projections of the proposed building) and the relationship to the residential levels of New Parade, it is not considered that the proposed building would result in any unacceptable loss of light or harm to the visual amenities of the neighbouring properties. This would also prevent the proposed building from appearing unduly prominent and would not demonstrably affect the use of the external space serving the neighbouring properties.

7.6.10 Furthermore, whilst first floor windows are proposed to the rear elevation of the proposed building, the windows within the rearmost elevation would be obscure glazed as indicated by the plans. This would be conditioned on any subsequent planning permission.

Impact on Windmill Drive

7.6.11 The neighbouring dwellings to the west, on Windmill Drive, would not result in a loss of light and the building would not appear unduly prominent or unneighbourly given the separation distances, the existing 3 storey development to the rear of the application site, and the design and scale of the proposed development. Whilst concerns have been raised about the relationship between the rear elevations of the dwellings on Windmill Drive and the windows to the front elevation of the proposed building, particularly the first-floor windows and front dormers. A minimum distance of 10m between the rear boundary of closet neighbouring property on Windmill Drive, No. 15, would be maintained. Between the main form of the proposed building and the rear elevation of No. 15, a distance of approximately 24m would be maintained. This would fall short of the guidance set out in Appendix 2 of the DMP LDD, which advises that a distance of 28m between the backs of dwellings should be maintained. However, the proposed building and residential development would not result in a traditional back-to-back relationship with Windmill Drive, whereby the proposed scheme would front towards, rather than away from, these dwellings.

7.6.12 Notwithstanding this, the separation distance between the rear boundary of Windmill Drive and the proposed building is sufficient to prevent the scheme appearing dominant or overbearing. Furthermore, a minimum distance of 24m would be maintained between the rear elevation of the closest neighbouring dwelling and the front elevation of the proposed building, which would increase to 27m when measured from the two-storey elevation of this neighbour. It is therefore not considered that the proposed siting of the building and use for residential development and the introduction of dormers within the roof would result in unacceptable overlooking into the neighbouring dwellings or gardens to the west. Furthermore, the measurements stated are the minimum that would be achieved between the proposed development and No.15. A greater separation would be achieved between the proposed development and neighbouring properties to the south of No.15. In addition, the windows within the side projections would have an increased distance from the rear gardens of these neighbours comparative to that of the proposed front dormers and first floor windows and would not result in unacceptable levels of overlooking.

Summary

7.6.13 In summary, it is considered that the proposed development, subject to conditions, would not result in significant harm to the residential amenities of any neighbouring residential dwelling or unit.

7.7 Quality of Accommodation for Future Occupants

7.7.1 It is considered that the layout of the building would provide acceptable living conditions for future occupants.

7.8 Amenity Space Provision

7.8.1 Appendix 2 of the DMP LDD sets out that 1-bedroom flats should be served by 21sqm of amenity space with an additional 10sqm for each additional bedroom.

7.8.2 The proposed development would provide 26sqm of external amenity space for the two first floor units, and private amenity space for the two ground floor units. The private amenity space, when discounting the unusable space between the rear of the building and the rear boundary, would total approximately 23.1sqm of amenity space. The total amenity space provided with the development would be approximately 49.1sqm of amenity space.

7.8.3 This would be a shortfall of 74.9sqm of amenity space. Whilst this would conflict with the guidance set out in Appendix 2, it is not considered that it would be reasonable to refuse the application on these grounds. The application site is sustainably located within reasonable walking distance of public open space, including The Green, which could be utilised by the residents.

7.8.4 The accessible nature of the local green space in conjunction with the amenity space provided on site, is therefore considered acceptable. This is consistent with the assessment of the previous application.

7.9 Wildlife and Biodiversity

7.9.1 NDMP N2 of the NPPF (2026) sets out that development proposals should:

f. Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective

7.9.2 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.

7.9.3 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected because of the application.

7.9.4 In line with the national objective to improve the natural environment, the policy requirements of NDMP N2, and Hertfordshire's Local Nature Recovery Strategy, and the appropriate height of the proposed building, it is considered appropriate to attach a condition requiring the installation of 1 swift box (integrated nest box) per residential unit (totalling 4

swift boxes to be installed to the development). The guidance supporting this is set out at Paragraph 017 of the Natural Environment PPG and is further supported by the emerging local plan policy BGL1 (13) and (16).

7.9.5 In summary, the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013).

7.10 Mandatory Biodiversity Net Gain

7.10.1 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.

7.10.2 An exemption applied in relation to planning permission for development which does not impact on site priority habitat and impacts less than 25 square metres of onsite habitat that has a biodiversity value of greater than zero; and less than 5 metres in length of onsite linear habitat.

7.10.3 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 is subject the de-minimis exception (development below the threshold, as set out above). The LPA agrees that the exemption is applicable to this development, as there is extremely limited onsite habitat to impact.

7.11 Trees and Landscaping

7.11.1 In ensuring that all development contributes to the sustainability of the District, Policy CP12 of the Core Strategy advises that development proposals should: "i) Ensure that development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with adjoining networks of green open spaces".

7.11.2 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. Policy DM6 also advises that development proposals for new development should be submitted with landscaping proposals which seek to retain trees and other landscape and nature conservation features. Landscaping proposals should also include new trees to enhance the landscape of the site and its surroundings as appropriate.

7.11.3 The application site is located within a Conservation Area; however, there are no existing trees or elements of soft landscaping existing within the site. Notwithstanding this, given the hard and soft landscaping proposed for which limited details have been provided, a hard and soft landscaping scheme would be attached to any permission.

7.12 Highways, Access and Parking

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

7.12.2 Appendix 5 of the DMP LDD sets out that two-bedroom units should be served by 2 parking spaces. The scheme would result in the provision of 8 bedrooms, which would create a requirement of 8 parking spaces. The scheme proposes five parking spaces with each unit allocated 1 space, with 1 space designated for visitors. These parking arrangements would

result in a shortfall of 3 spaces. Notwithstanding this, there are no parking restrictions on Windmill Drive, and the site is sustainably located within a reasonable walking distance to several bus stops and Croxley Green Underground Station. As such, whilst there is a shortfall in parking, this would not justify a reason for refusal.

7.12.3 The Highways Authority were also consulted in relation to the proposed development. Following continued consultation with the HCC, amended plans were received by the applicant which altered the position of Bay 5. Following this alteration, and the provision of acceptable visibility splays, HCC withdrew their objection to the proposal, stating that the proposal would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. Whilst no objection has been raised, the following condition has been requested:

Prior to the first occupation of the development hereby permitted the proposed access works and on-site car parking areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

7.12.4 It is considered that the proposed condition is both reasonable and necessary in the interests maintaining highway safety, and therefore if the application is to be approved, a condition would be attached.

7.12.5 Although comments provided by neighbours are noted, the development is not considered to result in a significant increase in comings and goings to the vicinity, and is located sustainably, such that the proposed parking arrangements and access are considered satisfactory. The application is therefore acceptable in this regard.

7.13 Energy Efficiency

7.13.1 Chapter 5 of the NPPF (2026) sets out that the objective of the policies in this chapter is to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

7.13.2 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.

7.13.3 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.

7.13.4 The application is accompanied by an Energy Statement prepared by QuinnRoss Energy [P3365-ENE-01] and dated 14 April 2026. The report concludes that subject to the incorporation of the measures outline, the development would achieve a 59% improvement over current Building Regulations, therefore exceeding the requirements of Park L. A condition would be attached to require the development to be carried out in accordance with this report. In addition, as the measures proposed including air source heat pumps and solar panels, a further condition will be attached to any planning permission requiring the

submission of details relating to the siting of PV panels and heat pumps. As such, the application is therefore acceptable in this regard.

7.14 Refuse and Recycling

7.14.1 Policy DM10 (Waste management) of the DMP LDD sets out that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities should be fully integrated into design proposals. New development 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, cyclist or driver site lines.

7.14.2 The plans submitted include the siting of the bin store. The siting and scale of the bin store is such that there would be no impact on neighbouring or occupier amenity, and there would be no obstruction to the highway or pedestrians. The application is therefore acceptable in this regard.

7.15 Overview/ Conclusion

7.15.1 NPPF Policy S3: Presumption in favour of Sustainable Development sets out that decisions on development proposals should apply a presumption in favour of sustainable development. For proposals within settlements, Policy S4 should be applied.

7.15.2 NPPF Policy S4: Principle of Development within Settlements sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

7.15.3 Further to the above, Policy HO7 of the NMDP sets out that in applying the policies of the NPPF, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the needs of the community.

7.16 The proposal would result in limited harm to the character of the conservation area and some other limited harm, which would largely be mitigated. The proposal is generally in accordance with the Local Development Plan, and subject to conditions, would be an acceptable form of development. Although some limited harm has been identified, the substantial weight afforded to the provision of new housing, at a time when the LPA cannot demonstrate a 5-year housing land supply, would significantly outweigh the identified harm.

7.17 Taking into account all considerations forming part of the application, and in the context that an almost identical scheme has previously been approved, it is concluded that any adverse impacts would not be outweighed by the benefits, and approval of the application is recommended.

8 Recommendation

8.1 That **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted which has not taken place as of yet shall be carried out in accordance with the following approved plans: PL 000 REV A, PL 002 REV A, PL 200 REV A, PL 601 REV A, PL 602 REV A, PL 700 REV A, PL 701 REV A, PL 702 REV A, PL 800 REV A,PL 002 REV B, PL 703, (PL) 032 REV A, CA4075_005_A, 1003 PL012 REV B, 1003 PL600 REV B, 1003 PL603 REV B, PL 001 REV A.

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP6, CP8, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM4, DM6, DM8, DM10, DM13, Appendix 2 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policies CA1, HO1, HO2, HO3 and RE2 and Appendix B and C of The Croxley Green Neighbourhood Plan (adopted December 2018).

C3 The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: This condition is a pre commencement condition in the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C4 Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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).

C5 Prior to the commencement of any works above ground level, details of the proposed type and location of swift bricks/tiles to be installed shall be submitted to and approved in writing by the Local Planning Authority. The details shall include provision for a minimum of 1 swift brick per residential unit.

The swift bricks shall thereafter be installed prior to the first occupation of the development hereby approved and permanently maintained thereafter.

Reason: This condition is a condition to maintain wildlife habitat and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and NDMP N2 of the NPPF 2026.

C6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C7 Before any building operations take place above ground level, plans and details of the photovoltaic panels and air source heat pumps shall be submitted to and approved in writing by the Local Planning Authority. The approved details and energy saving measures detailed within the submitted Energy Statement prepared by QuinnRoss Energy [P3365-ENE-01] and dated 14 April 2026 shall thereafter be implemented prior to the first occupation of the development and permanently maintained thereafter.

Reason: To ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

C8 Prior to the first occupation of the dwelling hereby approved, details of the proposed boundary treatments to be installed within and to the perimeters of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall thereafter be installed prior to the first occupation of the dwelling hereby approved and maintained in accordance with the details approved by this condition.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C9 Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason: In the interests of highway safety and convenience in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 of the Development Management Policies LDD (adopted July 2013).

C10 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 elevations or roof slopes of the 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).

C11 Before the first occupation of the building/extension hereby permitted the window(s) in the first floor rear elevation 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).

C12 The rooflights hereby permitted shall be positioned at a minimum internal cill height of 1.7m above the internal floor level.

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).

9.12 **Informatives:**

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

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £145 per request (or £43 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

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

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

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

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

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development

previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy).

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The 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 below the de minimis threshold, meaning development which:
a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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

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

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

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

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

I5 Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under 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 County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

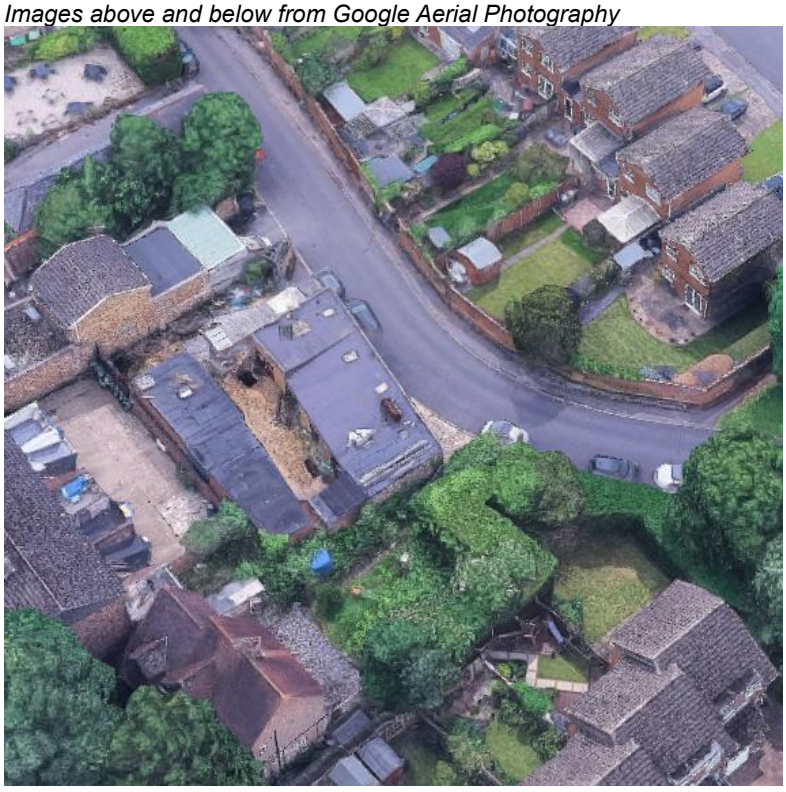
I6 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

I7 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction work commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

I8 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.



Images above and below from Google Aerial Photography























PLANNING COMMITTEE – Thursday 22 October 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
Ward: Rickmansworth Town
Expiry of Statutory Period: 07.07.2026 (EOT 21.08.2026)
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE GRANTED.

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.

Update

This application was heard at Planning Committee on 20 August 2026. Following extensive discussion, where some concerns were raised, Committee members resolved to defer the application to a future meeting to allow the applicant to consider amendments to the scheme in light of the discussions, namely in relation to setting the two-storey side extension further from the boundary with No. 73 Nightingale Road, overcoming the Conservation Officer's outstanding objection in respect of the number of rooflights and the size of the dormer windows, and a clarification on what room the flank window in the neighbouring dwelling serves.

Officers have discussed with the applicant, however no amendments to the scheme have been received.

In respect of the first floor flank window at the neighbour's property which faces the application site, Officer's view is that the room serves a non-habitable room (likely a bathroom) but at the time of the officer site visit into the neighbouring property this room had been stripped out and was under renovations. The neighbour at No. 73's amended comment states that this room serves a bathroom. The existing window in this flank elevation is obscurely glazed to the lower part, with outlook only possible if the window is open or from the clear glazed higher level panel. The assessment of the impact of the proposal on this window is at 7.3.8 below.

The report has also been updated to reflect the publication of the new NPPF.

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 juilet 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.m), 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 (Initial 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 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 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 highted 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.

4.4 Reconsultation

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

4.4.2 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.

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6)

Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

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

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

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

The Environment Act 2021.

6.2 Planning Policy and Guidance

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

In August 2026 the NPPF was updated. Relevant policies include: S3, DP3, DP4, TR8, HE6 and HE9.

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. Relevant Policies include: SP2, BGL1, BGL2, DH1, DH2, TC2, Appendix 1 and Appendix 3.

Upper Nightingale Road Conservation Area Appraisal (2007).

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

7 Planning Analysis

7.1 Proposed Use

7.1.1 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.

7.2 Design and Impact on the Street Scene

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.2.3 In relation to development proposals in Conservation Areas, Policy DM3 of the Development Management Policies LDD stipulates that development will only be permitted if it preserves or enhances the character of the Conservation Area. Furthermore, it states that development should not harm important views into, out or within the Conservation Area.

7.2.4 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.

7.2.5 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.

7.2.6 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.

7.2.7 Policy HE6 of the NPPF sets out that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial ha\rm, or total loss of significance. Policy HE9 of the NPPF sets out that development proposals within or affecting the significance of conservation areas should: a) retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and b) consider the areas special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.

7.2.8 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 or the Conservation Area.

7.2.9 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.

7.2.10 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 the scale of the proposed two storey side extension which would be of a similar width to the existing but at a greater height and depth 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.

7.2.11 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 which would bring development closer to the boundary than the existing flat roof two storey rear projection, 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. Thus, 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.

7.2.12 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.

7.2.13 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.

7.2.14 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.

7.2.15 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.

7.2.16 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) and Policy HE6 and HE9 of NPPF (2026).

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.3.3 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.

7.3.4 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.

7.3.5 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. It is noted that a portion of the proposed side extension would introduce additional bulk and massing closer to the boundary with this neighbour than the current side extension, by virtue of the fact that the proposed side extension would extend in line with and up to the rear building line. Notwithstanding the additional depth of the extension, the extension as a whole is set in from the shared boundary, is set down from the existing ridge height, and does not project beyond the rear principal two-storey building line of the neighbouring property, which itself remains deeper than the application dwelling at two storey level. Taken together, these factors serve to reduce the perceived scale and prominence of the proposal when viewed from the neighbouring property. 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.

7.3.6 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.

7.3.7 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.

7.3.8 With regards to the first-floor flank window within the neighbouring dwelling this is set in from the shared boundary with the application site. It is unclear what room the window serves (because at the time of the officer site visit to the neighbouring property the room had been stripped out and was under renovation, therefore its use was unclear and planning history does not reveal the internal arrangement or use of this room), however based on its siting and position it is considered likely that it serves as a non-habitable room. In addition, the neighbour's amended comment confirms that the serves a bathroom. The window is mostly obscurely glazed, and views/outlook from this window are only possible when the window is either open, or from a height (e.g. above the obscure glazed element). In any case the impact on this window has been considered by officers, in terms of outlook as above, at the time of the visit the outlook is limited to a high level or when the window is open. In the open position officers acknowledge that the outlook would change as a consequence of the increase in bulk and massing arising from the proposed development, however it is not considered that this would be to a harmful degree.. 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. A condition has been added at C4 requiring that the windows within the first floor flank elevation of the proposed extension be fitted with obscured glazing and top level opening 1.7m above the finished floor level of the rooms they serve which in this case would be non-habitable rooms, which would further limit overlooking of this neighbour from this perspective.

7.3.9 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.

7.3.10 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.

7.3.11 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.

7.3.12 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.

7.3.13 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.

7.3.14 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.

7.3.15 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.

7.3.16 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.

7.3.17 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.

7.3.18 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.

7.3.19 In summary, subject to conditions the proposed development would not result in any adverse impact on any neighbouring dwelling and the development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD.

7.4 Wildlife considerations

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

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.4.3 A Biodiversity Checklist was submitted with the application and states that 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.

7.4.4 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.

7.4.5 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.

7.5 Mandatory Biodiversity Net Gain

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

7.5.2 Policy BW GB1 of Batchworth Neighbourhood Plan 2023-2038 (Submission Version) sets out that development proposals must manage impacts on biodiversity and secure a minimum net biodiversity gain of 10% on site, unless impractical given site constraints, as demonstrated through use of the most up-to-date version of Natural England biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material.

7.5.3 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

7.6 Trees and Landscaping

7.6.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.6.2 The application site is located within the 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.

7.6.3 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.

7.6.4 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.

7.6.5 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.

7.7 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.

7.8 Rear amenity

7.8.1 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.

7.8.2 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.

7.9 Highways, Access and Parking

7.9.1 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.

7.9.2 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*).

7.9.3 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.

8 Recommendation

8.1 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) and Policies HE6 and HE9 of the NPPF (2026).

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.

I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

I4 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.

I5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

a) a Biodiversity Gain Plan has been submitted to the planning authority, and

b) the planning authority has approved the plan.

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

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

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

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

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

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

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

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

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

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

I6 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).

I7 The applicant is advised that the requirements of the Party Wall Act 1996 may need to be satisfied before development commences.



Rear elevation of application site











View from application site towards No. 73



Views from No. 73 Nightingale Road



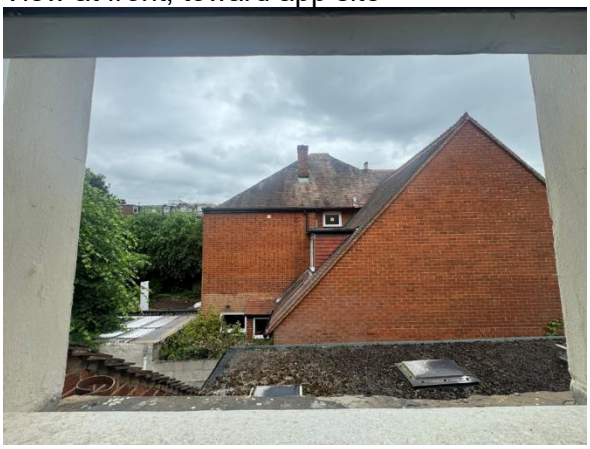
View in rear toward rear of app site



View at front, toward app site



View within rear garden



View from side window



View from 73 toward site

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PLANNING COMMITTEE – Thursday 22 October 2026

26/0907/FUL – Change of use of land for use as a residential caravan site comprising 2no. Gypsy/Traveller pitches, each accommodating 4 caravans including no more than 2 static caravan/mobile homes, with associated hardstanding, alterations to access and erection of two amenity buildings and boundary treatments including construction of timber post and rail fencing at Land South of Harthall Lane, Kings Langley, Hertfordshire

Parish: Abbots Langley Parish Council | Ward: Gade Valley

Expiry of Statutory Period: 27.08.2026 | Case Officer: David Heighton
Extension of time agreed: 30.10.2026

Recommendation: That planning permission be granted, subject to conditions.

Development Type: Change of Use.

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee for the following reasons: Impact on Green Belt and overdevelopment.

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=TG1JGIQFLB200

1. Relevant Planning History

1.1 N/A.

2. Description of Application Site

2.1 The application site forms part of a wider, broadly rectangular piece of land approximately 0.21ha in area, with the extent of the application site identified as edged in red on the submitted Location Plan, located on the southern side of Harthall Lane. The applicant's ownership extends further north towards Harthall Lane and to the south, and is shown edged in blue on the Location Plan.

2.2 The application site includes a section of open pasture land bounded by mature boundary trees and vegetation on highway land, positioned both adjacent to the highway and along the western boundary. Within the north eastern corner of the application site there is an existing gated access via Harthall Lane which is enclosed by fencing and a metal gate.

2.3 In terms of residential properties, Little Kenwood Workshop would appear as part residential, part commercial workshop and Kenwood Cottages beyond are sited over 30m to the northeast of the site access.

2.4 The application site is located within the Metropolitan Green Belt.

3. Description of Proposed Development

3.1 This application seeks full planning permission for the change of use of the land for the stationing of caravans for residential purposes for 2 no. gypsy pitches accommodating 4 caravans including no more than 2 static caravan/mobile homes with 2 no. amenity buildings and the formation of hardstanding, and boundary treatments include the construction of timber post and rail fencing and new hedgerow.

3.2 A single Gypsy or Traveller pitch can include two stationed caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, although only one of these can be a residential mobile home. This latter Act and the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006 defines a residential mobile home as being no larger than 20 metres in depth, 6.8 metres in width and 3.05 metres internal height.

3.3 Two pitches are proposed in total, each pitch would comprise space for a static caravan, with the total provision for two touring caravans. The static caravans would be approximately 3m in height, 12m in depth and 4m in width.

3.4 Two detached amenity day room buildings are proposed to serve the everyday amenity needs of the occupiers. The day rooms would provide a kitchen/laundry room, bathroom and store room. The day rooms would have a maximum width of 6m, a depth of 4m and a maximum height of 3.9m with a pitched roof with an eaves height of 2.6m.

3.5 There is an existing set of gates serving the access, which are up to 7m in width and set back approximately 8m from the highway. A further gate is proposed within the application site serving the adjacent field parcel. A post/rail 1.2m high fence is proposed adjacent to the front access gate and to the northern and southern site boundaries.

3.6 Soft landscaping would be retained and enhanced with hedging proposed to the southern boundary of the application site. To the immediate north, within the applicant's ownership, the trees would be retained including the grassland to the south of the wider site. This would be supported by new ecological enhancements (which are also proposed within the application and wider site).

3.7 A permeable hardstanding area with track would be installed from the existing access, and would enable the provision of four parking spaces and turning space for emergency and service vehicles.

3.8 A revised Site Layout Plan was submitted during the course of the application, which included a bin store towards the front access and a storage container for each plot. This also confirmed that the proposed hardstanding would be permeable.

4. Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Objection]

Whilst Members recognise that the site as presented within the application would suggest grey belt, they cannot accept the application as it stands as Members cannot see evidence of sustainability at the site, a fundamental requirement for land to be released as Grey Belt and therefore the Committee could not support the application. However information was provided verbally to suggest that sustainable travel may be available from the site. Members suggested that this information be added by the interested parties. Members request that this be brought to committee.

4.1.2 Hertfordshire County Council: Highway Authority: [1st response: Objection; 2nd response: No Objection]

Made the following initial comments:

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:

1) The proposals have the potential to compromise the safety of highway users through the lack of sufficient visibility from the proposed access and are therefore contrary to policy guidelines including Manual For Streets 7.7, National Planning Policy Framework (NPPF) 2024 paragraphs 115(b) and 116(b), Hertfordshire's Local Transport Plan (LTP4) 2018 policy 5b and the Place and Movement Planning and Design Guide (PMPGD) parts 3 and 4.

COMMENTS:
Harthall Lane is an Unclassified Local Access route subject to a 60mph speed limit. It is classed as P1/M1 (rural lane) on HCC's Place and Movement Network and is highway maintainable at public expense.

The application intends to create a new vehicular access off Harthall Lane. In order to be deemed a safe and suitable access, submitted plans demonstrating that the available vehicle to vehicle visibility splays from the access must be provided and compliant with the relevant policy documents. The applicant has provided visibility splays of 43m in each direction set back 2.4m from the edge of the highway which would be consistent with manual for streets visibility requirements for a 30mph speed environment (it is worth noting that the Eastern splay runs through third party land and therefore would be inadmissible). Harthall Lane is a 60mph speed environment and thus visibility levels will need to be in accordance with DMRB (Design Manual for Roads and Bridges) standards for a 60mph road - which would consist of 215 x 2.4m visibility splays in either direction.

There has been no evidence submitted in the form of a vehicle speed survey that the 85th percentile of vehicle speeds along Harthall Lane is below 60mph and therefore HCC cannot accept visibility splays for a new access of less than 215m in either direction. The available visibility from the proposed access is therefore deemed to be insufficient and could have the potential to compromise highway safety. (See Below)

The NPPF (2024): 115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users;

116. 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.

HCC's Local Transport Plan (LTP):
Policy 5: Development Management The county council will to work with development promoters and the district and borough councils to: b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards. The highway authority has considered the proposals as having a potential adverse affect on the safety of the surrounding highway - therefore being contrary to polices outlined in the Local Transport Plan and NPPF. HCC recommends refusal.

4.1.3 Following the submission of the applicant's highway report, titled Access Statement, Hertfordshire Highways were re-consulted and provided the following comments:

The applicant mentions in the submitted highway report that 100 free-flowing vehicle readings in each direction were not conducted (in accordance with DfT CA 185 Vehicle Speed Measurements), and that speeds were only collected for the duration of an hour on

21/07/2026. For this reason, the LHA initially questioned the reliability of the speed survey data due to the limited instances.

The LHA recognises that the location of the proposed access is in the vicinity of a sharp bend on Harthall Lane and it would be not unreasonable to suggest vehicles would travel along this area of Harthall Lane at less than the national speed limit.

In addition to this within application 26/0938/FUL the LHA did not wish to restrict the grant of permission for the submission of: Construction of 2no. two storey detached dwellings, with associated access, parking and landscaping works. The site is also situated on Harthall Lane circa 1.1km East of the site. The applicant conducted an acceptable speed survey concluding that the 85th percentile of speeds were 29.8mph Northbound and 29.7mph Southbound in this area. It is worth noting that this stretch of Harthall Lane is straight in nature and therefore would result in higher vehicle speeds than the current application in question situated near a sharp turn.

Such assessment supports the limited assessment now considered and confirms that the LHA are acceptant of speeds less than 60mph along this stretch of Harthall Lane, consequently directing the application of MfS vis splays for a 30mph speed environment rather than DMRB standards for 60mph.

Seeing as the applicant in their initial proposal demonstrated that visibility splays for a 30mph speed environment were achievable (43m in either direction), the LHA would deem the visibility for the proposed access in this location acceptable.

4.1.4 TRDC Local Plans Section: [Advisory comments provided]

Representation: *The application proposes the change of use of land for the use as residential caravan site and associated operational development. The application site is located entirely within the Metropolitan Green Belt.*

The Regulation 19 Consultation on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II) commenced on 31 July 2026 and ended on 25 September 2026. As such, weight can now be given to policies and allocations contained within the emerging Plan. However, in the context of the following consultee response, the currently adopted Development Plan will be primarily discussed.

Following its publication, the August 2026 version of the NPPF has superseded the former standalone Planning Policy for Traveller Sites (PPTS) document.

Policy S5 of the NPPF (2026) relating to the principle of development outside of settlements sets out that "only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

1(g) Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation[26], provided it meets the criteria in policy HO12".

Policy HO12 of the NPPF relating to Traveller sites sets out:

1. Development proposals for traveller sites should be located so that they:

a. Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate; and

b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.

2. When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.

3. Where development proposals require the permanent or temporary relocation of an authorised traveller site, an alternative site should be identified and provided. Suitable alternative sites should take into account the views of existing residents as well as existing family or community groupings where possible.

Policy CP5 of the Core Strategy (2011) sets out that when allocating sites or considering planning applications for sites for Gypsies and Travellers or Travelling Showpeople, a criteria based approach will be used. The following criteria will be taken into account:

a) Avoid areas at risk from flooding
b) Avoid causing an adverse impact on areas of recognised wildlife, heritage or landscape importance, and on the openness of the Green Belt
c) Be in or near existing settlements with access by foot and/ or public transport to local services, including shops, schools and healthcare
d) Be well located to the highway network, with safe and convenient vehicular and pedestrian access to the site
e) Provide adequate on-site facilities for parking, storage, play and residential amenity
f) Provide adequate levels of privacy and residential amenities for occupiers and not be detrimental to the amenities of adjacent occupiers
g) The circumstances of the applicant and their need for pitches on the application site

Policy CP11 states that 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. Policy DM2 sets out "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".

The application site is located in the Metropolitan Green Belt. Policy GB6 (2) 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. Policy GB6 (2) 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. Policy GB7 sets out the categories of development that are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances.

The council has undertaken a Stage 4 Green Belt Review, which is available at https://www.threerivers.gov.uk/services/planning/planning-policy/new-local-plan#Evidence%20base. As part of the review, there has been 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. The Stage 4 Green Belt Review also identifies broad areas of "fundamental importance" within the Green Belt in Three Rivers, which is intended to provide evidence for any future "fundamentally undermine" test.

The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. As such, it is clear that there is a demonstrable need for gypsy/traveller pitches within the district.

The Regulation 19 Consultation on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II) commenced on 31 July 2026. As such, weight can now be given to policies and allocations contained within the emerging Plan. Further information can be found at https://www.threerivers.gov.uk/services/planning/planning-policy/new-local-plan#Regulation%2019%20Consultation

4.1.5 Herts Ecology – [No objection]

Comments and recommended Conditions and Informatives:

Habitats
These have been described in the accompanying PEA, which reports that the field has not been grazed for 10 years and as a consequence is dominated in areas by ruderal vegetation. The most significant onsite and adjacent habitats are the boundary hedgerows of which only the access area is included in the redline boundary. The application will result in the loss of 8 m of this species rich hedgerow this will need to be compensated for and form part of the offsite bng or credits.

Protected Species
Standard safeguards for badgers, hedgehogs, nesting birds, reptiles and non-licenced mitigation for bats are outlined in the Preliminary Ecological Appraisal, I advise these are secured by a Compliance Condition.

Biodiversity Net Gain (BNG) - Pre Determination
Minimum Information: The metric calculation tool (Mandatory Metric), completion date 12/05/2026, shows baseline values of 0.34 habitat units, 0.15 hedgerow units. The baseline habitats are consistent with the baseline habitat information submitted. As a result, I have no reason to doubt these values. Consequently, I advise that the minimum information requirements have been met and the application can be determined accordingly.

BNG - Determination
Non-Significant on site BNG: The proposed BNG on-site enhancements are made up of habitats that cannot be secured by the planning process. I advise they should be considered non-significant. A net loss of 100% in area habitats, 100% in hedgerow units 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 gain 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

Biodiversity Gain Plan: I advise this is completed using the government template. In order 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.
• 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 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 offsite 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

Conditions
The development shall be completed in strict accordance with the mitigation and enhancement recommendations within Preliminary Ecological Appraisal & Biodiversity Net Gain Report, May 2026 (report dated 15/05/2026), Denny Ecology (unless varied by a European Protected Species (EPS) licence issued by Natural England). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

4.1.6 Landscape Officer: [Advisory verbal comments]

A tree protection and method statement would be required as condition of any development, prior to construction beginning on site.

4.1.7 Affinity Water: [Advisory comments].

Affinity water has no source protection comments.

4.1.8 Thames Water: [No response received].

4.1.9 National Grid: [No response received].

4.2 **Public/Neighbour Consultation**

4.2.1 Site Notice: Posted: 10.07.2026 Expired: 31.07.2026.
Press Notice: Not required.

4.2.2 Neighbours consulted: 3.

4.2.3 Responses received: 1 (objection)

4.2.4 Summary of response received:

- Sustainability of the location
- Scale of development
- Highway capacity
- Lack of services infrastructure
- Ecological Impact

5. **Reason for Delay**

5.1 Additional information required in respect of highway safety.

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

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

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

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

The Environment Act 2021.

6.2 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 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, CP5, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM4, DM6, DM7, DM9, DM10 and DM13.

Policy AL3 and AL4 of the Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026.

6.3 Other Material Considerations

In August 2026 the NPPF was updated. Relevant policies include: S3, S6, GB2, GB6, GB7, DP3, HO12 and HE6.

Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025).

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

Human Rights Act 1998.

Equalities Act 2010.

Housing Act 2004.

Children Act 2004.

7. Planning Analysis

7.1 Principle of Development

7.1.1 Core Strategy Policy CP5 states that in considering planning applications for sites for Gypsies or Travellers, a criteria-based approach will be used. Criteria include avoiding an adverse impact on the openness of the Green Belt, being within or near to existing settlements with access to local services and the circumstances of the applicant and their need for pitches on the application site.

7.1.2 The application site is located outside of a settlement and therefore it is considered that with regard to policy S4 (Principle of development within settlements) and policy S5 (Principle of development outside settlements) of the NPPF, that neither apply, as with regard to policy S5, it does not apply to development which is located within the Green Belt and the relevant Green Belt policies should be applied. Notwithstanding, policy HO12 (Traveller Sites) states that traveller sites should be located that they provide a settled base and enable access to frequently used services. Policy HO12(2) states that when considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.

7.1.3 TRDC Local Plans have confirmed that the most recent Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025) concluded that there is a need for 41 additional pitches, over the period 2025-2041, for Gypsy and Traveller households that meet the planning definition.

7.1.4 Having regard to Policy CP5 of the Core Strategy, the site is not at risk of flooding. Impacts on Green Belt are assessed below. In respect of the need to be in or near existing settlements, the site is close to and accessible from the villages of Kings Langley and Bedmond with existing residential development in the vicinity, which ensures there is suitable infrastructure and services nearby. Given the above, it is considered that, in principle, the use of the application site as a Gypsy/Traveller Site would be acceptable, subject to considerations of other material planning considerations.

7.2 Impact on the Green Belt

7.2.1 The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that their essential features are their openness and permanence. The National Planning Policy Framework at policy GB2 sets out that Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

7.2.2 The NPPF at policy GB6 sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Policy GB6 goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.2.3 Policy CP5 of endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. However, if considered appropriate

development the proposal would not conflict with openness. Officers also note that due to the make-up of the District, with a substantial percentage covered by the Green Belt designation, the majority of future proposals for gypsy traveller provision is likely to be within the Green Belt and thus will conflict with Policy CP5.

7.2.4 Policy GB7 of the NPPF sets out a number of categories of development which re not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Gren Belt or required to demonstrate very special circumstances. One such category includes GB7(f) which states that other forms of development, provided that the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt Purposes', such as:

i. mineral extraction and processing, engineering operations, and transport electricity network, water and telecommunications infrastructure required in a Green Belt location;
ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
iii. **Material changes in the use of land** (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
iv. 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.

7.2.5 The NPPF and Core Strategy CP11 also set out that there is a general presumption against inappropriate development in the Green Belt. Policy DM2 of the Development Management Policies document also advises that 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.

7.2.6 The purpose of the day room buildings would be for ancillary purposes to the primary use of the wider site. Whilst the NPPF is silent on ancillary buildings, Policy DM2 of the Development Management Policies document states that the Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:

a) Be of a scale, design, height and bulk such that the building would not adversely affect the openness of the Green Belt.
b) Be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development
c) Avoid features normally associated with the use of a building as a dwelling

7.2.7 The proposal involves the material change of use of the land from pasture land to provide two gypsy/traveller pitches 2 static caravans (mobile homes), 2 amenity buildings and 2 (touring) caravans. The change of use would involve the introduction of four urbanising structures including day room buildings and the spread of domestic paraphernalia in association with the residential use, into an existing site, which is at present void of any built form. The introduction of the proposed structures onto the site would introduce built form and would result in an erosion of the overall spatial sense of openness. There is no other built form within the site and wider site, which would offset this perception, and the spread of domestic paraphernalia and increased activity on the site would be notable from the public highway resulting in visual harm to the openness of the Green Belt.

7.2.8 The existing access into the site would be retained to the northeast corner with the existing gate set back a minimum of approximately 9m from the highway. Notwithstanding the proposed hardstanding for access, the first 30m – 33m of the site from the entrance would be kept as amenity space and soft landscaped, which would in turn limit the visibility of the structures and vehicles. However, it is considered that the domestic paraphernalia

could spread towards the highway which would result in an increased perception of domestication and urbanisation as raised at 7.2.7 above.

7.2.9 The material change of use would also involve the introduction of an area of hardstanding into the site from the highway. Given the nature of the hardstanding, there would be some spatial impact due to its expanse and given its ground level siting the visual impact would be limited on the openness of the Green Belt. Notwithstanding this, although the visual impact would be relatively limited, the expanse of hardstanding would result in an adverse effect on the openness of the Green Belt. The screening in the form of the soft landscaping and trees to the boundary would vary dependent on the time of year, however, is of a considerable depth. Despite this, landscaping as a sole means of screening cannot be relied upon to mitigate the visual impact on the Green Belt.

7.2.10 Having regard to the above criteria, the day room buildings would be positioned in front of the proposed mobile homes, set back significantly from Harthall Lane. In addition, the day room buildings would be central to the proposed pitches. However, the day rooms would be part of the material change of use, which includes the hardstanding, structures and fencing. These all of which would cumulatively have a spatial and visual impact, the latter reduced given the vegetation to the site boundaries. Given the existing site circumstances, free from development, considering the increase in activity there would be a significant impact on openness. Therefore, the dayrooms would not be considered to comply with Policy DM2.

7.2.11 The development is therefore is inappropriate by definition when assessed against Policy GB7(f)(iii) of the NPPF and is harmful to the openness of the Green Belt and conflicts with one of the purposes - encroachment into countryside. It is considered that the impact on openness would be significant including the conflict with the purposes of the Green Belt, through the encroachment into the countryside, although it acknowledged that this would be localised and not as significant. Therefore, for the purposes of NPPF, the development is inappropriate development, the impact on openness is not minimised so would fail to comply with Policy GB7 (f)(iii) of the NPPF.

7.2.12 Notwithstanding the above, part (g) of Policy GB7 of the NPPF states that the development should also not be regarded as inappropriate where all of the following (i – iv) apply. It is considered that the change of use of the land would fall within 'development' in the Green Belt, which includes all other associated development which are intrinsically linked to the use of the land as residential:

i) 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;
ii) There is an evidenced unmet need for the type of development proposed;
iii) The development would be in a sustainable location, with particular reference to Policy TR3 of this Framework; and
iv) In the case of major development involving the provision of housing, the development proposed complies with Policy GB8 (The Golden Rules).

7.2.13 For the purposes of plan-making and decision-making, Annexe B of the NPPF defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Policy GB2. These are taken in turn below:

g) i). 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;

7.2.14 The Planning Policy Guidance (PPG) on Green Belt assesses the contribution to the purposes of the Green Belt.

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

7.2.15 In this regard the site is clearly demarked from the surrounding landscape and bound by established mature trees and hedgerow. The development would generally conform to the established intermittent linear development of Harthall Lane. The application site forms part of a relatively isolated and enclosed parcel of land, which is surrounded by natural features which would nullify the spread of further development. The site is not located within a large built up area and therefore meets this aspect.

b) to prevent neighbouring towns merging into one another;

7.2.16 The application site and proposal represent relatively small-scale development with linear development along Harthall Lane, which is clearly distinct from neighbouring towns. As such, the proposal would not contribute to the merging of the neighbouring towns of Watford and Hemel Hempstead, nor impact on the setting of a historic town (purpose d). As such, the development would not make a contribution to purposes b). and therefore meets this aspect.

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

7.2.17 The development is not within a historic town so would make a weak or no contribution to purpose d).

Summary of purposes and whether taken together the development would fundamentally undermine the purposes (taken together)

7.2.18 Overall, it is considered that the application site does not strongly contribute to any of purposes (a), (b) or (d). With regards to (c) to assist in safeguarding the countryside from encroachment; this is considered limited given the scale of the proposed development and existing and boundary screening. The development would not result in conflict with purposes d) or e). As a result, the development would not fundamentally undermine the purposes of the remaining Green Belt when taken together. As such, it is considered that the application site constitutes ‘grey belt’ land and would satisfy the first point, (i), of part (g) of Policy GB7.

7.2.19 Nevertheless, in order to not be inappropriate development, the development must meet the following criteria.

ii) There is an evidenced unmet need for the type of development proposed

7.2.20 Footnote 41 of the NPPF (2026) states with regard to ii) that in the case of traveller sites means the relevant local planning authority cannot demonstrate a five-year supply of deliverable traveller sites.

7.2.21 As part of this application the Local Plans team confirmed that The Council’s Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. Further permissions have been granted since the need assessment, which include a net gain of 1 pitch at land south of Old House Lane and Keepers Cottages respectively and 4 pitches at land north of Toms Lane. Despite this, it is clear that there is an evidenced need for the type of development proposed (gypsy/traveller pitches) within the District.

iii) The development would be in a sustainable location, with particular reference to Policy TR3 of this Framework.

7.2.22 Footnote 42 of the NPPF also sets out that in the case of development involving the provision of traveller sites, particular reference should be made to Policy HO12. Policy HO12 sets out that:

Traveller sites should be located so that they:

1. a) Provide a settled base while recognising the extent to which lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate and

b) Enable access to frequently used services, such as education, welfare and heath services, including ensuring that children can attend school on a regular basis.

2. When considering proposals for traveller sites, including the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those local connections.

7.2.23 The application site is sited outside of any defined settlement boundary set out in the Core Strategy. However, paragraph 3.14 of the Core Strategy notes that development outside settlements is not necessarily precluded, proposals in such locations must be carefully justified given their lower accessibility and limited sustainability. Whereas Policy CP5 states that "be in or near existing settlements with access by foot and / or public transport to local services."

7.2.24 When taking into account Policy HO12, the site is located a short distance from services and facilities, including those in the closest settlements of Kings Langley and Bedmond including shops, pubs, bus services and schools. It is considered that the site would provide a settled base, which would contribute to the sustainability of the wider area. It is acknowledged that this policy states that it may also mean that locations not well-related to existing settlements may be appropriate. Whilst access to them would most likely be by car, these settlements would be within a 5 minute, 1.5 mile drive, which would enable access to frequency used services and therefore the application site would be situated within a sustainable location in context of this policy, which is solely for traveller sites.

7.2.25 With regards to the recent appeal decision at Land Adjoining Westwood End, Bucks Hill, Appeal Ref: 6004957, paragraph 29 states that:

"The site is located a short distance from services and facilities, including those in the closest settlements of Sarratt, Chipperfield and Kings Langley, such that access to them would most likely be by car. Even if the site would be located in an otherwise sustainable location in relation to the remainder of paragraphs 110 and 115 of the Framework and paragraph 13 of the PPTS, the lack of safe access would mean it is not a sustainable location as set out in paragraph 155c. of the Framework."

In the case of the above appeal decision, it was the lack of a safe access and not the location as the rationale given for not meeting the test. In this case, the access is considered a safe as set out below.

7.2.26 With further specific regard to Policy HO12 of the NPPF, given the above, it is considered that the application site is in a sustainable location for Gypsy and Traveller pitches – there

would be access to health services, schools and other basic services within the adjacent settlements. In light of the above, it is considered that given the specific merits of the site, the location of the site for use as a traveller site would be acceptable in the context of GB7(g)(iii).

iv) In the case of major development involving the provision of housing, the development proposed complies with policy GB8 (The Golden Rules).

7.2.27 Policy E of the PPTS (December 2024) states that the Golden Rules, Policy GB8 and footnote 43 of the National Planning Policy Framework, do not apply to traveller sites and is therefore not applicable in the assessment of this application in respect of Policy GB7 (g) (iv).

7.2.28 In conclusion, it is considered that the proposed change of use and associated development would satisfy the requirements of Policy GB7(g) and therefore is considered to be appropriate development within the Green Belt and no harm would automatically arise to the openness of the Green Belt as a result. The proposal would be in accordance with Policies CP1, CP5 and CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and Policy GB7 of the NPPF.

7.3 Impact on the Character and Appearance of the Streetscene and Landscape

7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy 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.

7.3.2 Policy DM7 of the Development Management Policies LDD states that the Council will require proposals to make a positive contribution to the surrounding Bedmond Plateau landscape and that proposals which result in unacceptable harm to the character of the landscape in terms of siting, scale, design or external appearance will be refused.

7.3.3 Policy AL3 of the Abbots Langley Neighbourhood Plan (March 2026) states that all new development should reflect the character of the Character Area in which they are located. Policy AL4 further states that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.

7.3.4 The application site is bound by vegetation and mature trees, which would maintain a verdant character to the site. The existing access and gate, proposed amenity buildings, stationed mobile homes, caravans and vehicles would be visible from certain vantage points. The land slopes towards the highway from the south, such that the application site is at a lower land level from the wider site with limited visibility from sites beyond, which consist of open fields. The application site is well screened along the front boundary by vegetation, which would be subject to a condition to ensure that details of the proposed boundary treatments and vegetation are retained, enhanced and maintained. As such, any views of the proposed development would be limited through the access or through the existing vegetation and mature trees.

7.3.5 The streetscene of Harthall Lane is varied in terms of architectural designs and styles of dwellings, including a commercial premises opposite the application site. As such, it is not considered that the proposed mobile homes, amenity buildings or associated hardstanding would result in harm in terms of the character or appearance of the streetscene or wider area. The proposed development would be well set back from the highway by a minimum of approximately 10.5m, with a buffer area of vegetation on land

outside the site, retained to the front boundary. The proposed development would not be considered as out of keeping with other development, given the variation in the streetscene, set back from the highway within the streetscene and locality where built form is set back from the road and includes soft landscaping and to the front boundary where possible. The proposed pitches and amenity buildings would be set back from the front boundary, which would be against the backdrop of dense tree lined front boundary. Furthermore, the proposed amenity buildings and mobile homes would be of simple form, single storey in nature and would be of a size that would be considered as reasonably necessary to serve the site.

7.3.6 The proposed development would be within the confines of the site, which apart for the access would be largely obscured from the streetscene of Harthall Lane. The impact of the proposed development on the rural character of the site would be limited, given its confines and immediate character of this particular part of Harthall Lane, with development opposite and to the immediate west. Therefore, given that the development is well screened from public vantage points, it is not considered that the proposed development would appear unduly prominent within the streetscene of Harthall Lane, nor result in harm to the character or appearance of the streetscene or wider area. Any approval would be subject to a condition requiring details of the proposed boundary treatments to be submitted for approval, implemented and maintained.

7.3.7 It is considered reasonable to attach conditions to ensure that the stationing of vehicles is reserved for the hardstanding only and would not be sited beyond its permitted extent nor should lighting be erected in these locations outside of the proposed site boundary. A condition would also be attached to any consent to required details of the proposed hard surfacing in terms of its materials and permeability including to remove permitted development rights for any means of enclosure to preserve the character of the application site.

7.3.8 In summary it is not considered that the proposed development would result in an adverse impact on the character or appearance streetscene or wider landscape area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM7 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policies AL3 and AL4 of the Abbots Langley Neighbourhood Plan (adopted March 2026).

7.4 Impact on Amenity of Neighbours

7.4.1 Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’.

7.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

7.4.3 Policy DM9 of the Development Management Policies LLD states that the Council will refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions by reason of disturbance, noise, light, smell, femes etc… unless mitigation measures can be put in place.

7.4.4 The proposed mobile homes and ancillary buildings would be set back a minimum of 15m from the highway and would not be readily visible from any neighbouring dwellings, given the existing boundary trees and soft landscaping. In addition, only limited views would be available, the boundaries defined by a dense row of vegetation including mature trees, which would provide screening. Notwithstanding this, the application site is well contained

and would be sited a minimum of 30m from the opposite residential property. Furthermore, in this case only 2 pitches are proposed, contained within a limited part of the site, which would also be subject to a condition on any approval, that no commercial use to be permitted. Thus, given the location of the proposed built form it is not considered to result in harm by virtue of a loss of light or overbearing impact.

7.4.5 In summary, the proposed development would not result in any adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.5 Highways, Parking and Access

7.5.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

7.5.2 Policy TR6 of the NPPF states that development proposals should be refused if they would a severe adverse impact on the transport network or an unacceptable impact on highway safety.

7.5.3 Policy CP5 of the DMP LDD sets out that when considering planning applications for sites for Gypsies and Travellers, the provision of safe and convenient vehicular and pedestrian access to the site and adequate on-site facilities for parking will be considered.

7.5.4 In terms of parking, there are no specific parking standards for traveller sites; however, the submitted layout of the site shows that there would be four parking spaces. This is considered to be sufficient and the proposal is considered to be acceptable in this regard.

7.5.5 In terms of highways safety, Hertfordshire Highways confirmed that the visibility splay for 30mph speed is achievable in each direction and given bend in the road it is considered speeds would not exceed this. The site would utilise the existing access. There would be enough space for larger vehicles including emergency vehicles to turn around within the site. An acceptable visibility splay currently exists and there are no changes proposed to the existing access.

7.6 Impact on Trees

7.6.1 Policy CP12 of the Core Strategy expects development proposals to ‘have regard to the character, amenities and quality of an area’, to ‘conserve and enhance natural and heritage assets’ and to ‘ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.

7.6.2 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.

7.6.3 There are a number of mature trees within and adjacent to the application site, whilst not protected, which contribute to the visual amenity of the streetscene and area. The Landscape Officer was consulted during the application and advised that a tree protection plan and method statement would be required as condition of any development, prior to construction beginning on site.

7.6.4 A proposed site layout plan has been submitted with the application, which shows that the existing on site trees would be retained. The submitted plans also show the provision of further hedgerows, which would be subject to a condition and therefore would be acceptable in this regard.

7.6.5 The proposed development would not require the removal of any trees nor is considered to result in any harm to others. However, to ensure the protection of trees on and adjacent to the site, any application approval would be subject to a tree protection and method statement condition along with a soft landscaping condition.

7.7 Biodiversity and BNG

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

7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.7.3 A Preliminary Ecological Appraisal and Biodiversity Net Gain Report (Denny Ecology May 2026) was submitted with the application and has been reviewed by Hertfordshire Ecology. It states that a badger method statement including avoiding impacts to reptiles and dormice should be required, which would be by the way of a construction Ecological Management Plan, which would be recommended as a condition. Further, no exterior lighting is recommended, unless it complies with guidance, which would be subject to a condition on any approval. A biodiversity enhancement and habitat management plan is also recommended, which would be subject to a condition. Furthermore, there would be opportunities exist for the provision of ecological enhancements including bat and bird boxes, log piles for invertebrates and reptiles.

7.7.4 Herts Ecology have reviewed the application and advised the application is acceptable, subject to conditions. This would be with regard to ensure protected species such as bats, badgers are safeguarded based on the mitigation set out in the submitted Preliminary Ecological Appraisal and Biodiversity Net Gain Report by Denny Ecology dated May 2026.

7.7.5 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% biodiversity value. This is subject to exemptions as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.7.6 In this case the biodiversity net gain condition is considered to apply. A BNG Assessment has accompanied the application, which has been reviewed by Hertfordshire Ecology. The proposed development would not be able to meet a 10% biodiversity net gain on site and off-site purchases of 0.37 and 0.16 units for area and habitat respectively would be required. Full detail would be required as part of the mandatory BNG condition.

7.7.7 As set out above, the Biodiversity Gain Hierarchy requires adverse effects to be compensated by prioritising enhancing existing habitats including creating new habitats, subject to approval of a Biodiversity Gain Plan demonstrating delivery in accordance with the proposed biodiversity enhancements. The LPA will be required to consider the Biodiversity Gain Plan condition before any works take place. Owing to the nature of the site and proposal, it is considered that securing the biodiversity net gain through conditions is the most appropriate means in this instance and therefore acceptable.

7.7.8 These planning conditions will ensure that the Biodiversity Gain Plan is prepared in accordance with the Biodiversity Net Gain Assessment and the submission of a Habitat Management and Monitoring Plan (HMMP). The development is considered acceptable in that the 10% biodiversity net gain would be secured off site. Consequently, no objections are raised in this regard. Further conditions would also be considered appropriate to mitigate the impact of lighting on bats and a Construction Environmental Management Plan to ensure ecology is protected on the adjacent sites, both of which would be subject to a condition.

7.7.9 In summary, subject to conditions, it is considered that the proposed development would secure a significant biodiversity net gain and is therefore acceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

7.8 . Refuse and Recycling

7.8.1 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

7.8.2 It is considered from the submitted site layout plan that there would be sufficient space within the site for bin storage and as indicated on the site layout plan PBA02, which could be brought to the front of the site on collection day or accessed from within the front area of the site. This is considered acceptable arrangements for refuse/recycling on collection days and the bin store would be subject to a condition. As such, there would be adequate provision for the storage and collection of refuse and re-cycling, in accordance with the requirements of Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

7.9 . Drainage and Waste Water

7.9.1 The application site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to an Affinity Water Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd (AW).

7.9.2 A condition would require the submission and approval of a Waste Water Scheme and confirmation from Thames Water demonstrating connection to the existing sewer network. As such, subject to the recommended condition, the proposal is considered to be acceptable in this regard.

7.10 Other material considerations:

7.10.1 It is important to consider whether there are any other material planning considerations as part of the application assessment.

The general need for and supply of Gypsy sites in Three Rivers

7.10.2 The PPTS allows local authorities to make their own assessment of need for provision for Gypsies, Travellers and Travelling Showpeople within their relevant district. The assessments should be updated annually and identify a supply of specific deliverable sites to provide 5 years worth of sites against their locally set targets and identify locations for growth, for years 6 to 10 and, where possible, for years 11-15.

7.10.3 The existing number of traveller sites includes 30 pitches across five permanent sites; The Oaklands in Bedmond (unrestricted up to 12 pitches), Rear of 59 Toms Lane in Kings Langley; Fir Trees, the Land at Langleybury and the Land South of Old House Lane (1 pitch). This is further outlined within the table below:

Current level of gypsy pitches in TRDC	Number of pitches granted	Number of pitches implemented	Status	Expiry date
The Oaklands, Bedmond	12	12	Permanent	N/A
Fir Trees, Sarratt	2	2	Permanent	N/A
Rear of 59 Toms Lane	9	21	Permanent	N/A
Langleybury Lane	17	17	Permanent	N/A
Land South of Old House Lane	1	1	Permanent	N/A
Land Adjacent 321B Uxbridge Road	1	0	Permanent	Expired
Land North of Toms Lane	4	0	Permanent	03.06.2029
Keepers Cottage	2	2	Permanent	N/A

7.10.4 In July 2025 the Council's Gypsy and Traveller Accommodation Assessment (GTAA) identified a total need of 41 pitches. The assessment calculated a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. Following the approval of the planning permission at Land South of Old House Lane, the total need identified within the GTAA is now 40. Further, recent permissions include 4 pitches Land North of Toms Lane. As such, it is clear that there is a demonstrable need for gypsy/traveller pitches within the District. Consequently, subject to the occupants meeting the definition of a gypsy/traveller, there is an identified need within the district. When applying PPTS (paragraph 27) the lack of an up-to-date 5 year supply of deliverable sites should be a significant material consideration, given the Council cannot demonstrate a 5 year supply, this would weigh in significantly in favour of the application.

Alternative Sites

7.10.5 The existing pitches with planning permission in the district are private sites and there are substantial waiting lists for pitches on public sites within Hertfordshire.

7.10.6 Policy CP5 of the Core Strategy endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. As such, it is likely that any development which comes forward in the Green Belt, which is highly likely given the make-up of the district, would fall foul of this policy. Given that the above assessment considers that the site is not Green Belt land, other sites in the District could potentially fall on Green Belt land which could have a greater harmful impact.

7.10.7 Policy HO12 further refers to taking into account the existing level of local provision and the need for additional traveller sites, of which there is in the District.

7.10.8 The lack of alternative sites and the fact that alternatives are likely to be in the Green Belt, given that 77% of Three Rivers District is within the Green Belt, are further considerations which weigh in favour of the application.

Needs of the applicant and their personal circumstances

7.10.9 Annex B of the NPPF states: Policy:

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'

7.10.10 No information has been submitted regarding the future occupiers of the site. As such, there are no personal circumstances to consider.

7.11 Planning Balance

7.11.1 Having regard to all matters raised above it is also necessary to ascertain whether any other harm, if found, is clearly outweighed by material considerations, to justify the grant of planning permission.

7.11.2 As highlighted above, the proposal constitutes appropriate development within the Green Belt. Furthermore, given the enclosed nature of the site and mixed character of the area, the proposed development would not be considered to result in any harm. Nevertheless, it is still considered important to review the other material considerations which weigh in favour of the application.

7.11.3 During the planning assessment it was found that various factors weigh in favour of the development. These include:

- meeting an identified need for gypsy and travellers meeting the definition (which has been confirmed) within the District,
- the lack of 5-year-supply of deliverable sites,
- current lack of alternative sites and the fact that other sites are also likely to fall within the Green Belt.
- Compliance with Policy CP5

7.11.4 To conclude, when considering the above factors, the development is considered acceptable.

7.11.5 It is not considered appropriate or reasonable to grant a temporary planning permission in this instance as the grant of a permanent planning permission is acceptable.

7.12 ***Engagement with Human Rights Act***

7.12.1 When considering an application for planning permission for gypsy pitches, the Council needs to consider whether Article 8(1) of the Human Rights Act 1998is engaged. Article 8(1) provides that everyone has the right to respect for his private and family life, his home and his correspondence. Case law has established that Article 8(1) is engaged in applications for planning permission for residential Gypsy caravan pitches irrespective of whether the applicants are occupying the site as their home at the time the application is made.

7.12.2 Article 8(2) allows interference by a public authority with the right to respect for private and family life where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedom of others.

7.12.3 Regard will also be required to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.

7.12.4 Case law has also established that the greater interference, the greater will be the need to justify the interference by reference to necessity and proportionality. The concept of proportionality can be equated to the balancing exercise which should be undertaken by all decision makers and in the case of applications for Gypsy sites, any action must be evenly balanced and fully considered in order to avoid the criticism that it is disproportionate relative to the harm caused.

7.12.5Notwithstanding, the recommendation is for approval, however, should an alternative recommendation be reached, the above must be considered in any planning balance.

8. **Recommendation**

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), PBA 02, PBA 03, PBA 04.

Reason: For the avoidance of doubt and in the proper interests of planning, the protection of the openness and rural character of the Metropolitan Green Belt and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP5, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM7, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the NPPF 2026.

C3 No development shall take place (including 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.

1. A review of any ecological impacts and should be informed by the submitted ecological report Preliminary Ecological Appraisal and Biodiversity Net Gain Report May 2026, Denny Ecology.
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

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

Reason: 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 biodiversity 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).

C4 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).

C5 No development works shall take place until a waste water scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details before the first occupation of the development hereby approved.

Reason: To provide confirmation that there will be no discharges to the environment to ensure the protection of the aquifer within the source protection zone for public drinking water in accordance with Policy DM8 of the Development Management Policies document (adopted July 2013).

C6 The application site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such .

Reason: To safeguard the provision of gypsy/traveller pitches in accordance with the identified need in accordance with the Gypsy and Traveller Accommodation Assessment (July 2025) and Policy CP2 and CP5 of the Core Strategy 2011.

C7 No more than 4 caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended, (of which no more than 2 shall be a static caravan) shall be stationed on the site at any time.

Reason: To protect the character and appearance of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011).

C8 The two amenity buildings hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, or ancillary to, the use of the land hereby permitted located on the site and it shall not be used as an independent dwelling or for commercial use 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).

C9 No commercial activities shall take place on the land, including external storage of any kind (unless associated with the construction of the permitted day rooms).

Reason: To protect the character and appearance of the area in accordance with Policies CP1, CP5 and Cp12 of the Core Strategy (adopted October 2011).

C10 The Biodiversity Gain Plan and Habitat Management and Monitoring Plan shall be prepared in accordance with the Preliminary Ecological Appraisal and Biodiversity Net Gain Report by Denny Ecology dated May 2026.

Reason: This is to ensure that the biodiversity and ecological information submitted with the planning application is realised through the Biodiversity Gain Plan, in the interests of local biodiversity and to ensure biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C11 The use of the land as traveller pitches shall not be commenced until the permeable hard surfacing is laid out in accordance with the approved plans prior to the first occupation of any part of the development hereby permitted.

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C12 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C13 The development shall be carried out in accordance with the biodiversity mitigation measures in the Preliminary Ecological Appraisal and Biodiversity Net Gain Report May 2026, Denny Ecology. All the measures shall be implemented in full and all the measures and features shall thereafter be permanently retained.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C14 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the application site (as enclosed in red on drawing number TRDC 001 (Location Plan).

Reason: To protect the character and appearance of the area in accordance with Policies CP1, CP5 and CP12 of the Core Strategy (adopted October 2011).

C15 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C16 The development hereby permitted shall not be first occupied until the bin store and metal storage containers have been implemented in accordance with Drawing No. PBA02 and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C17 Prior to the installation of any lighting on the site, full details and specification of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall therefore after be implemented in accordance with the approved details.

Reason: To safeguard wildlife and ecology in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C18 When the premises cease to be occupied, the use hereby permitted shall cease and all caravans, buildings and structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of the case which constitute very special circumstances in accordance with Policies CP5 and CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

8.1 Informatives

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

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

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

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

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

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

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

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development

Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

I4 The 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.

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PLANNING COMMITTEE – Thursday 22nd October 2023

26/0909/FUL – Construction of single storey side extension at 62 Station Road, Kings Langley, Hertfordshire, WD4 8LB

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 21.08.26
Extension of Time: None agreed

Ward: Gade Valley
Case Officer: Clara Loveland

Development Type: Householder development

Recommendation: That planning permission be granted, subject to conditions.

Reason for consideration by the Committee: Called in by three Members of the Planning Committee unless officers are minded to refuse, due to concerns about over-development of the site and access.

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=TG1X8VQFLB800

1 Relevant planning history

1.1 26/0118/FUL - Demolition of existing shed, storages and garage; construction of two-storey side extension and single-storey rear extension; loft conversion including rear dormer; construction of replacement garage; solar panels and heat pump. **Refused** by the Planning Committee for the following reason(s):

The proposed development, by reason of the shortfall in car parking spaces and shortfall in outdoor amenity space, would result in a cramped overdevelopment of the site, which would be harmful to the character and appearance of the area. The proposal would be contrary to Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM13 and Appendix 2 and 5 of the Development Management Policies (adopted July 2013) and Policy AL4 Design of Development of the Abbots Langley Neighbourhood Plan.

1.2 26/0069/CLPD - Certificate of Lawfulness Proposed Development: Change of use of residential dwelling (Use Class C3) to a small House of Multiple Occupation (Use Class C4) for a maximum of 6 occupants. **Approved**.

1.3 25/1960/CLPD - Certificate of Lawfulness Proposed Development: Loft conversion including rear dormer; single-storey rear extension; demolition of existing garage and construction of replacement garage; solar panels and heat pump. **Approved**.

1.4 25/1961/FUL Demolition of existing shed and storages; construction of two-storey side extension, single-storey rear extension, replacement of detached garage, addition of front solar panels and rear air source heat pump. **Withdrawn**.

1.5 25/1355/FUL - Change of use from a dwellinghouse (Use Class C3) to a 9-bedroom HMO (Sui generis); Demolition of existing shed and construction of single-storey rear extension and two-storey side extension, loft conversion including rear dormer and front rooflight, with associated bin store and bike parking. **Withdrawn**.

2 Site description

2.1 The application site contains a semi-detached dwelling located on Station Road, Kings Langley. The dwelling has a grey tiled pitched roof form, and a white painted pebbledash render exterior.

2.2 To the front of the dwelling (currently enclosed by hoarding), there is a mixture of hard and soft landscaping. The dwelling contains a rear vehicle access, off Egg Farm Lane. The neighbouring properties are semi-detached dwellings of similar scale.

2.3 It is understood that the building is currently unoccupied and that some works have been undertaken at the site, including roof tiles replacements, installation of solar panels to front roofslope, construction of rear dormer window, single storey rear extension, detached garage, and installation of replacement windows. These works are subject to permitted development as confirmed by lawful development certificate 25/1960/CLPD.

3 Description of proposed development

3.1 This application seeks planning permission for the construction of a single storey side extension.

3.2 The proposed side extension, labelled as a 'garage' on proposed floor plan 002-GA, would have a width of 3.4m, flush with the southern boundary line towards Egg Farm Lane. It would have a depth of 6m. It would be set back from the front wall by 0.5m and the extended rear wall by 5m. It would have a mono-pitched roof with a ridge height of 3.8m, falling to an eaves height of 2.4m.

3.3 The extension would be finished in materials to match the existing building, with a garage door added into the extension's front elevation.

3.4 The site would have 1 off-street parking space (within the existing detached rear garage).

4 Consultee responses

4.1 Abbots Langley Parish Council – Objection.

Members have concerns regarding the adequacy of the proposed off-road parking provision in relation to the size of the proposed six-bedroom dwelling and request that the Planning Officer gives consideration to whether sufficient parking is provided to avoid any impact on highway safety or neighbouring amenity.

Members are also concerned about the potential loss of the mature hedgerow on the site, which may contribute to local biodiversity, landscape character and visual amenity. Members request that the Planning Officer considers whether appropriate measures, such as retention of the hedge where possible and/or suitable landscaping and biodiversity enhancement conditions, should be secured as part of any permission granted.

4.2 National Grid – No response received.

4.3 Hertfordshire Highways – Not consulted during this application given that the access is not proposed to be altered in this application.

5 Neighbour consultation

5.1 **Site notice:** Not required.

5.2 **Press notice:** Not required.

5.2.1 No. consulted: 5.

5.2.2 No. of responses: 6 objections.

5.2.3 Summary of responses (material planning considerations only):

- Overdevelopment
- Highway safety concerns with poor visibility due to highway hedge
- Application intended to enlarge the property for HMO use, increasing occupation and associated impact on the surrounding area.
- Driveway will be required to serve the garage to the side.

- Damage to local wildlife.
- No parking.
- All considerations of the refused application remain.
- Side extension would be prominent and create an unbalanced pair of houses.
- Reduce visibility on corner, highway safety.
- Reduced amount of outdoor amenity space.

5.2.4 **Officer comment:** Only material planning considerations set out within comments have been listed above. This application does not seek to change the use to a House of Multiple Occupation. This application is assessed as extensions to the dwelling and falls within the scope of a householder planning application.

6 Legislation and Relevant Local and National Planning Polices

6.1 Legislation

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

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

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

6.1.4 The Environment Act 2021.

6.2 National Planning Policy Framework and National Planning Practice Guidance

6.2.1 In August 2026 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The NPPF is clear that “the national decision-making policies in this Framework are a material consideration in making these decisions and should be read alongside the policies in the development plan”. The NPPF retains a presumption in favour of sustainable development

6.3 Three Rivers Local Development Plan

6.3.1 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.

6.3.2 The Development Management Policies Local Development Document (LDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM6, DM9, DM13, Appendix 2, and Appendix 5.

6.3.3 Abbots Langley Neighbourhood Plan 2025-2041 (March 2026 version). Relevant Policy includes Policy AL4.

6.4 Other

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

6.4.2 On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan.

7 Analysis

7.1 Overview

7.1.1 This planning application follows several approved, refused and withdrawn applications. It is important to consider that a lawful development certificate for the loft conversion (including rear dormer window), single-storey rear extension, construction of replacement garage, installation of solar panels and heat pump has been permitted under LPA reference 25/1960/CLPD. From Officer site visits, it is evident that some works have been undertaken at the site including the works to the roof (installation of solar panels and rear dormer window), the construction of the rear extension, detached garage, and installation of replacement windows. These works are subject to permitted development as confirmed by lawful development certificate 25/1960/CLPD. This current application seeks only the addition of a single-storey side extension which therefore forms the assessment of this application.

7.1.2 When considering the use of the building, it is important to note that the existing building could lawfully be occupied as a small House of Multiple Occupation (Use Class C4) for a maximum of 6 occupants. This has been confirmed via certificate of lawfulness application reference 26/0029/CLPD. Furthermore, it would be possible to extend the dwelling under national permitted development rights and change its use to an HMO for a maximum of 6 occupants, without requiring express planning permission. The submitted plans show the building to contain six bedrooms, which would align with the lawful development certificate. This current planning application does not seek permission for the use (which has been confirmed as lawful, as it complies with national permitted development rights) and is only concerned with the proposed side extension to the existing building.

7.1.3 The previous planning application (reference: 26/0118/FUL) sought planning permission for, amongst other developments (primarily subject of the lawful development certificate and now implemented) the construction of a two-storey side extension. It was refused by the Planning Committee in April 2026. The refusal reasons referred to a shortfall in parking and outdoor amenity space in addition to overdevelopment of the site. The key difference between the previously refused application and this one is the extension is now single storey instead of two storey, and there has been reduction in the depth of the extension (it previous extended the full depth of the house up to the rear of the single storey rear extension, but now is contained between the original front and rear walls).

7.2 <u>Impact on the character and appearance of the street scene and locality</u>

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should ‘have regard to the local context and conserve or enhance the character, amenities and quality of an area’ and ‘conserve and enhance natural and heritage assets’.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.2.3 As set out in Appendix 2, single-storey side extension’s proximity to the flank boundary will be individually assessed.

7.2.4 Policy AL4 of the Abbots Langley Neighbourhood Plan advises that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings.

7.2.5 The proposed development would involve the erection of a single-storey side extension, which would be visible from the wider streets of Station Road, Egg Farm Lane and parts of Roman Gardens. The single-storey element would be located up to the flank boundary line. Despite this, it would be set back from the front and rear elevations. It would also have an appropriate roof form and remain low-profile overall. Some of the impact of the side extension would also be mitigated by the added separation and boundary hedging, which is located along Egg Farm Lane, falling outside of the application site, providing a further 2m (approx.) width between the boundary line and the edge of Egg Farm Lane. It is also noted that the wider street is characterised by different types of development, including varying house types of different scales, styles and designs. Many of the

nearby dwellings have also been extended and altered. When considering these circumstances, the scale and position of the side extension, it would be appropriate and could be facilitated within the plot, without resulting in overdevelopment or a cramped appearance.

7.2.6 In terms of design, the side extension would have a mono-pitched roof which would be noticeable; however, given its limited width, depth and setback positioning, it would hold an overall low profile. It would also be of a design that would be broadly in keeping with the wider area, which is highly varied. The development would also be finished in materials to match the existing dwelling, which would help to reduce its overall prominence and appearance. Due to this, and for the reasons set out, the proposed side extension would not unacceptably erode the character of the dwelling or wider area. It would also not overwhelm the host dwelling and would not be out of character or unduly prominent when viewed in the context of the host dwelling or wider street.

7.2.7 It is recognised that objection comments received raised concerns that the side extension may be used as living accommodation to further increase the number of bedrooms and occupants at the dwelling. It is important to note that lawfully, the building has been extended via permitted development and can be used as an HMO for up to 6 occupants under national permitted development rights. Anything more than this, would require express planning permission for a material change of use. The current application does not seek express planning permission for a change of use It is also important to note that the submitted existing and proposed floor plans show that the property contains six bedrooms. The current application does not seek to change the use, nor to provide any addition bedrooms. Any further bedrooms and/or occupants (above 6) would require express planning permission.

7.2.8 In summary, the proposed development would not result in harm to the character and appearance of the existing dwelling and wider street scene. The development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD and Policy AL4 Design of Development of the Abbots Langley Neighbourhood Plan.

7.3 Impact on Neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.3.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.3.3 When considering the impact of the extension on the adjoining neighbour No.64, due to the positioning of the proposed side extension, which would be screened by the existing dwelling, it would not amount to any harm by way of intrusion, loss of light, nor would it be overbearing on the adjoining neighbour, no.64.

7.3.4 When considering the impact on rear neighbour No.62A, it is considered that the development would be appropriately contained and sufficiently separated from this neighbour, also noting that they are orientated at an angle to the host dwelling, and as such would not arise in adverse harm.

7.3.5 When considering the impact of the proposed development on No.58, it would not amount to any harm by way of intrusion, loss of light, nor would it be overbearing on the adjacent neighbour due to the highway separation of Egg Farm Lane, along with the positioning of this dwelling relative to the proposed development.

7.3.6 With regard to privacy, the side extension would have a door to the front and rear. These are not considered to arise in any harmful loss of privacy or overlooking to any neighbour. In summary, the proposed development is not considered to result in adverse impact upon any neighbouring property and would accord with Policy C12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies document (adopted July 2013).

7.4 Highways and parking provision

7.4.1 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. The pre-existing three-bedroom house should, in accordance with the Appendix 5 parking standards, have 2.25 parking spaces (2 assigned). As noted above, due to the lack of a dropped kerb the existing property has one parking space to the rear, and therefore a shortfall of one space. The submitted plans indicate that the existing dwelling (including the lawful extensions and lawful use as an HMO for up to six occupants) has 6 bedrooms, which would require 3 assigned parking spaces as set out in Appendix 2. The proposed plans indicate that the number of bedrooms would remain the same, thus the requirement for parking would not alter.

7.4.2 It is important to note that this application does not seek to alter the existing access arrangements, nor does it seek to introduce a dropped kerb or parking spaces to the front, accessible from Station Road. The access arrangements of this application are proposed to remain as existing, being from Egg Farm Lane, towards the rear of the site. This would afford 1 off road parking space within the replacement garage. It is recognised that the proposed side extension is labelled as a 'garage' on the submitted floor plans. However, this could not lawfully be accessed by car from Station Road.

7.4.3 Resultantly, the proposal would rely on 1 off-street parking space to the rear (within the garage). The car parking shortfall as a result of this application would be the same as the existing shortfall. The application site falls within a controlled parking zone which would prevent ad-hoc on-street parking during the hours of operation. Added to this, the site is within a sustainable location offering alternative transport modes including buses and trains.

7.4.4 A Highway Officer was also consulted during the previous application (26/0118/FUL) and did not raise an objection in relation to the highway access, from Egg Farm Lane, which does not differ to the access arrangements proposed in this application.

7.4.5 When considering these reasons combined, the shortfall is not considered to result in such demonstrable harm that it would justify refusal, primarily because the shortfall is existing and results from the exercise of national permitted development rights.

7.5 Biodiversity Net Gain

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

7.5.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

7.6 Wildlife considerations

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 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6

of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.7 Amenity

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

7.7.2 The indicative amenity space for a 6-bedroom dwelling in Appendix 2 is 147 sqm. The submitted site area plans indicate that there would be an amenity space of some 118.76 sqm across the front, side and rear gardens, following implementation of the development. Whilst this is noted, it is considered that the likely usable amenity space would be more akin to some 50 sqm and confined to the rear garden and side area rather than the frontage or access the access into the existing garage. This would be a shortfall in amenity space and would not comply with the guidance. It is noted that as existing, the site does not meet the standard noted above and there is an existing shortfall of some 42sqm (85sqm available out of 147sqm guided for a 6 bedroom dwelling). Whilst this is not favoured, the shortfall would increase by some 20sqm to the side (likely a less useable space). It is important to consider the site context where the area contains properties within small gardens, and this is part of the character of the wider street. There is also an availability of other publicly accessible outdoor spaces such as Primrose Hill playing field (0.5 miles). The application site is also located within a sustainable location where there are alternative transport modes, including buses and trains, which could facilitate access to alternative amenity spaces. Furthermore, it is acknowledged that most of the footprint of the existing dwelling has already been found to be lawful.

7.7.3 The side extension, subject of this application, does not benefit from a lawful development certificate, and it is acknowledged that should this element not be built, there would be more garden space available between the side wall of the house and the side boundary. However, on balance and given that some outdoor space would be provided, the proximity to other outdoor spaces, and having regard to the existing shortfall, the additional shortfall in amenity space would not be justification for refusal of this application. Notwithstanding this, to secure the remaining amenity space available, it would be reasonable and necessary to remove “permitted development rights” for the construction of any further outbuildings under Schedule 2, Part 1, Class E of the GDPO.

7.8 Trees and landscape

7.8.1 No protected trees would be affected as a result of the proposed development.

7.8.2 It is also important to note that the hedging located between the site boundary and the highway. This hedging is not within the ownership of the applicant, is not proposed to be removed nor can it be conditioned to be retained.

8 Recommendation

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

C1 **Time**: 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 **Plans**: The development hereby permitted shall be carried out in accordance with the following approved plans: 000-EP REV B; 001-SK REV C; 002-GA REV D; 020A-EE REV C; 020B-EE REV B; 020C-EE REV C; 020G-EE REV C; 999-LP (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) and Policies DM1, DM6 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013) and policy AL4 Design of Development of the Abbots Langley neighbourhood plan.

C3 **Materials**: 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 **Permitted Development:** Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class E - provision of any building or enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site, to prevent further loss of amenity space and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

8.2 Informatives

I1 **Standard Advice:** With regard to implementing this permission, the applicant is advised as follows:

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

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

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

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

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

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

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

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

I2 **Construction Hours:** The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 **Approval:** The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.

I4 **BNG:** The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:
a) a Biodiversity Gain Plan has been submitted to the planning authority, and
b) the planning authority has approved the plan.

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

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.

26/0909/FUL 62 Station Road – Committee Photos






Station Rd
Station Rd
Station Rd
Roman Gardens
Egg Farm Ln
Egg Farm Ln
76
72
12
68
66
64
73
58
56
54
Proper Hire Recruitment

PLANNING COMMITTEE – Thursday 22 October 2026

26/1102/FUL - Construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate at THE EBURY ROOMS, EBURY ROAD, RICKMANSWORTH, HERTFORDSHIRE, WD3 1BL

Parish: Batchworth Community Council
Expiry of Statutory Period: 07.09.2026
Extension of time agreed to 23.10.2026

Ward: Rickmansworth Town
Case Officer: Lilly Varnham

Recommendation: That PLANNING PERMISSION BE APPROVED, subject to conditions.

Reason for consideration by the Committee: The application has been called in by Batchworth Community Council for the reasons set out at 4.1.2.1.

To view all documents forming part of this application please go to the following website: 26/1102/FUL | Construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate | The Ebury Rooms Ebury Road Rickmansworth Hertfordshire WD3 1BL

1 Relevant Planning and Enforcement History

1.1 8/445/76 - Pre-school playgroup for 24 children - 17.08.1976 – Permitted

1.2 8/192/79 - Erection of Office block - 22.05.1979 – Refused

1.3 8/515/81 - Use of buildings for public worship and religious instructions - 17.09.1981 – Permitted

1.4 8/181/82 - Demolition of part of existing building, alterations and conversion of remainder to office use - 25.05.1982 – Permitted

1.5 8/592/82 - Demolition of part of existing building, alterations, and conversion of remainder to office use in non-compliance with condition 2 of planning permission No.8/181/82LB - 09.12.1982 – Permitted

1.6 8/966/89 - Amalgamation of two office suites varying condition No 2 - 8/592/89 - 21.12.1989

1.7 24/1854/PDM - Prior Approval: Conversion of existing building from commercial (Class E) into four residential units (Class C3) – 19.05.2025 – Permitted. Not Implemented.

1.8 26/0181/FUL- Removal of Conditions 4 (Parking Spaces) and 5(Use Classes) of planning permission reference 8/592/82 – Permitted 12.05.2026.

2 Description of Application Site

2.1 The application site is located at the junction between Ebury Road and Bury Lane in Rickmansworth. The site contains a two-storey office building, known as the Ebury Rooms, and an associated car parking area.

2.2 The principal historic part of the building faces Bury Lane and appears to have been extended at the rear which is visible from Ebury Road. The building has an exterior finish consisting of light render and facing brick. The building contains a 1920 date emblem on the elevation facing Bury Lane. The established use of the building is offices.

2.3 The application site is within the Rickmansworth Conservation Area.

3 Description of Proposed Development

3.1 This application seeks full planning permission for the construction of entry porch; alterations to fenestration; construction of a new boundary wall and gate, a bin store and a buggy storage area.

3.2 On the northern elevation of the building facing the Ebury Road, the existing roof overhang would be enclosed by a wall / new entrance door creating an entrance porch. On the front elevation an existing window would be replaced by a door which would overlook the existing parking area.

3.3 A new boundary wall and railings are proposed to a height of 1.6m along the Ebury Road frontage which would enclose the existing parking area. Behind the wall/railing a hedge is proposed, the hedge would not exceed the height of the proposed railings. A gate is proposed within the boundary providing access to the main entrance of the premises. A ramp to this entrance as well as a ramp to the pre-existing parking area, also served by a gate is proposed.

3.4 A bin store / buggy area is proposed within the newly enclosed frontage of the site. The bin store has a depth of approximately 1m and a width of approximately 3.5m. It would have a flat roof sitting at a total height of approximately 1.2m. the buggy store has a depth of approximately 1.5m, a width of approximately 4.25m and a height of approximately 2.2m. both structures would be constructed with timber. The buggy storey would have a dual pitched roof with two doors in the front elevation and flank fenestrations.

3.5 A 1m high picket fence would subdivide and enclose an area of approximately 46sqm within the pre-existing parking area.

3.6 It is understood that the premises is undergoing an internal conversion to operation for a day nursery following the grant of 26/0181/FUL. The change of use falls within a permitted change of use under the Town and Country Planning General Permitted Development Order 2015 (as amended) and therefore the proposed use is not considered under this application. The consideration of this application relates solely to the operational development described above.

3.7 Amended plans were requested during the course of the application to set the boundary treatment back from the public footway. Amendments were received during the course of the application, reducing the height of the boundary wall and railings from 1.8m to 1.6m with a 1.8m high hedge proposed to the rear of the wall/railings. The boundary treatment remains set up to the public footway. Further details in relation to the proposed bin and buggy storey were also provided during the course of the application. A Flood Risk Assessment was requested and received during the course of the application as the application site is partially located within Flood Zone 2.

3.8 Further amendments were received during the course of the application to indicate the location of the sites existing vehicular access from Ebury Road and clarify the height of the proposed hedging on the boundary.

4 Consultation

4.1 Statutory Consultation

4.1.1 National Grid – [No response received]

4.1.2 Batchworth Community Council – Made the following comment dated 03.08.2026

BCC strongly object to the application for the following reasons:

- Due to its situation in the conservation area, we suggest the following boundary treatment should be sustainable and green for example laurel or red robin hedging in keeping with the surrounding area. This will ensure greater security and privacy for the safeguarding of the children.

- BCC has great concerns regarding the lack of drop of and pick up points on a narrow residential road.

4.1.2.1 Batchworth Community Council – Following further consideration of the scheme, Batchworth Community Council made the following further comment dated 10.08.2026

Due to the site's location within the Conservation Area, we suggest that the proposed boundary treatment should be sustainable and green, for example, through the use of laurel or Red Robin hedging, in keeping with the surrounding area. This would also provide greater security and privacy, which is particularly important for safeguarding the children.

BCC has significant concerns regarding the lack of dedicated drop-off and pick-up points, particularly given the narrow nature of the residential road.

Having considered the comments received from residents, alongside our own strong objections, BCC would like to request that this application is called in to Committee, unless officers are minded to recommend refusal.

4.1.3 Hertfordshire County Council as Highway Authority – [Made the following comment, dated 16 July 2026]:

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:

COND1): Existing Access – Closure

Prior to the first use of the development hereby permitted the vehicular access to, and egress from, the adjoining public highway shall be limited to the accesses shown on drawing number 003 ('Proposed Site Plan') only. Any other accesses or egresses shall be permanently closed, and the footway / kerb shall be reinstated.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

COND2): Cycle Parking

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

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

Informatives

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

AN1) Closure of vehicle crossover access (section 184): Where works are required within the public highway to facilitate the closure of a vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

Comments

Introduction & Context

This application concerns the construction of an entrance porch, alterations to windows and the construction of a boundary wall and gate within a historical parking area. This application follows 26/0181/FUL and is relevant in that it removes the need for the parking area just described and allows for the use of class E(f) subject to time constraints.

The site is located on Ebury Road, an unclassified local access road considered highway maintainable at public expense and subject to a 30mph speed limit. On Hertfordshire

County Council's Place and Movement network, Ebury Road is categorised as P2/M1 (e.g. Residential Street). No Public Rights of Way (according to HCC's PRoW map) or road traffic collisions (5-year rolling) have been recorded in the immediate vicinity of the site.

Access

The historical parking area has a vehicle crossover and dropped kerb comprising of 5no. flat kerbs and 2no. transition kerbs. This allows vehicles to crossover the public footway on Ebury Road to access the parking area. As confirmed by 26/0181/FUL and within the Planning and Heritage Statement (PHS) (see subtitle 'Parking') this area is now allowed to function as a garden area associated with the nursery. A 1.8m high brick wall and metal fence shall be constructed to delineate the property boundary; a 1m high picket fence will also be constructed in order to divide the area into garden and hardstanding.

The brick wall and metal fence will prevent vehicles from utilising the vehicle crossover abutting the site. It is therefore our recommendation that a condition is imposed on the planning permission to ensure the emerging redundant dropped kerb and vehicle crossover is closed off, the crossover removed and the kerbs raised in order to prevent unnecessary conflict on the highway network between pedestrians and vehicles. This is in line with Hertfordshire County Council's Place and Movement Planning & Design Guide Part 3, Chapter 9, Section 3.3 which states:

"In general, the number of crossovers should be kept to a minimum to reduce conflict with and discomfort for footway [and cycle track users]".

The removal of the need for this crossover, by virtue of the car park ceasing to be accessible, would necessitate its removal due to its redundancy. We also note that the same condition was recommended by the HA in its response to 26/0181/FUL. It was deemed that that application was only acceptable provided this condition was imposed. It was not a condition added by the Local Planning Authority at that time but we reiterate its importance.

Trip generation

The proposals shall not alter the number of trips to and from the site.

Parking

No alterations to the level of parking is proposed since those made under application 26/0181/FUL.

We are also recommending the inclusion of a cycle parking condition as the HA deems it possible within the confines of the site. This would be in line with HCC's Local Transport Policy 4 (LTP4) Policies 1, 5 & 8 and would promote an attractive alternative to a motor vehicle in line with National Planning Policy Framework paragraph 109(e) -

Surface water flood risk to the highway

Provision should be made to ensure that surface water does not flow and/or is not discharged onto land considered highway maintainable at public expense. Considering the scale of the proposals and the existing vehicle crossover shall be raised, the Highway Authority has not identified an increase in the risk of a surface water flood occurring at this location. Adequate on-site drainage should of course be pursued.

Access for emergency vehicles

Existing access for emergency vehicles and refuse collection vehicles will remain unchanged by this development.

Conclusion

HCC as Highway Authority has considered the proposal and concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of the above conditions and highway informative / advisory notes.

4.1.4 Environment Agency - [Made the following comment, 04 August 2026]:

Based on a review of the submitted information, **we have no objection** to the proposed development.

Please include the below informative for any permission granted.

Informative - Environmental permit – Flood risk activities - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to Local Planning Authority

Flood risk standing advice

The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding.

We have produced a series of standard comments for LPAs and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposed development falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at Flood risk assessments: applying for planning permission - GOV.UK

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

Flood mitigation

The developer may wish to include measures to mitigate the impact of more extreme future flood events. Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at Adapting your home or business to the risk of flooding - GOV.UK.

Advice to applicant

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit Sign up for flood warnings - GOV.UK. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit Prepare for flooding: Protect yourself from future flooding - GOV.UK

To get help during a flood, visit What to do before or during a flood - GOV.UK

For advice on what do after a flood, visit What to do after a flood - GOV.UK

Pre-Application Advice

Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at: Planning and marine licence advice: standard terms for our charges - GOV.UK

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

4.1.5 Conservation Officer – [Made the following comment, dated 21 August 2026]:

The Ebury Rooms Ebury Road, in Rickmansworth Conservation Area which has a Conservation Area Appraisal (CAA) adopted in 1993. The corner of Bury Lane and Ebury Road is home to several less historic and larger buildings. The Ebury Rooms is a modern building in the town centre with an existing dwarf wall as a boundary treatment along Ebury Road. The boundary treatments in the area are generally quite low and open and so in this regard, although the Ebury Rooms and boundary wall are neutral in the context of the Conservation Area, the openness of the boundary makes a low-level positive contribution to the character of the Conservation Area. Tall boundary treatments including railings do not form part of the prevailing character and a new boundary treatment has the potential to impact this character.

There has been a recent approval for use of the Site as a children's nursery. The proposal includes a dwarf wall along the boundary with brick piers and railings to a height of 1.8m along the full Ebury Road frontage. The proposals also include the enclosure of an existing roof overhang to create an entrance porch and the conversion of an existing window within the west elevation into a door.

There are no heritage concerns in relation to the new porch and openings.

A boundary treatment of this height and length directly on the street-facing boundary would detract from the existing openness and would have an overbearing and harmful impact on the character of the Conservation Area. Regarding Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal does not preserve the character or appearance of the Conservation Area. Regarding NPPF policy HE9: 'Conservation Areas' the proposal would not conserve the open boundary which makes a positive contribution to the character and appearance of the conservation area.

It is recommended that the proposed wall and railings are set back from the street frontage to allow sufficient space for adequate hedge planting on the boundary. A well planted hedge on the boundary to a height of 1.8m would screen the fence and railings and would be more in keeping with local character. This would require robust conditions to ensure appropriate hedge screening, height and maintenance to be maintained on an ongoing basis. Subject to these conditions and design details, a revised proposal of this type could have a neutral impact on the character of the Conservation Area.

This response has been made with regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2026.

4.2 **Reconsultation**

4.2.1 National Grid – [No response received]

4.2.2 Batchworth Community Council – [Made following comment, dated 29 September 2026:

BCC strongly object to the application for the following reasons:

- Due to its situation in the conservation area, we suggest the following boundary treatment should be sustainable and green for example laurel or red robin hedging in keeping with the surrounding area. This will ensure greater security and privacy for the safeguarding of the children.

- BCC has great concerns regarding the lack of drop of and pick up points on a narrow residential road.

4.2.3 Hertfordshire County Council as Highway Authority – [Made the following comment, dated 22 September 2026]:

The Highway Authority has been notified of amendments to the submitted plans. These amendments to not appear to affect the previous response made by the HA on the 31st July. As a result, we do not wish to provide any additional comments and refer back to our previous response including the highway informatives and conditions.

4.2.4 Environment Agency – [Made following comment dated 24 September 2026]:

Based upon a review of the submitted information, our position remains unchanged. We have **no objection** to the proposed development.

4.2.5 Conservation Officer – [Made the following comment, dated 2 October 2026]:

The Ebury Rooms Ebury Road, is in Rickmansworth Conservation Area which has a Conservation Area Appraisal (CAA) adopted in 1993. The corner of Bury Lane and Ebury Road is home to several less historic and larger buildings. The Ebury Rooms is a modern building in the town centre with an existing dwarf wall as a boundary treatment along Ebury Road and open car park.

This is a second heritage consultation response, the first was sent on 21st August 2026. The first heritage response raised a concern that the proposed boundary treatment would have a harmful impact on openness and the Conservation Area overall. It was recommended to set the wall and railing back from the street frontage and add a boundary hedge to screen the fence and railings and for the details to be secured by condition.

In the current revision, the wall would still be on the boundary, but the railings and brick piers are shown at 1.6m, with a proposed hedge to a height of 1.8m. Street views in both directions along Ebury Road have been provided which show it is likely to appear unobtrusive. Although the Site boundary would no longer be open, this corner of the Conservation Area does not have a distinct or special positive character. The new boundary treatment has the potential to improve the public realm with an existing hardstanding car park concealed behind the hedging. On this basis, the boundary treatment would not result in harm in heritage terms.

The enclosure of an existing roof overhang to create an entrance porch and the conversion of an existing window within the west elevation into a door were in the previous proposal and are not harmful in heritage terms. The bin and buggy store may be visible in public views but would be constructed in timber to a full height of 2.2m and would not be harmful in heritage terms.

Should the application be considered acceptable, material details should be secured through a condition. The appropriate hedge screening, height and maintenance to be maintained on an ongoing basis should also be secured through a condition. Subject to these conditions the proposal would not result in harm to the character of the Conservation Area.

This response has been made with regard to Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2026 Chapter 20 ‘Conserving and Enhancing the Historic Environment’ in particular Policy HE9: ‘Conservation Areas’.

5 Public/Neighbour Consultation

5.1.1 Number consulted: 18 No of responses received: 7 [7 objections received]

5.1.2 Site Notice Posted: 23.07.2026 Expired: 13.08.2026

5.1.3 Press Notice Published: 24.07.2026, Expired: 14.08.2026

5.1.4 Summary of Responses:

- Parking – change of use will create issues for staff and parents.
- Noise – increase levels of noise.
- Nurseries – already 5 in and around town centre.
- Unsuitable for nursery – safety concerns being situated on busy junction, no pickup or drop off.
- Safeguarding issues – visibility through boundary treatment.
- Object to removal of healthy tree. No provision for biodiversity.
- Building of local historical interest – should be respected, protected and used for more appropriate purpose.
- Highway safety.
- All windows on south elevation overlooking club members open area will be fixed, non-opening and obscure glazed and fitted with restrictors to preserve privacy of members and nursery occupants.
- Traffic – potential for conflict or accidents.
- No dedicated off-street parking. Exacerbate existing parking issues.

5.1.5 Officer Comment – Comments from the neighbours are noted. The Change of Use from Office to Nursery falls within a permitted change of use under the Town and Country Planning General Permitted Development Order 2015 (as amended) and can therefore be lawfully implemented without express planning permission from the council. This current application relates solely to the external changes to the building, therefore the assessment of this application and its impact pertain solely to these elements and will not be address the change of use.

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

The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development

Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP1, CP1, CP6, CP8, 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 and Appendices 2 and 5.

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

7.3 **Other**

In August 2026 the NPPF was updated. Relevant policies include S3, TC2, DP3, F4, HE6 and HE9.

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. Relevant Policies include SP2, EE1, BGL1, BGL2, ENV1, DH2, TC1, TC2, Appendix 1 and Appendix 3.

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

Rickmansworth Town Centre Conservation Area Appraisal 1993.

8 Planning Analysis

8.1 Design and Impact on the Street Scene and Conservation Area

8.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'conserve and enhance natural and heritage assets'.

8.1.2 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.

8.1.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking.

8.1.4 The application site is located within the Rickmansworth Town Centre Conservation Area and Policy DM3 is therefore applicable. Policy DM3 sets out that within Conservation Areas development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area, uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing that are appropriate to the local context and does not harm important views into, out of or within the Conservation Area.

8.1.5 Policy BW DE1 of the Batchworth Neighbourhood Plan are also relevant to the proposal and states that new development in the Batchworth Neighbourhood Plan area shall demonstrate how schemes respond to local character and, wherever possible, contribute

towards improvements to character, as indicated in the Batchworth Neighbourhood Design Code.

8.1.6 The proposed entrance porch would sit beneath the existing roof canopy and would not materially increase the bulk or massing beyond its enclosure. Whilst it may be visible from the streetscene, the style and appearance of the new door is considered in the context of the commercial nature of the building and would reflect the style and design of the existing openings. As such, it is not considered that this addition would result in any demonstrable harm to the character or appearance of the streetscene or Conservation Area. Similarly, the replacement of the existing window for a door in the front elevation would not principally front the Ebury Road and would instead face the pre-existing parking area serving the premises. While the opening would increase in size, as above, given the context of the building and its commercial nature, the proposed door is not considered to result in any demonstrable harm to the character of the streetscene and the fenestration changes would on balance preserve the character of the Conservation Area.

8.1.7 The proposed bin and buggy store would be sited within the frontage, and views are considered possible from within the wider conservation area. However, these would to some extent be screened by the proposed boundary treatment. The structures would remain single storey in nature and are considered to be modest in scale. The Conservation Officer in their response dated 02 October advised that the bin and buggy store may be visible in public views but would be constructed in timber to a full height of 2.2m and would not be harmful in heritage terms.

8.1.8 The proposed boundary wall and railings would be situated on the boundary with the public footway. The application site is situated on prominent corner plot on Ebury Road, and the boundary would therefore be highly visible. The Conservation Officer in their first comment (dated 21 August) raised an objection to the proposed boundary treatment, and advised that a boundary treatment of this height and length directly on the street facing boundary would detract from the existing openness and would have an overbearing and harmful impact on the character of the Conservation Area and would not conserve the open boundary which makes a position contribution to the character and appearance of the Conservation Area. It was recommended that the proposed wall and railings are set back from the street frontage to allow sufficient space for adequate hedge planting on the boundary. Following the initial objection amended plans were sought and received, the boundary treatment remains on the boundary, its height has been reduced 0.2m to a height of 1.6m and a hedge is proposed to the rear of the proposed railings/wall at a height no greater than the height of the railings. The Conservation Officer has reviewed the amended proposal and has advised that in the current revision although the site boundary would no longer be open, this corner of the Conservation Area does not have distinct or special positive character. The new boundary treatment has the potential to improve the public realm with an existing hardstanding car park concealed behind the hedging. On this basis, the boundary treatment would not result in harm in heritage terms. In addition, whilst the boundary is currently open, the immediate vicinity of the site is mixed with buildings right up to the highway pavement, the railings whilst enclosing the space would continue to allow some views through softened by the proposed hedging to the rear, introducing soft landscaping where none currently exists. While the original heritage objection has been overcome, the Conservation Officer has advised that in the event permission were to be granted material details should be secured through a condition and the appropriate hedge screening, height and maintenance to be maintained on an ongoing basis should also be secured through a condition. Subject to these conditions, the proposal would not result in harm to the character of the Conservation Area.

8.1.9 In summary, subject to conditions the proposed amended development would not result in any adverse harm to the character or appearance of the streetscene and would preserve the character of the Conservation Area. The development would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011), Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (2013), Policy BW DE1 of

the Batchworth Neighbourhood Plan 2023-2038 (Submission Version, November 2023) and the Rickmansworth Town Centre Conservation Area Appraisal 1993 and policies HE6 and HE9 of the NPPF (2026).

8.2 Impact on amenity of neighbours

8.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

8.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

8.2.3 Given the nature of the proposed development, the boundary wall and railings on the perimeter of the Ebury Road frontage are not considered to give rise to any demonstrable impacts to neighbouring amenity.

8.2.4 The enclosed porch area within the north elevation and the new door within the front elevation are not considered to facilitate additional overlooking of any neighbouring dwelling beyond that of the existing situation. Similarly, the proposal does not result in an increased number of openings and thus would not give rise to additional overlooking of neighbouring dwellings or premises beyond that of the existing situation. It is noted that there are concerns raised with fenestrations in the southern elevation and overlooking of the commercial premises, the number of fenestrations within this elevation remain unchanged and the degree of overlooking is existing. It is therefore not considered reasonable to require these existing fenestrations to be fitted with obscured glazing or to remain fixed shut.

8.2.5 The proposed bin and buggy store also remain within the confines of the application site, they remain single storey in nature and are considered to be of a modest scale such that they would not result in demonstrable harm to the amenities of neighbouring occupiers.

8.2.6 In summary, 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 and Appendix 2 of the Development Management Policies LDD.

8.3 Wildlife and Biodiversity

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

8.3.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies LDD. 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.

8.3.3 The application is accompanied by a biodiversity checklist which states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of protected species within the immediate area that would necessitate further surveying work being undertaken.

8.4 Mandatory Biodiversity Net Gain

8.4.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions.

8.4.2 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.

8.4.3 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 the de-minimis exemption.

8.5 Flood Risk

8.5.1 Policy CP1 of the Core Strategy (adopted October 2011) recognises that taking into account the need to (b) avoid development in areas at risk of flooding will contribute towards the sustainability of the district. Policy CP12 of the Core Strategy (adopted October 2011) also acknowledges that the Council will expect development proposals to build resilience into a sites design considering climate change, for example through flood resistant design.

8.5.2 Policy DM8 of the Development Management Policies Local Development Document sets out that a Flood Risk Assessment (FRA) will be required for development proposals of 1ha or more in Flood Risk 1 and for proposals for all new development in Flood Zones 2 and 3; or in an area in Flood Zone 1 where proposed development or change of use to a more vulnerable class may be subject to other sources of flooding as identified in the SFRA. Land in Flood Zone 1 surrounded by areas of Zone 2 or 3 will be treated as if in the higher risk Zone and an FRA will be required to demonstrate that access and egress would be satisfactory, and that the development would not be unacceptably vulnerable during a flood period.

8.5.3 The application site lies within Flood Zone 2, Policy F4 of the NPPF advises that a site-specific Flood Risk Assessment should accompany all development proposals in Flood Zone 2. Policy DM8 of the Development Management Policies LDD also supports this approach as above.

8.5.4 A Flood Risk Assessment was provided during the course of the application, this sets out that the proposals seek minor alterations to the existing site, that a sequential test is not required as the site is for small non-residential extensions (with a footprint of less than 250sqm) and that the exception test is not required as the Class E use would be classified as a more vulnerable use, which does not require the test within Flood Zone 2.

8.5.5 The FRA details that the site is partly located within Flood Zone 2, with a low surface water flood risk, a very low rivers and sea flood risk, outside of a groundwater floor alter area, and at risk of reservoir flooding. The FRA concludes that the site has a medium probability of fluvial flooding and the proposal will not materially alter the existing building footprint or introduce significant areas of impermeable surfacing and will not alter existing drainage arrangements or ground conditions. As such, the conclusion of the FRA is that the development will not exacerbate flood risk on site or elsewhere. The proposals are therefore considered to be compliant with Policy DM8 of the DMP LDD and the NPPF (2026).

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 a Conservation Area whereby all trees are afforded protection. While there is some evidence of trees on site the submitted application form and planning statement concludes that the tree fronting the Ebury Road would not be removed to facilitate the development. Thus, the proposal is therefore considered acceptable in this regard.

8.7 Highways, Access and Parking

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

8.7.2 The site has an area of hardstanding currently serving a parking area, the proposal introduces a new boundary wall and railings along the Ebury Road frontage, which will enclose the current parking area. The submitted planning statement sets out that the loss of parking was previously justified by a Transport Note submitted with the previous application via 26/0181/FUL and found acceptable by the Council.

8.7.3 To clarify, application 26/0181/FUL was granted on 12.05.2026, the application included the removal of Condition 4 (Parking Spaces) of Planning Permission 8/592/82. The application also included a removal of Condition 5 which restricted the use of the site. The approved scheme was granted subject to conditions which allowed for a wider range of uses within Use Class E of the Uses Classes Order and condition 4 set out that in the event the site were to be operated under Use Class E(d) or E (f), and the parking area were to no longer be used for parking that this part of the site shall only be used in connection with the use of the main building and restricted to hours of 0900 – 1700 Monday to Friday (inclusive) and not at all on Saturdays, Sundays or Bank Holidays. In the case officers note that the site is in the process of being operated under Use Class E (f) and therefore this condition would bite.

8.7.4 In considering the previous application Hertfordshire County Councils Highway Officer did not wish to restrict the removal of the condition, subject to a condition requiring the dropped kerb be closed up. In granting the removal of the condition the LPA did not consider it necessary to require the dropped kerb be closed up, as at such time there was no application to permanently enclose the parking area and such a condition would not have met the tests within the NPPF. Officers set out within the delegated report that were a future application to bring forward changes to the parking area, which is now being proposed with this current application then a condition as suggested by the Highways Officer in this case would be imposed requiring the dropped kerb be closed up.

8.7.5 The loss of parking was considered at the time of the previous application; officers calculated the required provision to be 8 spaces. The site is located within Car Parking Zone 2, where a 25-50% reduction on this standard can be applied. Applying a zonal reduction would leave the site with a requirement provision of 2-4 spaces. The transport note at the time highlighted the site's sustainable location, accessibility on foot or by bike, as well as access to public transport including local bus routes and national rail services. The note sets out that the closest bus stop is located 140m (a 2-minute walk) from the site on Northway Road, providing access to bus routes R1, R2 and W1 which provide services to locations including Maple Cross, Northwood, Chorleywood and Watford. Rickmansworth Station bus stops (A, B and C) are served by additional bus routes 320, 322, 336, 724 and 725 with connections provided toward Hemel Hempstead, Bushey, Harlow, Heathrow

Airport and Stevenage. Rickmansworth Train Station is sited approximately 450m from the site providing access towards Aylesbury, Amersham and London.

8.7.6 While it is noted that a number of concerns have been raised in relation to highway safety and the parking arrangements, the change of use of the site is not a material planning consideration of this application, which seeks the external changes and the boundary treatment only. The change of use from office to a nursey is considered to fall within a permitted change of use, permitted by the Town and Country Planning General Permitted Development Order 2015 (as amended), therefore when considering the loss of parking officers cannot assess the standards against the change of use. In any case, the loss of parking was considered to be acceptable under application 26/0181/FUL where it was highlighted that in the vicinity of the site roads are subject to waiting restrictions. Bury Lane itself is one way, and features Double Yellow Lines, Single Yellow Lines and marked, on-street parking bays subject to enforcement (Zone A) available to permit holders, and in some areas, providing a 1 hour, no return restriction. All restrictions are in effect between Monday to Saturday, 8am to 6:30pm. Thus, any parking displaced would be subject to these local restrictions. Recognising the current position, the proposal would not result in parking that would restrict the passage of vehicles, nor impact on the safe operation of Bury Lane and junctions with it. The loss of parking would displace a small number of vehicles (2 at 25%) onto local roads; however, such displacement would be subject to these existing parking controls.

8.7.7 The Highways Officer has been consulted on this application who concludes that HCC as Highway Authority concludes that it would not give rise to an unacceptable impact on the safety or operation of the surrounding highway. It raises no objections but recommends the inclusion of conditions requiring the dropped kerb be closed up and cycle parking be provided. It also recommends the inclusion of highway informatives / advisory notes. On the basis of the above assessment and background to this application the proposal is considered acceptable in this regard.

9 Recommendation

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

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 002 REV 003, 005 REV 002, 006 REV 001, 008 REV 003, 012 REV 000, 004 REV 003, 003 REV 004, 007 REV 008, 009 REV 003, 010 REV 001, 011 REV 003, 013, 001 REV 001

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, DM8 and DM13 and Appendices 2 and 5 of the Development Management Policies (adopted July 2013), Policy BW DE1 of the Batchworth Neighbourhood Plan 2023-2038 (Submission Version), the Rickmansworth Town Centre Conservation Area Appraisal 1993 and Policies HE6 and HE9 of the NPPF 2026.

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 Prior to construction of the boundary treatment alongside Ebury Road hereby approved, details of the materials of the boundary treatment and their finished colour shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall thereafter be erected only in accordance with the approved details and maintained as such thereafter.

Reason: To safeguard the character of the locality in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C5 Prior to the installation of the boundary treatment alongside Ebury Road, a scheme of soft landscaping, which shall include details of size, species, planting heights, densities and positions of the proposed hedgerow planting, the method of preparing the ground for its installation, and details of the management activities to be undertaken to enable its growth to and maintenance at a height that should not exceed the height of the railings , shall be submitted to and approved in writing by the local planning authority.

The hedgerow shall be planted before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the boundary wall, whichever is sooner.

If the proposed soft landscaping, are removed, die, become severely damaged or diseased they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive) and maintained at a height of 1.6m

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C6 Within 6 MONTHS from first occupation , the vehicular access to, and egress from, the adjoining public highway [Ebury Road] shall be limited to the accesses shown on drawing number 002 REV 003 ('Existing Site Plan') only. Any other accesses or egresses shall be permanently closed, and the footway / kerb shall be reinstated.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policy CP10 of the Core Strategy (adopted October 2011), Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

C7 Prior to the first use of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the parking area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

C8 Prior to construction of the buggy and bin store, details of the materials of these structures and their finished colour shall be submitted to and approved in writing by the Local Planning Authority. The buggy and bin store shall thereafter be erected only in accordance with the approved details and remained as such thereafter.

Reason: To safeguard the character of the locality in accordance with Policies CP1, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3 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. Fees are £145 per request (or £43 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

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

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

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

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

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

infrastructure-levy).

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.

I5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

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

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

Development below the de minimis threshold, meaning development which:

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

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.

I6 The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

I7 Closure of vehicle crossover access (section 184): Where works are required within the public highway to facilitate the closure of a vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.

I8 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

I9 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

I10 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

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26/1102/FUL – The Ebury Rooms Site Photos



26/1102/FUL – The Ebury Rooms Site Photos



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PLANNING COMMITTEE – Thursday 22 October 2026

26/1116/FUL – Construction of detached garage, greenhouse and bin store, alterations to driveway, construction of new access gate to garage area, alterations to hard and soft landscaping, drainage and irrigation tank and external lighting at REDWOOD HOUSE, 12 TEMPLE GARDENS, MOOR PARK, RICKMANSWORTH, HERTFORDSHIRE WD3 1QJ.

Parish: Batchworth Community Council
Expiry of Statutory Period: 16.09.2026
Extension of Time Agreed: 27.10.2026

Ward: Moor Park and Eastbury
Case Officer: Claire Wilson

Development Type: Householder application.

Recommendation: That planning permission be granted, subject to conditions.

Reason for consideration by the Committee: This application was called in by Batchworth Community Council due to concerns relating to the impact on heritage assets, the landscape and flooding. The full reasons are set out in the consultee comment section in the analysis below.

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

https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=THY24DQFLR100

1 Relevant Planning History

There is extensive planning history relating to the application site with the most recent being as follows:

1.1 15/0512/FUL - Single storey rear infill extension, creation of basement level, alterations to roof including increases to ridge height and addition of rooflights, internal alterations and alterations to fenestration. Permitted.

1.2 15/1186/NMA - Non Material Amendment to planning permission 15/0512/FUL: Alterations to fenestration detail and removal of terrace. Permitted.

1.3 15/1208/CLPD - Certificate of Lawfulness Proposed Development: New slate roof to cover existing copper roof and painting of existing exterior brickwork. Permitted.

1.4 15/1481/FUL - Single storey rear infill extension; single storey side; creation of basement level, alterations to roof including increase to eaves height and addition of rooflights, internal alterations and alterations to fenestration. Permitted.

1.5 17/1734/FUL - Single storey rear infill extension; single storey side and rear extensions; creation of basement level; alterations to roof including increase to eaves height and addition of rooflights; internal alterations and alterations to fenestration. Refused

1.6 17/2403/FUL: Single storey rear infill extension and two storey rear extension; creation of basement level; two storey rear extension; alterations to roof including increase to eaves height and addition of rooflights; internal alterations and alterations to fenestration. Application permitted and commenced.

1.7 18/0707/CLPD: Certificate of Lawfulness for Proposed Development: Construction of garden room to include swimming pool, gym and store. Application withdrawn.

1.8 18/1087/CLPD: Certificate of Lawfulness for Proposed Development: Construction of garden room to include swimming pool, gym and store.

1.9 18/1299/NMA: Non Material Amendment to planning permission 17/2403/FUL: Alterations to fenestration including rooflights and an additional lightwell to the rear. Application permitted.

1.10 19/0215/CLPD: Certificate of Lawfulness for Proposed Development: Construction of garden room to include swimming pool, gym, lounge and store. Application permitted, and part implemented.

1.11 21/2389/RSP: Part-retrospective: Single storey rear infill extension and two storey rear extension; creation of basement level; alterations to roof including increase in eaves height and insertion of rooflights; internal alterations and alterations to fenestration; and repositioning and alterations to the size of garden room. Application permitted.

1.12 23/0610/FUL Erection of carport, greenhouse and alterations to driveway; landscaping works, pool terrace, outdoor kitchen and seating, pathways with associated hard and soft landscaping. Application refused for the following reasons:

The proposed carport and attached pergola would, in conjunction with the previous extensions and alterations, result in disproportionate additions over and above the size of the original building. They would therefore constitute inappropriate development which would, by definition, be harmful to the Green Belt. The proposed car port and attached pergola would also harm the openness of the Green Belt as a result of their siting and design. In addition, the detached buildings and structures (such as the garden pergola and green house) would result in the introduction of new buildings within the Green Belt which fail to fall within any of the exceptions as set out within paragraph 149 or 150 of the NPPF and thus would constitute inappropriate development, by definition. These detached buildings and structures by virtue of their siting and scale would also fail to comply with Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013). No very special circumstances have been demonstrated which would outweigh the inappropriateness of the above-mentioned developments, the harm to the openness of the Green Belt and any other harm. The above-mentioned developments would therefore be contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the National Planning Policy Framework (2021).

The proposed woodland walk and associated works and the increase in hardstanding to the frontage of the site by virtue of their extent and siting would result in a spread of urbanising development which fails to preserve the openness of the Green Belt. Additionally, the woodland walk would fail to protect the countryside from encroachment. No very special circumstances have been demonstrated which would outweigh the inappropriateness of the above-mentioned developments, harm to openness, conflict with one of the purposes of the Green Belt and any other harm. The above-mentioned developments would therefore be contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the National Planning Policy Framework (2021).

The proposed carport by reason of its design, would result in an incongruous and unsympathetic form of development which would fail to relate to the character of the host dwelling and the wider Moor Park Conservation Area. In addition, the increase in hardstanding to the frontage would result in an increased urbanisation of the site, to the detriment of the rural character and openness of the site. The development would fail to preserve or enhance the character and appearance of the Conservation Area thereby resulting in harm. The harm is considered to be 'less than substantial' as per paragraph 202 of the NPPF and no public benefits have been presented which would outweigh this harm. This would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October

2011), Policies DM1, DM3 and Appendix 2 of the Development Policies LDD (adopted July 2013), the Moor Park Conservation Area Appraisal (2006) and the National Planning Policy Framework (2021).

In the absence of an up to date arboricultural impact assessment it has not been demonstrated that the proposed development including woodland walk would not result in harm to existing protected trees which contribute to the visual amenity of the site and wider Conservation Area. This would be contrary to Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

In the absence of a Preliminary Ecological Appraisal and Protected Species Assessment, it has not been demonstrated that the development would not have an impact on protected species and the ecology of any adjoining habitats. Furthermore, it has not been demonstrated that the development would not result in harm to the Local Wildlife Site. The development is therefore considered contrary to Policy DM6 of the Development Management Policies LDD and the National Planning Policy Framework (2021).

1.12.1 25/0900/FUL: Erection of a detached garage, greenhouse and alterations to driveway; new access gate to garage area, site wide hard and soft landscaping works, retaining walls, pool terrace, pergola, pathways, green roof to the basement, refuse store and irrigation. Application refused for the following reasons:

The proposed development by reason of the alterations to landscaping and extensive lighting would be an urbanising form of development resulting in formal, engineered features at odds with the open and naturalistic character of the adjacent Grade II Registered Park and Gardens. The proposed increase in hardstanding to the frontage would also be an urbanising form of development eroding the open and green character of the site, area and the Grade II* Registered Park and Garden and the Moor Park Conservation Area. No public benefits have been demonstrated which would outweigh the less than substantial harm identified. This would be contrary to Policy CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD, the Moor Park Conservation Area Appraisal (2006) and the Batchworth Neighbourhood Plan (Referendum Version, 2025).*

The attached pergola would, in conjunction with the previous extensions and alterations, result in disproportionate additions over and above the size of the original building. This therefore constitutes inappropriate development which would, by definition, be harmful to the Green Belt. The attached pergola would also harm the openness of the Green Belt as a result of its siting. Furthermore, the increased hardstanding including the driveway, access drive and additional hardstanding located in front of the garage, would result in a spread of urbanising development which would detract from the rural character of the locality. No very special circumstances have been demonstrated which would outweigh the inappropriateness of the above-mentioned developments, the harm to the openness of the Green Belt. The above-mentioned developments would therefore be contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the National Planning Policy Framework (2024).

In the absence of an accurate BNG Assessment and Metric Calculation, it has not been demonstrated that a 10% biodiversity net gain would be achieved. The proposed development would therefore fail to be in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. Furthermore, there is insufficient information to demonstrate that the development would not have an impact on Great Crested Newts, contrary to Policy DM6 of the Development Management Policies LDD.

2 Description of Application Site

2.1 The application site consists of a two storey detached dwelling known as Redwood House, which is sited in the centre of a large plot within Temple Gardens in Moor Park. This is a private residential cul de sac, located to the south east of Moor Park Mansion (Grade I listed building) and is accessed from the main thoroughfare of Moor Park Golf Course. The streetscene, consists of mainly two storey detached dwellings of varied style, set on large plots with generous spacing between dwellings. The site is located within the Moor Park Conservation Area, and the Metropolitan Green Belt. It is also set within the registered Grade II* Park and Garden. In close proximity to the site is no.6 Temple Gardens which is a Grade II Listed Building. In addition, the steps, walls and statue in the Old Pleasure Grounds are also Grade II Listed.

2.2 There is an extensive planning history relating to the site, and the original dwelling has been significantly extended, with alterations made to its external finishes.

2.3 To the rear of the dwelling, the applicant has constructed a large outbuilding through permitted development and alterations were made to the land levels to facilitate this. The outbuilding sits at basement level and therefore is not readily visible from the site frontage. There is extensive land surrounding the dwelling which contains a number of significant trees and planting. The trees to the northern part of the site are protected by a woodland tree preservation order (TPO450).

2.4 The existing site is served by a carriage driveway with two separate accesses located to the site frontage. The garden area sits at a lower land level relative to the main dwelling, and there is extensive vegetation located along the site boundaries. It is noted that a tennis court previously existed on the site, however, this has now blended into the landscape of the site and therefore is no longer readily visible.

3 Description of Proposed Development

3.1 The applicant is seeking full planning permission for construction of a detached garage, greenhouse and bin store, alterations to driveway, construction of new access gate to garage area, alterations to hard and soft landscaping, drainage and irrigation tank and external lighting.

3.2 Each part of the proposed development is described below:

3.3 Green house: A single storey detached green house is proposed which would be located to the north of the dwelling. It would have a width of 5m, a depth of 2.5m and would have a pitched roof form with a height of 2.4m. The elevations indicate that it would be of traditional appearance and would be part glazed with a brick finish at the lower level. A kitchen garden consisting of planting beds would be located adjacent to the green house.

3.4 Refuse Store: To the front of the site, a refuse store is proposed. This would be located in close proximity to the existing vehicular access. It would have a width of 2.3m, a depth of 1.45m and a height of 1.4m. It would have a timber finish with sedum roof form.

3.5 Irrigation Tank: An irrigation tank is proposed which would be located to the north east of the dwelling. It would have a height of approximately 1.8m, and would be screened by mature hedging of approximately 2m in height. An image has been provided to depict its appearance.

3.6 Detached Garage: A detached garage is proposed to the north of the dwelling and would have a width of 11m (including the proposed garden store area), and a maximum depth of 6.6m. It would have a gabled roof form with a maximum height of 4.1m with the roof form over the storage area having a reduced height of 3.8m. The plans indicate a brick finish with tiled roof form. Solar panels are also indicated to the front roof slope. The plans indicate

that due to the land levels, the garage would sit at a lower land level both to the original dwelling and to the highway frontage.

3.7 Gates: An automated sliding gate with palisade fencing to either side would be erected on the proposed internal access drive leading towards the new garage, detailed below. The plans indicate that the gates would have a height of 2m and would be open in terms of design. The gates would be the same width as the access drive with hedging to either side.

3.8 Landscape Alterations: Soft landscaping alterations are proposed including the provision of planting and pathways over the roof of the basement level pool building (the outbuilding itself was permitted under a separate CLPD application, in addition, landscaping to the roof has been previously permitted under application 21/2396/FUL). It is noted that at the time of the site visit, the landscaping to the roof had been completed.

3.9 A formal lawn area is indicated to the north/north west of the dwelling. The plans indicate pathways around this with further landscaping in this area. It is noted that a further patio area located to the west of the lawn. The formal lawn would sit at a lower land level to the main dwelling, with the adjacent woodland sitting at a lower level in relation to the lawn.

3.10 The plans include significant areas of new planting across all areas of the site.

3.11 Alterations to the frontage: The applicant is also seeking alterations to the existing frontage, including alterations to hard surfacing. This would involve the closure of one of the existing vehicular accesses and its reinstatement with soft landscaping in this area. As a result, the site would no longer be served by a carriage driveway. A paved driveway is proposed to the frontage in a curved layout with soft landscaping buffers to all boundaries. The plans indicate that this would lead to an access driveway which would extend to the north of the dwelling to the site of the proposed detached garage. An area of paving would be provided forward of the garage to provide a turning area.

3.12 It is noted that the current application follows a previous refusal (25/0900/FUL) on the site for similar works. The changes between the two include:

- Removal of attached pergola from rear of the dwelling
- Reduction in area of hardstanding proposed to the frontage from an area of approximately 852 square metres to 552 square metres. The amendments to the layout include removal of the turning circle, removal of hardstanding to the side of the dwelling, removal of ancillary pathways
- Re-siting of the proposed refuse store such that it is sited further back from the vehicular access
- Reduction in pathways around the formal lawn area. Removal of gabion wall to the north of the lawn and its replacement with a natural gradient towards the woodland
- Removal of formal woodland walk to the very north of the site.

3.13 Amendments have also been received during the course of the current application as follows:

- Removal of Paladin fencing to either side of the proposed gates and its replacement with hedging,
- Reduction in external lighting levels.

4 Consultation

4.1 Statutory Consultation

4.1.1 Batchworth Community Council: [Objection]

BCC strongly objects to this application for the following reasons:

The Ecology Officer has noted a net biodiversity loss which can be offset; however, the application has given no details on how this is going to be achieved. Historic England recommends that TRDC should weigh the harm and give great weight to the designated heritage assets, i.e. the Capability Brown Pleasure Gardens, which are still visible. There is clearly substantial harm to the green belt, the conservation area and the registered park and gardens and there is no public benefit or exceptional circumstances justifying such harm.

The proposal for lighting to the building façade, garage, driveway, garden, pool area and refuse storage is excessive and will create light pollution detrimental to wildlife in the area and neighbouring properties in the area. It is also totally inappropriate to the adjacent naturalistic setting of the Grade II Registered Park and Gardens.

The additional and excessive hardstanding which amounts to approximately 600 square metres includes pathway materials that are grey stone, which is out of character with the colour palette of the current dwelling and the woodland area.

There is a lack of a SuDS management plan to mitigate the previous flooding issues at Moor Park Golf Club. The plans for the implementation of surface drainage and an irrigation tank are insufficient to deal with the previous flooding issues.

The proposed Paladin fencing is totally unacceptable and inappropriate for the Moor Park Conservation Area and is contrary to Moor Park 1958's guidelines.

There are no details of the design of the greenhouse. Unless specific details of the construction, hardstanding and materials are provided, this cannot be included as part of this application.

Despite being set back from the boundary the size and materials of the gates are completely inappropriate for the site and contrary to the Moor Park Conservation area guidelines. The gates will also be visible at least in part from the roadway.

The proposed landscaping architecture is completely inappropriate in a protected woodland conservation area. The 21 proposed trees despite being TRDC approved species do not adequately mitigate the loss of more native mature trees.

The proposed woodland walk is unsuitable for access to the site.

BCC wishes to call this application into committee unless officers are minded to refuse.

4.1.2 Moor Park 1958: [No objection]

The Directors of Moor Park (1958) Limited note the contents of this application and the steps that have been taken to address the Grounds of Refusal in respect of Application 25/0900/FUL.

If the Council are minded to approve the application, careful consideration should be given to ensure that the existing tree and shrub growth between the road and the driveway leading to the garage block should be retained in full and strengthened if possible, and that the lighting should be carefully controlled so that it will not be detrimental to nocturnal creatures or create light pollution for the majority of hours of darkness.

4.1.3 Herts Archaeology: [No objection]

Thank you for consulting us on the above application.

In this instance, I consider that this development is unlikely to have a significant impact on heritage assets of archaeological interest and I have no comment to make upon the proposal.

Please do not hesitate to contact me should you require any further information or clarification.

4.1.4 Conservation Officer: [Objection

The application is for Construction of detached garage, greenhouse and bin store, alterations to driveway; construction of new access gate to garage area; alterations to hard and soft landscaping; drainage and irrigation tank and external lighting.

The property is in the Moor Park Conservation Area, which has an adopted Conservation Area Appraisal (CAA).

The site is located within Moor Park Registered Park and Garden (RPG) which is Grade II* listed (List Entry Number: 1000251). It is also opposite 6 Temple Gardens, an early twentieth century Grade II listed house (List Entry Number: 1173919). To the east, are two Grade II listed structures related to the main Moor Park House, which are: Statue in Old Pleasure Grounds About 290 Metres Southeast of Moor Park (List Entry Number: 1100822) and Steps, Walls and Gates To Old Pleasure Grounds About 250 Metres South East Of Moor Park (List Entry Number: 1100821).

The site is now separated from Moor Park itself by a large tree belt, which is relatively large and open but only makes a limited contribution to the character of the RPG as it is now a domestic garden.

This follows the previous application 25/0900/FUL, which was refused in relation to hardstanding and some other reasons.

The Moor Park CAA states that extensive hard surfacing is not sympathetic to the open character of the frontages in the Conservation Area and that areas of hard standing to the front and side of a house should only be what is reasonably necessary to park and turn vehicles. The proposed was found to exceed the level stated in the CAA, resulting in an excessive degree of hardstanding which would harm the existing green character of the Conservation Area.

In the current application, the extend of hardstanding has been reduced and car tracking is shown in the submission. The proposed hardstanding appears proportionate in the context of the Site with much of it set back from the boundary. The proposed materials are block paving in grey or darker colours which appear to be of good quality and appropriate to the Site and overall, it is not considered harmful in heritage terms.

Temple Gardens is characterised by boundary treatments that are relatively open, with low boundary walls, or higher landscaped boundaries. The Moor Park CAA states that important characteristics of the Conservation Area include open frontages separating gardens from the estate road verges, grass verges, low walls or hedges. It also states that walls, metal gates and railings are not sympathetic as these are likely to alter the area's appearance. The submission shows paladin fencing adjacent to the proposed gate. These appear perpendicular to the street and set well within the Site behind heavy planting, so any heritage impact is likely to be limited. However, paladin fencing is not appropriate in this context and a lower boundary treatment of a more appropriate style, such as estate railings or post and rail fencing should be used.

This response has been made with regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 NPPF policy HE6.1: 'Proposals Affecting Designated Heritage Assets' and policy HE9: 'Conservation Areas'.

4.1.5 **Officer note:** The comments received raised an objection only on the basis of the proposed paladin fencing. In response, amended plans have been received which have removed the paladin fencing from the plans. As such, the Conservation Officer's concerns have been overcome.

4.1.6 Historic England: [Minor harm identified]

Historic England has commented on previous iterations of these proposals. As before, our primary concern is the potential impact on the significance of the Moor Park Conservation Area, the Moor Park Registered Park and Garden (RPG, Grade II*) and the wider setting of Moor Park (Grade I).

The landscape at Moor Park has a rich and multi-layered history, and has been shaped by a succession of outstanding landscape architects. 12 Temple Gardens stands within the Old Pleasure Grounds, an area of informal woodland apparently laid out by Lancelot 'Capability' Brown and altered as part of the significant works undertaken for the first Marquess of Westminster in the 1830s. The later development of Temple Gardens took advantage of the existing informal woodland character, and the pleasure grounds hence still retain their legibility.

Accordingly, any development which reduces the density of trees too much, or introduces too many new formal elements (including new structures, hard landscaping or even planting beds), would cause some harm to the significance of the RPG and Conservation Area by adversely affecting their characters.

From this point of view, the present proposals represent another incremental improvement over the previous proposals (your ref.: 25/0900/FUL). We consider that they would still cause some harm to the significance of the RPG and Conservation Area, but that the level of harm would be minor.

Recommendation: Historic England recommends that in determining this application your Council should weigh the harm which the proposed development would cause to the significance of the Moor Park Registered Park and Garden and the Moor Park Conservation Area against such public benefits as the development may procure. In doing so, it should give great weight to the conservation of these designated heritage assets.

If there are any material changes to the proposals, please contact us. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity. Please also advise us of the decision in due course.

4.1.7 The Gardens Trust: [Objection]

We are grateful for the opportunity to comment on this application, which has a material impact on the significance of Moor Park, a historic designed landscape which is Registered by Historic England at Grade II*. The inclusion of this site on this statutory register requires great weight to be given to its conservation.

The Registered Park and Garden (RPG) of Moor Park is a country house landscape designed by 'Capability' Brown in the 1750s. Design work by Charles Bridgeman also contributes to the historic significance of the landscape. The parkland also includes pleasure grounds, and in the mid twentieth century was laid out as a golf course. The

development site is next to the Bridgeman pool, later adapted by Brown with shrubbery surrounding it.

This proposal further contributes to the cumulative change in the landscape, whereby residential development erodes the parkland areas. Given the significance of this area of the site which strongly demonstrates the historic evolution of the landscape from Bridgeman to Brown, further residential development masks the designed landscape. As per paragraph 215 of the NPPF, we wish to highlight the lower level of less than substantial harm that the proposals would cause to the significance of the historic designed landscape. Proposed tree and shrub planting should provide effective visual mitigation while respecting local landscape character. A multi-layered structure should be used, with species chosen both for their local appropriateness and their tolerance of future climate conditions. Planting should be arranged in naturalistic clusters to integrate with existing landform and site topography and hydrology should guide the design so the planting can contribute to water management and withstand extreme weather. A 10-year adaptive management plan should be in place, including monitoring, replacement planting and flexibility to adjust species or management practices as conditions change. This will ensure the screen remains effective and resilient over the long term.

4.1.8 Landscape Officer: [No objection]

Recommend: Approval, subject to conditions. Further to comments on the previous application (Ref: 25/0900/FUL), the number of trees scheduled for removal on this application has been reduced to 16 trees and 1 tree group. In mitigation 69 new trees are proposed for planting, including 21 to replace those that died, and that the council requires are replanted.

A condition should be applied which requires the applicant to arrange a compliance visit with officers for the council, when the landscaping and replacement planting has been completed, so that assessment and approval of the replanting works can be made.

25/0900/FUL

Recommend: Approval, subject to conditions

The site is within a Conservation Area (Moor Park) and part of the site is protected by Tree Preservation Order (TPO450). Following a previous enforcement investigation at the property in relation to the deaths of a number of protected trees, the council is requiring the landowner to plant 21 standard trees to replace those that died.

This current application seeks to remove a further 9rboric. 20 trees and 1 tree group. Following a site visit on 12th August 2025, it became apparent that the additional trees identified for removal were all in poor health or had poor structural condition. In mitigation 71 new trees are scheduled to be planted. These new plantings would fulfil the planting required by the council and would mitigate the additional tree removals outlined above.

A condition should be applied which requires the applicant to arrange a compliance visit with officers for the council, when the landscaping and replacement planting has been completed, so that assessment and approval of the replanting works can be made

4.1.9 Herts Ecology: [First Comment: Objection]

Summary of Advice:	
Advise- Insufficient information to determine application. The planning officer should either: 1. Refuse the applicant or advise it is withdrawn or, 2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.	**Pre-determination** • Protected species, insufficient information for determination, ground based tree roosting potential survey required. • BNG Sufficient minimum information for determination. **Determination** • Habitats • Protected species,- conditional • BNG – Non significant enhancement. • Conditions -LEMP, CEMP, Badger measures, Informative nesting birds. **Post- Determination** • BNG – guidance

Comments and recommended Conditions and Informatives:

Habitats

Local Wildlife Site Moor Park Golf Course 89/012. The northern section is part I local wildlife site and will be impacted by the soft land scaping plans and some tree loss. The site is important for its f grassland which varies from acidic grassland to neutral grassland, A wildflower seed mix has been proposed for area within the LWS. Soil testing is advised to ensure that the grassland / seed mix is consistent with the seminatural grassland within this section of the LWS. Details of the testing, seed mix and management should form part of a LEMP which I advise is secured by Condition.

Ecological rep–rts - The Ecological Impact Assessment, (June 2026 update, 360 Ecology Ltd) references other ecological rep–rts - A PEA by ASW Ecology Ltd in November 2023, This PEA is reported as referencing the potential for; Badger, Great crested newt, Common & widespread breeding birds, Bats, Reptiles. The EcIA updates the information for GCN, badgers, but not bats.

Protected Species

Great Crested Newts: multiple DNA surveys have shown the absence of great crested newts within 2 ponds one within the site the other and close and connected by contiguous habitat to the site.

Trees: The removal of main branches will need ecological supervision. 10rboriculturaltural report advises the removal of the following trees 5 trees for the development (T25, T26, TG82, T97 and T98), and a further 18 trees10rboriculturaltural reasons. (T02, T22, T29, T31, T41, T44, T45, T46, T49, T50, T60, T61, T64, T66, T75, T76, T77 and T95). I support the retention of the two dead standing trees: T31 – Common beech and T41 – Sycamore as monoliths

Bats: Given the proposed tree removal and tree works, and the apparent absence of any information regarding the potential of these trees to hold roosting bats I advise there is presently insufficient information on. It is acknowledged that the reports referenced above may hold the necessary information in which case they should be provided for scrutiny.

Standard mitigation measures to prevent harm to terrestrial mammals, nesting birds GCN and reptiles should be included as method statements, which could form part of a Construction Environmental Management Plan (CEMP). Mitigation: mitigation measures within the Ecological Impact Assessment, June 2026 update, 360 Ecology Ltd should be followed in full.

Biodiversity net gain

BNG- Pre Determination

Minimum BNG information pre- determination: A base line habitat map and statutory metric sufficient meet the minimum requirements for BNG predetermination have been submitted. The metric calculation tool, completed on 17 January 2026 by Ecology and Land Management, shows baseline values of 2.07 area habitat units and 0.46 hedgerow units.

LNRS & the base line: The submitted metric gives a value of low strategic significance to elements of the base line. This is in line with government guidance regarding the use of the LNRS. However, the Woodland and Urban trees are set as having medium strategic significance this raises the amount of BNG units needed which could be corrected if the applicant so chooses.

BNG- Determination
On site BNG is not significant: Non-Significant on site BNG: The proposed BNG is made up of habitats that cannot be secured by the planning process. As a result, I advise that the On-Site enhancements should be considered non-significant enhancements.

BNG net loss predetermination: A net change of-23.86% in area habitat units,-100% in hedgerow units is shown. The trading rules have not been met and no off-site biodiversity units have been entered in the metric.

In line with government guidance, it would generally be inappropriate for concerns about the ability to discharge the Biodiversity Gain Condition to be used as a reason to refuse the application. However, the applicant should be advised that the Biodiversity Gain Condition is a pre-commencement condition. If these matters are not addressed before determination, they will need to be resolved at the post-determination Biodiversity Gain Plan stage

BNG-Post Determination.
The metric identifies an area-balance error and records that the trading rules are not satisfied. Both these issues will need to be resolved in order to discharge the BGP.

LNRS & Post Determination Strategic significance: Areas of the application site are covered by mapped measures within the strategy. 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.

Biodiversity Gain Plan: I advise this is completed using the government template. In order 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.

- Completed metric tool calculation that demonstrates
  o a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.

  o A fully completed start page including project details and the date the final version of the metric was completed.

  o where off site units are being used these should be shown in the appropriate tab of the metric and the offsite 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 (for example, With a habitat management and monitoring plan)

Conditions:

Landscape and Ecological Management Plan (LEMP)

No development above ground level shall take place until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared by a suitably qualified ecologist and shall be consistent with the approved landscaping proposals and ecological information submitted with the application. It shall include:
• A description and evaluation of the habitats and landscape features to be created, retained and managed, including the part of the Moor Park Golf Course Local Wildlife Site affected by the soft landscaping proposals.
• The results of appropriate soil testing within the proposed wildflower grassland area, together with justification that the selected seed mix and establishment method are appropriate to the soil conditions and the seminatural grassland characteristics of this part of the Local Wildlife Site.
• The aims and measurable objectives for establishment and long-term management of the wildflower grassland, retained and replacement trees, shrubs, hedgerows and other habitat features.
• A five-year work programme, including an annual schedule capable of being rolled forward, and details of the body or organisation responsible for implementation.
• Monitoring methods, timing and reporting, together with triggers and procedures for agreeing and implementing remedial or contingency measures where the objectives of the LEMP are not being achieved.

The approved LEMP shall be implemented in accordance with the approved details and timescales. The habitats and landscape features covered by the LEMP shall thereafter be managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason
To secure the appropriate establishment and long-term management of habitats and landscaping, including the affected part of the Local Wildlife Site, and to ensure that the development delivers its intended biodiversity objectives.

Informative – nesting birds "Any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest."

4.1.10 Herts Ecology [Second comment: No objection].

Summary of Advice:	
Application can be determined with Conditions and Informatives listed	**Pre-determination** • Protected species, Sufficient information for determination. • BNG exemption claimed but BNG claimed. Insufficient information to support claim. **Determination** • Habitats • Protected species,- conditional. • BNG – Non significant enhancement. • Conditions -LEMP, Tree/ bats method statement. CEMP, Informative nesting birds.

Comments and recommended Conditions and Informatives:

Habitats: Local Wildlife Site Moor Park Golf Course 89/012. The northern section is part of the local wildlife site and will be impacted by the soft land scaping plans and some tree loss. The site is important for its f grassland which varies from acidic grassland to neutral grassland, A wildflower seed mix has been proposed for area within the LWS. Soil testing is advised to ensure that the grassland / seed mix is consistent with the seminatural grassland within this section of the LWS. Details of the testing, seed mix and management should form part of a LEMP which I advise is secured by Condition. Ecological reports - The Ecological Impact Assessment, (June 2026 update, 360 Ecology Ltd) references other ecological reports - A PEA by ASW Ecology Ltd in November 2023, This PEA is reported as referencing the potential for; Badger, Great crested newt, Common & widespread breeding birds, Bats, Reptiles. The EcIA updates the information for GCN, badgers, but not bats.

Protected Species

Great Crested Newts: multiple DNA surveys have shown the absence of great crested newts within 2 ponds one within the site the other and close and connected by contiguous habitat to the site.

Trees: The arboricultural report advises the removal of the following 5 trees for the development (T25, T26, TG82, T97 and T98), and a further 18 trees for arboricultural reasons. (T02, T22, T29, T31, T41, T44, T45, T46, T49, T50, T60, T61, T64, T66, T75, T76, T77 and T95). The arboricultural report does not give details of the size of these trees but the Biodiversity report lists all but three (T31, T86 and T91) as having a dbh of less than 300mm all of which are being retained. Two dead standing trees: T31 – Common beech and T41 – Sycamore are to be kept as monoliths, though the Biodiversity Gain Report does not show T41as being retained.

Bats: Taking the size assessment within the biodiversity report on face value I do not consider further surveys are required. However, as part of the ecology service (LEADS) response to the previous application 25/0900/FUL, tree 31 was assessed in 2024 as having moderate bat potential. A subsequent aerial survey found no evidence of bats but did advise that the rot hole retained a low potential for its use by a bat. Consequently, it was advised that a “condition should be imposed that a further inspection by a licensed bat ecologist is undertaken immediately prior to felling. This tree is now shown as either to be removed or retained as a monolith. If it is to be removed, I advise it is soft felled in line with BCT precautionary measures. If it is to be reduced to a monolith this should be carried out according to a method statement informed by the aerial survey carried out in May 2025. I advise these are secured by

Condition. See suggested wording below.

Mitigation: mitigation measures within the Ecological Impact Assessment, June 2026 update, 360 Ecology Ltd should be followed in full.

Biodiversity net gain

The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

(a) It Is a Householder Applications.
Nevertheless, the applicant has submitted a BNG metric and BNG report.

Claim of BNG delivery: In the submitted Planning & Heritage Statement section 6.6 states that the "proposals are low impact to preserve the openness of the Green Belt and would result in a 10% biodiversity net gain over the baseline conditions". However, the metric submitted, completed on 17 January 2026 by Ecology and Land Management, shows baseline values of 2.07 area habitat units and 0.46 hedgerow units and a post development net change of -23.86% in area habitat unit and -100% in hedgerow units. If the applicant is going to deliver the 10% above base line conditions further units on site or off site would need to be provided.

There are a number of technical issues relating to the metric (see below). Some or all of which need to be addressed if the metric is to be used to record the biodiversity values pre and post development of the site.

• The metric identifies an area-balance error.
• LNRS & the base line: In line with Government guidance metric submitted post the publication of the local (Hertfordshire) LNRS can set their base line strategic value as low. In this case the Woodland and Urban trees are set as having medium strategic significance this raises the amount of BNG units needed which could be corrected if the applicant so chooses.
• Areas of the application site are covered by mapped measures within the strategy. A high strategic significant value could be set for areas that meet both of the following criteria; (1) that are shown in the published local strategy and (2) deliver the mapped measures for that area.

Conditions:

Landscape and Ecological Management Plan (LEMP)

No development above ground level shall take place until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared by a suitably qualified ecologist and shall be consistent with the approved landscaping proposals and ecological information submitted with the application. It shall include:
• A description and evaluation of the habitats and landscape features to be created, retained and managed, including the part of the Moor Park Golf Course Local Wildlife Site affected by the soft landscaping proposals.
• The results of appropriate soil testing within the proposed wildflower grassland area, together with justification that the selected seed mix and establishment method are appropriate to the soil conditions and the seminatural grassland characteristics of this part of the Local Wildlife Site.
• The aims and measurable objectives for establishment and long-term management of the wildflower grassland, retained and replacement trees, shrubs, hedgerows and other habitat features.

• A five-year work programme, including an annual schedule capable of being rolled forward, and details of the body or organisation responsible for implementation.
• Monitoring methods, timing and reporting, together with triggers and procedures for agreeing and implementing remedial or contingency measures where the objectives of the LEMP are not being achieved.

The approved LEMP shall be implemented in accordance with the approved details and timescales. The habitats and landscape features covered by the LEMP shall thereafter be managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the appropriate establishment and long-term management of habitats and landscaping, including the affected part of the Local Wildlife Site, and to ensure that the development delivers its intended biodiversity objectives.

Condition - Method Statement for tree with low bat potential:

Tree T31 with low potential for bat roosts. A method statement should be submitted to the LPA for approval. This should outline the methodology to soft fell or reduce it, as applicable, according to BTC best practice guidance and informed by the details of the aerial survey outlined in the Ecological Impact Assessment, July 2024 Updated May 2025, 360 Ecology Ltd and uploaded or planning application 25/0900/FUL. The work should then be carried out according to the approved method statement.

Informative – nesting birds

“Any significant tree/shrub works or removal should be undertaken outside the nestingbird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.”

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 11

4.2.2 No of responses received: 3 objections received

4.2.3 Site Notice: Expiry: 16.08.2026 Press Notice: 21.08.2026

4.2.4 Summary of Responses:

- Information submitted regarding the historical context of the site, including the importance of the historic gardens, and the arts and crafts style of the properties
- A number of pictures provided to demonstrate the original property. Concerns that no regard has been had to the original building.
- The pool house is not permitted development as it is now connected to the dwelling. A veranda on the top of the roof of the outbuilding means it is not permitted development.
- Damaging to the Conservation Area.
- Similar applications have been refused on the site. Minimal changes since the 2025 application.
- Concerns that enforcement actions are still pending.
- Destruction of Capability Brown landscape.
- Overdevelopment of the site. Significant extensions already beyond what is acceptable within the Green Belt
- Destruction of habitats, there are a number of habitats in the woodland area.
- Large garage inappropriate within the Green Belt and results in requirement for more hard surfacing. The garage would be visible from the road.

- Moor Park is a low crime area and therefore the garage is not required. The dwelling as it originally existed had a garage which was removed.
- Frontages should be kept open and therefore gates are not allowed. Fencing is inappropriate.
- Fences and gates would set a precedent.
- No evidence of the retention of the grass verges. Site plans make no allowances for the grass verges.
- The size of the green house and its design should be reviewed in detail and its surroundings rethought.
- Concerns regarding size and design of the Green House which should be agreed in detail and should not overlook the Moor Park mansion.
- The garage would be visible from the road. It is insufficient to state that there is some existing vegetation partially screening the development.
- Lighting is inappropriate, excessive number proposed.
- Pathway in the woodland should not be permitted and should be undisturbed
- Boulders are inappropriate
- Concerns regarding the construction routing, concerns regarding a new access off of the small roundabout. There is no existing access.
- Concerns regarding drainage. Expectation of a proper flood risk. Level changes and increase in hard surfaces will cause water to flow towards the mansion.

4.2.5 **Officer comment:** The comments in relation the construction routing plan are noted. In the event that the application is approved, then this plan would not be listed as an approved document.

4.2.6 The comments made in relation to the pool house are noted. However, the pool house is not the subject of the current application, with the works relating solely to landscaping works to the site. Comments in relation to its connection to the dwelling are not considered relevant to the assessment of the current application.

4.2.7 All other comments shall be addressed by the analysis below.

5 Reason for Delay

5.1 Committee cycle. Extension of time agreed.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In August 2026 the new National Planning Policy Framework was published. Relevant Policies to this scheme include: S3 (Presumption in favour of sustainable development), GB6 (Control of development in the Green Belt), GB7 (Development which is not inappropriate in the Green Belt), DP3 (Key principles for well-designed places), N2 (Improving the natural environment), N6 (Areas of particular importance for biodiversity and geodiversity), HE4 (Securing the conservation of heritage assets), HE5 (Assessing effects on heritage assets), HE6 (Proposals effecting heritage assets), HE9 (Conservation areas)

6.2 The Three Rivers Local Plan

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM6, DM7, DM9, DM12, DM13 and Appendices 2 and 5.

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; Policies EE1, EE3, GB1, BGL1, BGL2, TC1 however, as the new Local Plan is consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight.

The Moor Park Conservation Area Appraisal (2006)

The Batchworth Neighbourhood Plan (2023). Relevant Policies include BWCC4 and BWDE1

6.3 Other

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

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.

7 Planning Analysis

7.1 Green Belt

7.1.1 Policy GB2 of the NPPF sets out the five purposes for including land within the Green Belt as:

a. Check the unrestricted sprawl of large built up areas
b. Prevent neighbouring towns merging into one another
c. Assist in safeguarding the countryside from encroachment
d. Preserve the setting and special character of historic towns and
e. Assist urban regeneration by encouraging the recycling of derelict and other urban land

7.1.2 Policy GB6 of the NPPF relates to control of development in the Green Belt. This sets out that '*inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting s clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.'*

7.1.3 Policy GB7 of the NPPF identifies categories of development which are not inappropriate in the Green Belt and therefore should not be regarded as harmful or be required to demonstrate very special circumstances. These include:

a. Development which is for agriculture, horticulture and forestry, or which is solely for

nature conservation, restoration and/or enhancement;

b. *The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;*
c. *Limited infilling in villages lying within the Green Belt;*
d. *Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site)*
e. *The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;*
f. *Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:*

i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location;

ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

iv. 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

7.1.4 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) 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".

7.1.5 Relevant to this current application are 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". In addition, criteria (c) is also relevant which sets out that extensions should not be disproportionate in size to the original building. In addition, Policy DM2 relates to ancillary buildings

The Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:

i) be of a scale and design clearly subordinate to the dwelling and of a height and bulk such that the building would not adversely affect the openness of the Green Belt
ii) be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development
iii) avoid features normally associated with the use of a building as a dwelling such as dormer windows.

7.1.6 Policy DM2 was adopted prior to the publication of the current NPPF. However, it was adopted after the publication of the original 2012 NPPF, and the Green Belt policies in the NPPF in relation to inappropriate development are not materially different between the two. On that basis, it is considered that Policy DM2 is in accordance with the NPPF and may be afforded weight.

7.1.7 Detached Green house: The applicant is proposing the provision of a detached green house structure which would be located to the north of the extended host dwelling. Whilst it is acknowledged that the structure would not fall within any of the identified exceptions to inappropriate development within the NPPF, it is acknowledged that Policy DM2 does make provision for ancillary outbuildings as set out above. The area in which the greenhouse is proposed is currently undeveloped and does not contain any built form, thus appearing visually and spatially open.

7.1.8 The greenhouse would be located in relatively close proximity to the existing dwelling. It would be modest in scale, with a width of 5m, a depth of 2.5m and a height of 2.4m. It is considered that it would appear as a traditional greenhouse structure which one would reasonably expect to find in a residential garden, particularly taking into consideration the size of the site. It is noted that one of the objections state that the plans do not give sufficient detail with regard to the appearance of the green house. In response, the elevations and floor plans provided are sufficient to determine the appearance of the structure. As such, it is considered that the greenhouse represents an ancillary structure which would accord with the provisions of Policy DM2 of the Development Management Policies LDD. It is also noted that the greenhouse was found to be an acceptable form of development under the previous application 25/0900/FUL.

7.1.9 Refuse Store: The proposed bin store would be sited within the front garden and would be set back from the frontage, screened by vegetation. Again, regard must be had to Policy DM2 of the Development Management Policies LDD which does allow for ancillary buildings. In this case, the structure would be of modest scale with a height of 1.4m. It would be integrated within the soft landscaping proposed, particularly taking into consideration its modest height and the sedum roof form proposed. Officers therefore consider that the refuse store would not have an impact on the openness or the rural character of the Green Belt by reason of its limited scale. As such, no objection is raised in this regard. It is also noted that the refuse store was found to be an acceptable form of development in green belt terms under the previous application 25/0900/FUL.

7.1.10 Detached Garage: The proposed development includes a detached garage which would be located to the north of the dwelling. As noted previously, Policy DM2 of the Development Management Policies LDD does provide for ancillary outbuildings and therefore regard must be had to this policy.

7.1.11 The proposed garage would consist of a double garage with store. It would have a width of 11m, depth of 6.6m and a height of 4.1m. Whilst it is acknowledged that this would be a relatively sizeable addition, one must consider the specific site circumstances. In this instance, the application site is large, with the land within the red line alone having an area of 0.6hectares. Therefore, it is not considered that the garage would be viewed as a disproportionate addition when taking into consideration the overall size of the application site which is vast. In terms of design, it would be a single storey addition and would avoid features associated with a residential dwelling such as dormer windows. In terms of its siting, it would sit at a lower land level to both the dwelling and to the adjacent highway, which would further reduce its visual prominence. Furthermore, the front boundary of the site is screened by extensive, mature screening in this location. As such, taking into account the specific site circumstances, it is considered that the proposed garage would represent an ancillary structure which would not be unreasonable for the size of the site. The development is therefore held to be an acceptable additional in accordance with Policy DM2 of the Development Management Policies LDD. It is noted that the garage was not objected to under application 25/0900/Ful and therefore did not form a reason for refusal.

7.1.12 Irrigation Tank: The irrigation tank is proposed due to the size of the site and to allow maintenance of existing and proposed landscaping. Again, it is considered that this can also be considered as an ancillary building under Policy DM2. This would be sited in close proximity to the proposed garage and would have a height of 1.9m which is not considered to be excessive and would be screened with evergreen hedging. As such, in terms of its

scale, it is considered that it would appear as an ancillary structure which would not be harmful to visual or spatial openness. Consequently, no objection is raised.

7.1.13 Gates: The proposed gates would not fall within any of the above identified exceptions to inappropriate development in the Green Belt. However, due to their location on the site and their limited scale, it is considered that they could also be considered as falling within the consideration of Policy DM2 of the Development Management Policies LDD. Notwithstanding this, given their siting and height, not exceeding 2m, it is considered that they could be constructed as permitted development under Schedule 2, Part 2, Class A of the General Permitted Development Order 2015 (as amended) without the requirement for planning permission, thus offering a valid fall-back position. Furthermore, the gates have been sited in a location which is not visually prominent on the site and their open design would also minimise any adverse harm from a Green Belt perspective. Whilst residents have raised concern that they would be seen, given their location as set well back from the established access point, it is not considered that they would be a prominent addition. It is therefore concluded that there would be no spatial or visual harm to Green Belt. It is noted that the original plans also included paladin fencing, however, the plans have now been amended and this element has been removed.

7.1.14 Landscaping: The proposed development indicates landscaping alterations. This would include the provision of a formal lawn with pathways, and landscaping to the existing outbuilding's roof. It is considered that these above operations would constitute engineering operations, which are exceptions to inappropriate development as set out within paragraph 154 of the NPPF, provided that they do not conflict with the purposes of the Green Belt.

7.1.15 Similar landscaping to the roof of the outbuilding was previously permitted under application 21/2389/FUL. The landscaping to the roof form has been implemented on site. Officers do not consider this to be a prominent addition and consider that this integrates into the setting of the site. It is also emphasised that the patio areas adjacent to the dwelling and implemented have been previously approved under the above application. .Residents have also raised concerns that the outbuilding is linked to the main dwelling. In response it is acknowledged that a patio approved under application 21/2389/FUL adjoins both the patio and the outbuilding.

7.1.16 The formal lawn area would be an appropriate form of development from a Green Belt perspective which would retain soft landscaping to the side of the existing dwelling and therefore a sense of openness around the dwelling. Whilst the plans indicate pathways around part of the lawn, it is unlikely that this in itself would adversely impact on openness. The previously refused plans indicated a gabion wall to one end of the formal lawn and concerns were expressed that this would represent an urbanising addition. The current plans have sought to overcome this concern by proposing a natural slope down to the woodland. The landscaping in this location is now considered acceptable. Taking into consideration the purposes of including land within the Green Belt as set out in Policy GB2 of the NPPF, it is not considered that there would be any conflict with these purposes and consequently the development is viewed to be acceptable.

7.1.17 Hardstanding: To the site frontage, the applicant is proposing an increase in hardstanding, to provide a new driveway to the front of the dwelling, as well as the creation of an access drive leading to the new garage and associated hardstanding. This would be considered as an engineering operation under Policy GB7 (f) (i). Engineering operations are be considered as appropriate so long as the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green

7.1.18 The dwelling (prior to building works on the site) benefited from a carriage driveway with the plans from 2015 suggesting that the hardstanding had an area of 330 square metres. The applicant has also referred to a pre-existing tennis court which would be removed, however, officers consider that this has completely grown over and blended in with the existing site landscape, such that it cannot be relied upon as an existing form of development.

7.1.19 The plans submitted under 25/0900/FUL illustrated hardstanding with an area of approximately 852 square metres and by reason of its extent and spread, it was considered that there would be both visual and spatial harm to openness. From a visual perspective, concerns were raised that the increase in hardstanding would allow for vehicles to be parked across a large area which would highlight its existence and further exacerbate the visual harm to openness. The revised plans indicate a reduction in the area of hardstanding previously refused, with the current plans indicating a revised area of approximately 552 square metres. Officers acknowledge that this is still an increase compared to the pre-existing level of surfacing at the application site. However, the assessment of harm to the Green Belt cannot solely be based on numerical figures, and one is required to assess the actual harm to openness. As set out previously, under Policy GB7 (f) (i) of the NPPF, the provision of hardstanding is an appropriate form of development within the Green Belt as long as impact on the openness of the Green Belt is minimised and that there would not be a significant conflict with the Green Belt purposes as set out in Policy GB2 of the NPPF.

7.1.20 In this case, the amended plans submitted at the time of the current application include the removal of the previously proposed turning circle, and ancillary pathways to the frontage. These amendments are considered to have reduced both the visual and spatial impact of the hard surfaced area to the front of the dwelling. The layout of the driveway is curved with soft landscaping buffers to all sides which softens the development and reduces the urbanising impact on the locality. In addition, the application includes the closure of one of the existing vehicular accesses which historically served the site and introduces further soft landscaping in this location along the front boundary. This is also considered to be a benefit of the current scheme. It is acknowledged that the proposed development still includes an access drive and hardstanding to the front of the proposed garage and thus spatially, some spread of development would still occur. However, in this case, the site levels and vegetation would provide significant and effective screening which would ensure that this element would not be detrimental to openness, taking into consideration the reductions made to the overall surfaced area. Furthermore, as emphasised above, Policy GB7 (f) (i) of the NPPF requires an assessment of whether the engineering operations would conflict with any of the Green Belt purposes (set out in Paragraph 7.1.1. Officers consider that the development would not conflict with any of these purposes and thus the hardstanding is considered to be an appropriate form of development within the Green Belt.

7.1.21 Summary: In summary, no objections are held to the proposed development within the Green Belt. The structures proposed are considered to represent ancillary buildings, taking into consideration their scale in relation to the overall size of the site, their siting, land levels and screening. The development is viewed to be in accordance with the provisions of the NPPF, Policy CP11 of the Core Strategy and Policy DM2 of the Development Management Policies LDD.

7.2 Character and Heritage Assets.

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness 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'. Policy DM1 and Appendix 2 of the Development Management Policies LDD advises that development should not be unduly prominent in the streetscene.

7.2.2 The host dwelling is located within the Moor Park Conservation Area and therefore Policy DM3 of the Development Management Policies LDD is relevant. This advises that

development will only be permitted where it is of a design and scale that preserves or enhances the character or appearance of the area. The Moor Park Conservation Area Appraisal is also relevant and sets out specific guidance in order to preserve the special character of the area.

7.2.3 In addition, Temple Gardens is located within the Grade II* Registered Park and Garden of Moor Park. Historic England note that '12 Temple Gardens stands within the old Pleasure Grounds, an area of informal woodland apparently laid by Lancelot 'Capability' Brown and altered as part of the significant works undertaken for the first Marquess of Westminster in the 1830s. The later development of Temple Gardens took advantage of the existing informal woodland character, and the pleasure grounds hence still retain their legibility. In assessing applications for designated Heritage Assets, Policy HE6 of the NPPF is relevant and sets out the following:

'when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of significance.

7.2.4 In addition, Policy HE6 states that:

4) Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

and

6) Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings, or grade II registered parks or gardens, should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

7.2.5 Policy HE9 of the NPPF relates to Conservation Areas and notes that proposals within or affecting the significance of Conservation Areas should:

a. Retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and

b. Consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.

2. Not all elements of a conservation area will necessarily contribute to its significance. Where a development proposal would result in the loss of a building or other element which contributes to the character or appearance of a conservation area that is desirable to conserve, the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole, and the effects of this considered in accordance with policies HE5 and HE6.

3. Proposals which conserve those elements of a conservation area that make a positive contribution to the area (or which better reveal its significance) should be supported.

7.2.6 Policy DM3 of the Development Management Policies LDD advises that 'planning permission will not be granted for proposals that would cause unacceptable harm to historic

parks or gardens (both registered or unregistered'. There are a number of Listed Buildings in close proximity to the site. Policy DM3 advises that *'applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and surrounding historic environment*'

7.2.7 Policy BW DE1 of the Batchworth Neighbourhood Plan is also relevant and relates to 'High Quality Design'. This sets out that proposals should 'respond positively to guidance an principles established in the Batchworth Neighbourhood Design Code, including but not limited to prevailing building heights, materials, development frontages, plot widths, boundary treatments and street enclosure. Chapter 5 of the Design Code sets out that dwellings in Moor Park should have 'a generous setback from the street and should have a vegetated front garden in keeping with the green feel of the area. Paving over front gardens with non-permeable surfaces must be avoided as it can cause drainage issues'.

7.2.8 The Moor Park Conservation Area Appraisal (2006) is also relevant and provides guidance in order to preserve the special character of the area, including its verdant setting and openness.

7.2.9 A number of different elements form part of the current proposal and these will be explored in turn below.

7.2.10 Green House: The proposed green house is considered to be of modest scale and would be of traditional appearance, finished with a mix of brick and glazing. Whilst residents have raised concerns that the Green house would impact on views towards the Mansion, this has not been raised as a concern by either Historic England or the Conservation Officer. Taking into consideration the overall size of the site, the scale of the Green House and its siting, it is not considered that there would be significant harm. It is also not considered that the structure would be readily visible from within Temple Gardens itself, given the dense tree coverage at the boundaries and that this structure would sit at a lower land level. Furthermore, a greenhouse is a structure that one would reasonably anticipate to find in a residential garden, particularly one of this size.

7.2.11 Refuse Store: This would be located within the front garden area. The Moor Park Conservation Area Appraisal discourages the provision of development forward of the front building lines, stating the following:

To prevent the erosion of open street vistas, residential amenity and the appearance of a street, construction in front of the existing building line or existing building façade is unacceptable. This includes the construction of replacement garages and the erection of porches exceeding specified dimensions.

7.2.12 Whilst the above guidance is noted, in this case, no objections are raised. A refuse store was proposed under the previous application and sat further forward on the site than that now proposed. However, it was determined that this element did not result in harm in heritage terms and therefore did not form a previous reason for refusal when determining application 25/0900FUL. Notwithstanding this, the applicant has sought to move the proposed refuse store further away from the front boundary than previously proposed in order to further minimise any harm. The refuse store is considered to be of limited scale with a height of 1.4m and with a sedum roof form which would allow it to integrate with the soft landscaping to the frontage. It would also be set back from the existing vehicular access which would also prevent it from appearing visually prominent from the frontage. Taking into consideration its scale, design, siting and the fact that the refuse store did not form a previous reason for refusal, no objections are raised in this regard.

7.2.13 Irrigation Tank: The irrigation tank is proposed due to the size of the site and to allow maintenance of the new planting. This is not considered to be unreasonable given the size of the site and the need to maintain the existing and proposed planting. Whilst it is acknowledged that this would be an urbanising addition, the plans indicate that it would be

of modest height (1.8m) and would be screened by planting which would help to mitigate any impact. Given its siting and position, it is not considered that this would result in significant harm to the character and appearance of the Conservation Area or to the Registered Park.

7.2.14 Detached Garage: The proposed development includes a detached garage which would be located to the north east of the dwelling. In terms of its scale and design, the applicant is seeking a double garage with garden store. It would have a width of 11m, a depth of 6m and a height of 4m. This is the size that was also previously proposed under application 25/0900/FUL. Whilst Historic England have not provided specific comments with reference to the garage when commenting on the current application, their previous comments made in relation to application 25/0900/FUL set out the following (the siting and scale of the garage has not been amended under this application and thus the comments are still considered applicable):

''The revised positioning and treatment of the garage also represent an improvement with a lower visual profile and clearer integration into the surrounding landform. We note that Herts Archaeology's updated response confirming that the proposals are unlikely to have a significant archaeological impact and raising no objection'

7.2.15 Likewise, at the time of the previous application, the Conservation Officer raised no objection considering that the size of the garage, the siting, drop in land levels and mature tree planting meant that there would be no impact on views towards Moor Park Mansion, and to the wider Conservation Area. Indeed, officers concur with this view. It is considered that the proposed garage would not be readily visible from within Temple Gardens and therefore would not represent a visually prominent addition within its setting. As such, the garage is viewed as acceptable in heritage terms. It is noted that residents have raised concern regarding the provision of the garage considering that it is not required as Moor Park is a low crime area, and that the original dwelling (before alteration) included a garage. These comments are acknowledged, however, it would be unreasonable to refuse permission on the basis that a garage may not be perceived to be required or that the applicant has previously removed a garage.

7.2.16 Gates and fencing: It is noted that a key attribute of Temple Gardens and of the wider Moor Park Area, is its sylvan character and open frontages. Indeed, paragraph 3.1.2 of the Moor Park Conservation Area Appraisal sets out the open character of the frontages in the Conservation Area are one of its most pleasant features, and that wall, metal gates and railings will not be considered sympathetic.

7.2.17 The original plans submitted with the current application include the provision of sliding gates with palisade fencing to either side. These are proposed to be located at the entrance to the access driveway to the proposed garage. In terms of the siting of the gates, these would be set well within the site and away from the front boundary such that they would not represent an urbanising or incongruous feature along the frontage. Their siting means that they would not act to visually enclose the site and thus the sense of openness at the site's frontage would be retained, thus ensuring that the character of the locality is retained in this regard. Given their siting, it is not considered that the sliding gates would be harmful to the character and appearance of the site or the wider Conservation Area. It is also not considered that the gates would conflict with the guidance within the Moor Park Conservation Appraisal document.

7.2.18 However, notwithstanding the above, the Conservation Officer raised concerns regarding the provision of paladin fencing as illustrated on the original plans, stating that whilst its heritage impact is likely to be limited due to its location, paladin fencing is inappropriate in this context. Therefore, during the course of the application, amended plans have been submitted to show hedging to either side of the gates which is considered to be more appropriate to the context of the site. It is also considered that the planting proposed would also further soften the appearance of the fencing.

7.2.19 In summary, whilst officers acknowledge that gates are generally considered to be inappropriate within the Moor Park Estate, the siting of the gates means that they would not result in significant harm to justify refusal in this instance. In addition, the paladin fencing has been removed from the plans which overcomes the concerns raised by the Conservation Officer. As such, no objections are raised from a heritage perspective. Furthermore, it is also emphasised that the gates did not form a previous reason for refusal in determining application 25/0900/FUL.

7.2.20 Landscaping Alterations: The proposed development includes extensive landscaping alterations across the site. At the time of the previous application, Historic England raised objections to the cumulative impact of the proposed development, setting out that the proposals would introduce further engineered landscape and built form into the Registered Park and Garden. At the time of the previous application, the comments received from Historic England emphasised that the historic character of the Registered Park is derived from its openness and naturalistic design.

7.2.21 Since the time of the previously refused application, the applicant has made amendments including the removal of a formal woodland walk which was shown previously to be gravel. The plans are now amended to set out that this area would consist of informal grassland with wildflowers and mown pathways meandering through. This is a less formalised approach to this area which is considered to be more sympathetic to the naturalistic setting of the Registered Park.

7.2.22 A formal lawn still forms part of the current application, however, the extent of pathways surrounding this area have been reduced such that they no longer extend around the whole parameter of this area. Informal grassland is illustrated and would completely contain the northern end of the lawn, thus integrating this area into the landscape. The previously proposed plan indicated a gabion wall adjacent in this location and concerns were raised that this would be an urbanising addition and exacerbated the perception of an engineered landscape, at odds with the naturalistic environment of the Registered Park and Garden. The amended plans now indicate a gradient sloping down which again is considered more appropriate to the setting.

7.2.23 The plans also indicate landscaping works to the roof form of the outbuilding. Residents have raised concerns that this would result in the outbuilding not complying with permitted legislation as it includes a veranda. Whilst these concerns are noted, the outbuilding itself is not subject of this current application and has been previously approved under a CLPD application, with the applicant now only seeking permission for the landscaping proposed on its roof form which would enable its use by occupants. It is noted that the outbuilding sits at a lower land level to the dwelling, and the provision of planting to the roof form allows the structure to integrate into the setting of the site and be read as part of the garden. Furthermore, it is noted that similar planting and landscaping works to the outbuilding roof form has been permitted under application 21/2389/RSP and this has already been implemented. Given the location of this landscaping and taking into consideration the site levels, it is not considered that the proposed landscaping would result in any harm to the character and appearance of the Conservation Area or the Registered Park and Garden to justify refusal.

7.2.24 At the time of the previous application, concerns were raised by officers regarding the extensive lighting scheme, noting that lighting of this scale would be inappropriate in the context of the Conservation Area, and would be a further urbanising influence, at odds with the naturalistic setting of the site. It is acknowledged that a revised lighting scheme was provided at the time of the current application. However, officers still raised concerns that the number of lights proposed was excessive. In response, amended plans have been received, however, concerns are still raised regarding the extent of lighting proposed in this setting. As such, a condition is suggested to ensure that any lighting is agreed.

7.2.25 Hard surfacing: The proposed development includes alterations to the frontage which would include the closure of one of the existing vehicular accesses and the extension of the existing hardstanding. In addition, a new access driveway would be created which would provide access to a further area of hardstanding and the detached garage (discussed above). Temple Gardens and the wider Moor Park area is characterised by its greenery and open frontages with the Conservation Area Appraisal stating the following:

The landscape qualities of the conservation area are of huge significance. The open and generous landscaping adds greatly to the special architectural character of the area by enhancing the architectural clean lines and enhancing the overall sense of space.

7.2.26 Paragraph 3.11 of the Appraisal goes on to provide specific guidance in relation to hardstanding and states the following:

Extensive hard surfacing will not be considered to be sympathetic to the open character of the frontages in the conservation area. Areas of hard standing between the front and side of a house and the road should be no more extensive than is reasonably necessary to park and turn vehicles. A "clover leaf layout" or similar will allow planting between the hardstanding and the road. In particular, single access drives rather than "in & out" drives should be employed.

7.2.27 The site has historically benefited from an existing carriage driveway to the site frontage, although it is hard to decipher given on-going construction works. It is also acknowledged that the site benefited from a hard surfaced tennis court, however, this has now largely grown over and is not visible on site. An aerial image from the site from 2018 prior to any works commencing is shown below:



7.2.28 At the time of the previous application 25/0900/FUL, the increase in hardstanding on the site formed part of one of the reasons for refusal, specifically in respect of the increase in hardstanding to the frontage which was considered to be an urbanising form of development eroding the open and green character of the site, area and the Grade II* Registered Park and Garden and the Moor Park Conservation Area. Since the time of the previously refused application, the applicant has amended the plans to reduce the extent of hardstanding. The officer report from 25/0900/FUL set out that the extended driveway would have had an area of approximately 852 square metres, whilst that currently proposed would have an area of approximately 552 square metres. The amendments to the layout of the driveway include the removal of a turning circle, removal of an area for parking extending to the side of the

dwelling, and removal of some ancillary pathways to the frontage which were considered to be unnecessary.

7.2.29 Notwithstanding the reduction from the previously refused application, officers acknowledge that the extent of hardstanding proposed does still extend beyond what historically existed. Looking at historic plans submitted in 2015, the driveway is illustrated at having an area of approximately 330square metres. Consequently, it is acknowledged that the hard surfacing as currently proposed would exceed this area. However, officers must consider the actual harm to the setting of the Conservation Area and to the Registered Park and Garden in order to determine the acceptability of the proposed area of hardstanding. In this case, it is not considered that significant harm would occur for the following reasons.

7.2.30 The proposed development includes the closure of one of the existing vehicular accesses and the reinstatement of this area with soft landscaping. The closure of the access is viewed positively as it would move hardstanding away from the Temple Garden frontage and introduce more greenery in this visible location, something the Appraisal seeks to achieve. Therefore, this area of the site would be enhanced in accordance with Policy DM3 of the Development Management Policies LDD. The proposed driveway would be set back from the frontage, with the turning circle removed from the plans. Likewise, the ancillary pathways have been removed, thus reducing the urbanising spread of development on the site. The driveway has a curved design with buffers of soft landscaping to all boundaries which would soften its appearance and ensure that it integrates into its surroundings. The level of hardstanding directly to the front of the dwelling is therefore considered acceptable and not unreasonable for a site of this size.

7.2.31 It is noted that the applicant is still seeking permission for an access drive and hardstanding to the garage frontage. However, the access drive and associated hardstanding would be set back from the frontage, screened by significant vegetation and would also be at a lower land level. This is such, that the actual visual harm to designated heritage assets would be minimised. Furthermore, the Conservation Officer has raised no objection to this element of the proposed development, considering that the *'proposed hardstanding appears proportionate in the context of the site with much of it set back from the boundary. The proposed materials are block paving in grey or darker colours which appear to be of good quality and appropriate to the Site and overall, it is not considered harmful in heritage terms'*. Indeed, the size of the application site is extensive (taking into consideration, the land within both the red and blue lines). As such, it is not considered that the area proposed to be hard-surfaced would be disproportionate or unduly urbanising. Consequently, whilst it is therefore acknowledged that the proposed hardstanding to the frontage would exceed that pre-existing at the site, this in itself is not reason to refuse the application. As set out above, the development would include significant areas of soft landscaping, including the closure of the existing vehicular access which would minimise visual harm and allow the development to integrate into its setting. Consequently, the proposed level of hardstanding is now considered to be acceptable.

7.2.32 Cumulative Impact: It is noted that some concerns have been raised regarding the cumulative extent of development proposed. In response, it is acknowledged that a number of structures are proposed, however, the bin store, green house and irrigation tank are ancillary structures which would not be dominant in their setting and have been sited to minimise their harm. Whilst the garage is acknowledged to be larger, given the overall site area, this would not be a dominant addition. It is also considered that extensive soft landscaping has been retained which preserve the naturalistic qualities of the site. Cumulatively, it is not considered that the development proposed would result in significant harm to justify refusal on this basis.

7.2.33 Summary: As set out, this application site has extensive planning history, including a refusal for the landscaping works in 2025. As set out, amendments to the scheme have been made including:

- Re-siting of the proposed bin store
- Removal of woodland walk area
- Removal of some of the pathways around the parameter of the formal lawn area
- Removal of gabion wall adjacent to formal lawn
- Removal of paladin fencing
- Reduction in hard surfacing from exceeding 800 square metres to 550 square metres,
- Removal of turning circles and ancillary pathways.

7.2.34 It is acknowledged that whilst the comments from Historic England consider the current scheme as an improvement on previous proposals, that there would still be a minor level of harm to heritage assets. The Conservation Officer has also considered that the scheme is an improvement to previously proposed schemes. Whilst the Conservation Officer has expressed concerns regarding the paladin fencing, this has been removed from the plans, thus overcoming these objections.

7.2.35 The comments from consultees in respect of heritage assets are acknowledged. However, officers consider that the development would not result in harmful impacts on heritage assets. . Officers consider that the specific site circumstances must be taken into consideration, including that the development would not be disproportionate to the size of the site, the siting of the structures, the associated land levels and the levels of soft landscaping proposed would minimise any adverse harm. In addition, whilst the area of hardstanding exceeds that pre-existing, its appearance is softened by the soft landscaping proposed including buffers to all sides. It is therefore considered that the development would preserve the character and appearance of the Conservation Area and the Registered Park and Garden. It is therefore concluded that The proposed development is considered acceptable and in accordance with Policy CP12 of the Core Strategy and Policies DM1, DM3 and Appendix 2 of the Development Management Policies LDD and the provisions of Policies HE6 and HE9 of the NPPF.

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy advises that development proposals should ‘protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space’. Appendix 2 of the Development Management Policies LDD states that 'oversized, unattractive, and poorly sited development can result in loss of light and outlook

7.3.2 The siting of the host dwelling and nature of the development means that there would be no impact on the residential amenities of the neighbouring dwellings. As such, no objections are raised in this regard. The development would be in accordance with Policy CP12 of the Core Strategy and Policy DM1 and Appendix 2 of the Development Management Policies LDD.

7.4 Access and Car Parking

7.4.1 Policy CP10 of the Core Strategy requires development to demonstrate that it will provide a safe and adequate means of access. Policy DM13 and Appendix 5 of the Development Management Policies LDD requires a dwelling with four or more bedrooms to have three off street car parking spaces.

7.4.2 The proposed development includes the closure of one of the existing vehicular accesses. However, the site would be continued to be served by an existing vehicular access. It is not considered that any harm would occur as a result of the closure of one of the existing accesses.

7.4.3 The proposed development includes alterations to hardstanding and the provision of a garage which would provide ample provision for off street car parking. Consequently, no objections are made to the development in this regard. The proposals would be in

accordance with Policy CP10 of the Core Strategy and Policy DM13 and Appendix 5 of the Development Management Policies LDD.

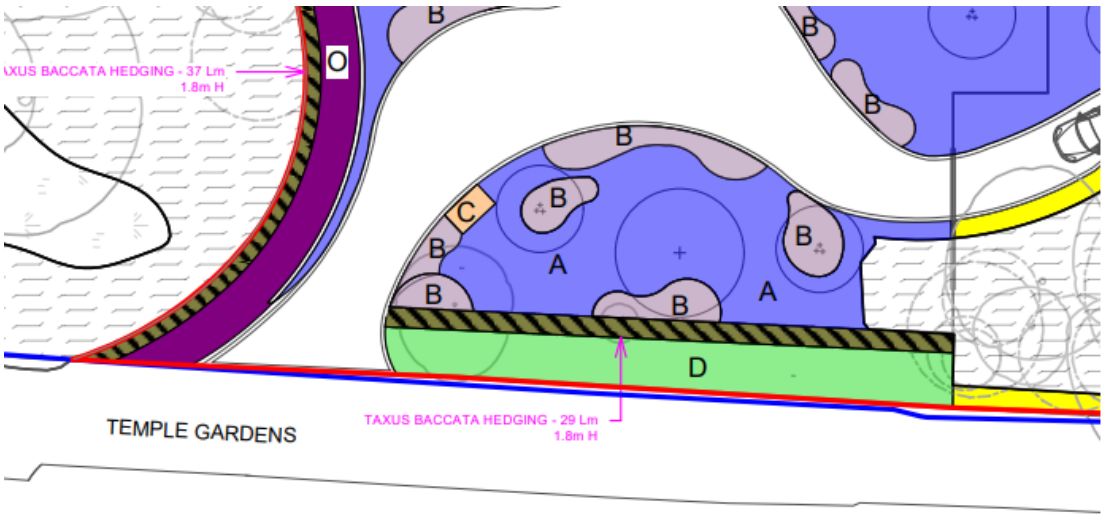
7.5 Trees and Landscaping

7.5.1 Policy DM6 of the Development Management Policies LDD relates to trees and landscaping. It states that 'development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible, particularly those of local amenity or nature conservation value or hedgerows considered to meet the criteria of the Hedgerow Regulations 1997'.

7.5.2 The application site is within a Conservation Area and part of the site is protected by a Tree Preservation Order (TPO450). Residents have raised significant concern regarding the impact on protected trees and also have raised concerns in relation to the retention of verges. At the time of the previous application, the Landscape Officer noted that following a previous enforcement investigation at the property in relation to the deaths of a number of protected trees, the council is requiring the landowner to plant 21 standard trees to replace those that died.

7.5.3 The Landscape Officer has been consulted on the current application and notes that the number of trees scheduled for removal as part of the current application has been reduced to 16 trees and 1 tree group. In mitigation, a total of 69 trees are proposed for planting. Consequently, the level of planting proposed is considered to mitigate the loss of existing trees on site. The Landscape Officer has also raised no objection to the planting which has been proposed. The replanting is considered essential to allowing the site to be both restored and further enhanced following development which has taken place over a significant period of time. This application will allow the re-planting to be conditioned and for the LPA to have control over the landscaping on the site. The Landscape Officer has suggested a condition shall be attached to the consent requiring a compliance visit to be undertaken following the landscaping works to ensure that this has been undertaken in accordance with the approved plans.

7.5.4 It is noted that residents have raised concerns that some elements of the scheme would not be in keeping with the character and appearance of the Conservation Area. This includes elements such as boulders. In response to these concerns, the applicant has advised that the boulders will help with stabilising the soil in this inclined location and also replicates a rockery approved under application 21/2389/FUL. Furthermore, the rockery area would be located to the rear of the site and thus would not be visible from Temple Gardens nor wider views from the Registered Park and Garden. It is also noted that a rockery would generally



not constitute development and could be undertaken without the need for planning permission.

7.5.5 Residents have also raised concerns that the verges are not indicated on the plans. This concern has been raised with the applicant who has advised that the verge is being retained as per the image below

7.5.6 An informative shall be added to any consent reminding the applicant of the requirement to reinstate the existing estate verge.

7.5.7 In summary, subject to a condition requiring the planting to be undertaken in accordance with the approved plans. The development is therefore acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

7.6 Wildlife and 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.

7.6.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.

7.6.3 Herts Ecology note that the application site is important for its grassland which varies from acidic grassland to neutral grassland. The Ecology Officer notes that a wildflower seed mix is proposed for an area which falls within the Local Wildlife Site. As such, soil testing will need to be undertaken to ensure that the grassland/seed mix is consistent with the semi natural grassland within this section of the Local Wildlife Site. The Ecology Officer has advised that details of the testing, seed mix and its management should form part of a Landscape Ecology Management Plan which can be secured via a condition.

7.6.4 The Ecology Officer has raised no objection to the development in relation to the impact on protected species. The consultee comments note that multiple surveys have shown the absence of great crested newts within two ponds, one within the site and another close by and connected by contiguous habitat to the site. With regard to bats, Herts Ecology do not consider that further survey work is required. However, their consultee comments note that T31 has low potential for bats, and as such, prior to any works to this tree, a method statement should be submitted to outline the methodology to soft fell/or reduce it as applicable. The Ecology Officer has also advised that an informative should be added to any consent to provide an advisory note in relation to nesting birds.

7.6.5 In summary, subject to the conditions suggested by Herts Ecology, the development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD.

Mandatory Biodiversity Net gain

7.6.6 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.

7.6.7 It is noted that the previous application was subject to assessment by Herts Ecology and was subsequently refused in the absence of an accurate BNG Assessment and Metric calculation. A number of issues were raised including the submission of two habitat maps and the concern that the habitats shown in some of the documentation did not appear to represent the existing habits on the site.

7.6.8 Herts Ecology have been consulted in relation to the current application. Their consultee comments now advise that the biodiversity net gain planning condition does not apply in relation to the application as the applicant has stated that the application is a householder application and thus meets one of the identified exemptions. However, the Ecology Officer notes that the applicant has still provided a BNG Report and Metric. The Ecology Officer notes that although the Heritage Statement identifies a 10% net gain over baseline conditions, the submitted metrix does not demonstrate this at present and suggests a loss, meaning further units on or off site would be required.

7.6.9 The submission of the metric is acknowledged, however, given this is a householder application it is considered that the application would not be subject to the mandatory 10% net gain and thus no objections are now raised.

7.7 Drainage

7.8 It is noted that extensive concerns have been made in relation to drainage. It is noted that a drainage proposal has been submitted under the current application. However, as this is not a major application, therefore, the drainage scheme has not been subject to assessment by the LLFA. It would be unreasonable to refuse the application on drainage grounds and furthermore, it is noted that this has not previously formed a reason for refusal.

7.9 Summary

7.9.1 In summary, it is acknowledged that the site has an extensive planning history and works have been ongoing on site for a number of years. However, this application must be assessed on its own merits.

7.9.2 For the reasons set out above, it is not considered that the development would be an appropriate form of development that would not result in harm to the openness of the Green Belt. Likewise, it is considered that the proposed development would not harmfully impact on heritage assets and would preserve the character and appearance of both the Conservation Area and the Registered Park. Furthermore, the proposed development would allow the extensive replanting scheme to be secured via a condition and to ensure that the site is restored and further enhanced. Officers therefore considered that the proposal is in accordance with Policies GB6, GB7, HE6 and HE9 of the NPPF, Policies CP1, CP9, CP10, CP11 and CP12, Policies DM1, DM2, DM3, DM6, DM8, DM13 and Appendix 2 of the Development Management Policies LDD and the Moor Park Conservation Area Appraisal (2006).

7.9.3 Officers do acknowledge that development has been ongoing on site for a number of years and that there is now a need for works on the site to be completed. Consequently, the standard time condition has been amended from three years to one year, in order for works to commence and be completed as soon as possible.

7.9.4

8 That PLANNING PERMISSION IS GRANTED subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of one 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:

PA.01, PA.02, PA.03, PA.05 (Levels), PA.05 G (Garage), PA.06B, PA.07A, PA.04 (22.09.2026), PA08, PA.09, PA.10, PA.15, PA.16, PA.17A, PA.18A, PA.19, PA.20 (09.10.2026) PA.FG_Mat, P501 G

Reason: For the avoidance of doubt, in the proper interests of planning, residential and visual amenity; in accordance with Policy PSP2, CP1, CP3, CP4, CP6, CP8, C9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM3, DM4, DM6, DM8, DM9, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 No development above ground level shall take place until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared by a suitably qualified ecologist and shall be consistent with the approved landscaping proposals and ecological information submitted with the application. It shall include:

• A description and evaluation of the habitats and landscape features to be created, retained and managed, including the part of the Moor Park Golf Course Local Wildlife Site affected by the soft landscaping proposals.

• The results of appropriate soil testing within the proposed wildflower grassland area, together with justification that the selected seed mix and establishment method are appropriate to the soil conditions and the seminatural grassland characteristics of this part of the Local Wildlife Site.

• The aims and measurable objectives for establishment and long-term management of the wildflower grassland, retained and replacement trees, shrubs, hedgerows and other habitat features.

• A five-year work programme, including an annual schedule capable of being rolled forward, and details of the body or organisation responsible for implementation.

• Monitoring methods, timing and reporting, together with triggers and procedures for agreeing and implementing remedial or contingency measures where the objectives of the LEMP are not being achieved.

The approved LEMP shall be implemented in accordance with the approved details and timescales. The habitats and landscape features covered by the LEMP shall thereafter be managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the appropriate establishment and long-term management of habitats and landscaping, including the affected part of the Local Wildlife Site, and to ensure that the development delivers its intended biodiversity objectives.

C4 Prior to any works permitted that have not already been undertaken, protective measures, including fencing, shall be undertaken in full accordance with the approved Tree Protection Plan dated 11/09/2026 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: 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).

C5 Prior to any works being undertaken to Tree T31, a method statement should be submitted to the LPA for approval. This should outline the methodology to soft fell or reduce it, as applicable, according to BTC best practice guidance and informed by the details of the aerial survey outlined in the Ecological Impact Assessment, July 2024 Updated May 2025, 360 Ecology Ltd. The work should then be carried out according to the approved method statement.

Reason: To ensure that there would be no impact on biodiversity interests at the application site in accordance with Policy DM6 of the Development Management Policies LDD.

C6 All hard landscaping works required by the approved scheme shall be carried out and completed accordance with the approved scheme.

All soft landscaping works including the replacement tree planting required by the approved scheme shall be carried out before the end of the first planting and seeding season immediately following the commencement of any part of the development hereby permitted.

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C7 The driveway hereby permitted shall not be constructed other than in the materials as have been approved in writing by the Local Planning Authority as shown on Drawing Number PA.FG_Mat and no external materials shall be used other than those approved.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013)

C8 No external lighting shall be installed on the site or affixed to any buildings on the site unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 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@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works It is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

(a)} Making a Non-Material Amendment

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

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

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

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

I2 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The 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.

I3 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I4 The 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 below the de minimis threshold, meaning development which:

a)does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

b)impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

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.

I5 The applicant is advised that the estate verge to the front of the application site must be reinstated. The applicant is advised to contact Moor Park 1958 with regard to this.













PLANNING COMMITTEE – 22 OCTOBER 2026

26/1228/FUL – Installation of lighting to Golfpod facility at RICKMANSWORTH MUNICIPAL GOLF CLUB, MOOR LANE, RICKMANSWORTH, HERTFORDSHIRE, WD3 1QL

Parish: Batchworth Community Council
Ward: Moor Park & Eastbury
Expiry of Statutory Period: 09.10.2026
Case Officer: Tom Norris
Extension of Time: 29.10.2026

Recommendation: That Planning Permission be granted, subject to conditions.

Reason for consideration by the Committee: The application site includes land owned by TRDC.

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=TJ1BWUQFLZ000

1 Relevant Planning History

1.1 24/1843/FUL – Construction of a golf pod practice facility, including 10no. covered practice bays with an outfield fully enclosed with ball stop netting suspended from purpose-built supports; and associated regrading of land - 08.07.2026 – Permitted & Implemented

2 Description of Application Site

2.1 The application site is located within Rickmansworth Golf Club, Moor Lane, Rickmansworth.

2.2 The application site includes the area of land upon which the golf facility is currently being built. The wider land (blue line) includes the golf course, clubhouse, and associated access road.

2.3 The land occupied by Rickmansworth Golf Club and Moor Park Golf Club, is designated as a Grade II* Registered Park and Garden (List Entry Number: 1000251).

2.4 The application site is within the Metropolitan Green Belt.

3 Description of Proposed Development

3.1 Planning permission is sought for the installation of lighting to the Golfpod facility.

3.2 It is proposed that 2no. downward spotlights are installed on the approved Golfpod facility. The supporting information states that these are required for safety (movement around the bay facility when it is dark), as well as for the golf ball tracking equipment to operate. The lights will be mounted on the existing support stanchions either end of the covered driving bays, 9.5m above ground level.

4 Consultation

4.1 Statutory Consultation

4.1.1 Hertfordshire Ecology: No objection.

Summary of Advice:

Sufficient ecological information has been provided for determination. No ecological objection.

Following review of the submitted lighting information, alongside the ecological information approved under the original planning permission and subsequent discharge of condition application, we consider the proposed lighting to be acceptable from an ecological perspective. Sufficient information has been provided to demonstrate that the proposal is unlikely to result in significant adverse effects on bats, birds, ecological connectivity or the biodiversity enhancement measures previously secured for the site.

Background

Planning permission 24/1843/FUL granted consent for the construction of the GolfPod practice facility, including covered practice bays, enclosed outfield netting and associated landscaping. A condition was attached to the permission requiring any external lighting to be the subject of a separate planning application due to potential impacts on visual amenity and biodiversity.

Following the grant of permission, application 25/0945/DIS sought discharge of various ecological conditions attached to the consent. Hertfordshire Ecology reviewed and supported the discharge of Conditions 4 (Habitat Management and Monitoring Plan), 5 (Construction Ecological Management Plan) and 9 (Biodiversity Gain Plan). As part of that submission, biodiversity enhancement measures were secured, including the installation of six bat boxes and five bird boxes within retained trees surrounding the GolfPod facility.

The current application relates solely to the installation of external lighting to the approved GolfPod facility and therefore requires consideration of whether the proposed lighting could adversely affect the ecological features and enhancement measures previously approved under the parent permission and discharge of condition application.

Comments and recommended Informatives:

The proposal comprises two LED luminaires mounted on the GolfPod support stanchions at a height of approximately 9.5m above ground level. The lighting is required to facilitate operation of the Toptracer ball-tracking technology and provide illumination for users of the facility during periods of darkness. The submitted lighting design incorporates warm-white 3000K LEDs, directional optics and dimming controls intended to minimise light spill beyond the operational area.

The lighting strategy has been designed in accordance with the principles of the Institute of Lighting Professionals and Bat Conservation Trust Guidance Note 08/23 and seeks to focus illumination within the GolfPod outfield whilst limiting light spill to adjacent vegetation and habitat features. The submitted assessment confirms that the luminaires are orientated away from boundary vegetation and that operation will be restricted to periods when the facility is in use.

The original bat assessment undertaken in support of the GolfPod development concluded that no trees with bat roost potential were present within the area affected by the proposed lighting and that no bat roosts were identified within vegetation immediately adjacent to the facility. The report concluded that the lighting design presented negligible risk to bats due to the absence of roosting opportunities within the affected area and the restricted nature of the lighting spill. The same report recommended the installation of bat boxes as an ecological enhancement measure.

In assessing the current application, particular consideration has been given to the approved bat and bird box enhancement scheme secured under application 25/0945/DIS. These enhancement measures now represent ecological receptors that should be protected from subsequent development proposals.

Review of the approved bat and bird box locations plan indicates that the enhancement features are generally intended to be distributed within retained trees around the perimeter of the GolfPod facility rather than within the illuminated outfield itself. The submitted lighting assessment and lamp location plans indicate that the proposed luminaires are directed towards the GolfPod outfield and away from the surrounding tree belts in which the enhancement features are proposed.

Whilst the ecological lighting assessment does not explicitly model light levels at each individual bat box location, the available information indicates that:

- *the approved bat boxes are enhancement features and are not required as compensation for the loss of an existing bat roost;*
- *no bat roosts were identified within trees affected by the lighting scheme;*
- *the luminaires utilise a warm-spectrum light source and are designed to minimise ecological effects;*
- *the fittings are orientated away from surrounding vegetation and ecological features;*
- *approved planting and retained vegetation around the GolfPod will provide additional screening and containment of light spill.*

On the basis of the information submitted, there is no evidence to indicate that the proposed lighting would materially affect the functionality of the approved bat boxes, bird boxes, retained habitats or ecological connectivity around the site. The proposal is therefore not considered likely to undermine the biodiversity enhancement measures previously accepted under applications 24/1843/FUL and 25/0945/DIS.

Informatives

Lighting and biodiversity

The ecological acceptability of the proposed lighting scheme is based on the submitted lighting specification and layout, including the use of warm-white 3000K luminaires, directional fittings, shielding measures and the orientation of lighting towards the GolfPod outfield. Any subsequent changes to luminaire type, mounting height, light output, beam spread, operational hours or lighting layout may alter the ecological effects of the development and may require further ecological assessment, particularly in relation to the bat boxes and bird boxes associated with planning permission 24/1843/FUL.

<u>Conclusion</u>

We have reviewed the submitted lighting information alongside the ecological information previously approved under planning permission 24/1843/FUL and the biodiversity enhancement measures secured under application 25/0945/DIS.

The lighting has been designed to direct illumination into the GolfPod outfield, utilise warm-spectrum lighting, minimise light spill and avoid illumination of surrounding habitats. Furthermore, the approved bat and bird box locations are situated within peripheral tree belts and there is no evidence that the proposed lighting would adversely affect their functionality or the wider ecological enhancement strategy previously secured for the site.

Accordingly, we raise no ecological objection to the proposed lighting scheme. Based on the submitted information, the proposal is unlikely to result in significant adverse effects on protected species, ecological connectivity, retained habitats or the approved biodiversity enhancement measures associated with the site.

4.1.2 <u>Conservation Officer</u>: No objection.

- *It is noted that the proposal relates to an approved development that is currently being built.*
- *In the context of the approved development, no objection is raised in this regard.*

4.1.3 Historic England: No objection.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

It is not necessary to consult us on this application again, unless there are material changes to the proposals.

4.1.4 The Gardens Trust: No response received

4.1.5 Batchworth Community Council: No response received

4.1.6 National Grid: No response received

4.2 Public/Neighbour Consultation

4.2.1 Responses received: 0

4.2.2 Site notice posted 05.10.2026, expired 26.10.2026.

4.2.3 Press notice not required.

5 Relevant Planning Policy, Guidance and Legislation

5.1 Planning Law

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

5.2 The Three Rivers Local Development Plan

5.2.1 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.

5.2.2 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, CP11 and CP12.

5.2.3 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 DM2, DM3, DM6, DM7, DM8, DM9, DM11, DM13 and Appendix 5.

5.2.4 The Batchworth Neighbourhood Plan (2025). Relevant policies include Policy CC1 and DE1.

5.3 The Emerging Three Rivers Local Development Plan

5.3.1 On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is at consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight.

5.4 Other Material Considerations

5.4.1 In August 2026, the NPPF was updated. Relevant policies include:

- Protecting Green Belt land (GB1-8).
- Development affecting existing recreational land and facilities (HC7).
- Conserving and enhancing the historic environment (HE1-10)

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

6 Planning Analysis

6.1 Impact upon the Metropolitan Green Belt

6.1.1 Chapter 13 of the NPPF concerns protecting Green Belt land. The NPPF states that the objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

6.1.2 Policy GB2 (Assessing existing Green Belt land) states that Green Belt assessment should take into account the five purposes of the Green Belt, which are to:

a. to check the unrestricted sprawl of large built-up areas;
b. to prevent neighbouring towns from merging into one another;
c. to assist in safeguarding the countryside from encroachment;
d. to preserve the setting and special character of historic towns; and
e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

6.1.3 Policy GB6 (Control of development in the Green Belt) states that development in the Green Belt is inappropriate unless it falls within one of the categories in Policy GB7. Policy GB6 goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

6.1.4 Policy GB7 (Development which is not inappropriate in the Green Belt) states that the following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances:

a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
b. The reuse, extension, **alteration** or replacement **of an existing building**, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;

c. Limited infilling in villages lying within the Green Belt;
d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;
f. Certain other forms of development provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:
    i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);
    ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
    iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
    iv. 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.
g. Development where all of the following apply:
    i. 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;
    ii. There is an evidenced unmet need for the type of development proposed;
    iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and
    iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.
h. Residential or mixed-use development which would:
    i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);
    ii. Be physically well-related to the station or the settlement within which the station is located;
    iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
    iv. Not prejudice any proposals for long-term comprehensive development in the same location; and
    v. In the case of proposals for major development, comply with policy GB8.

6.1.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies sets out that the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out in the policy. There are no specific exceptions within the policy that would relate to the development subject of this application, and therefore regard is had to the NPPF.

6.1.6 It is considered that the proposed development could be considered under criteria b. of Policy GB7 of the NPPF. The proposal consists of the installation of lighting to an existing building. The proposed development would not increase the scale or bulk of the current structure, thus not creating any additional visual or spatial impact in terms of built form. The development would not result in a disproportionate increase in size compared to the original building. The proposed development is therefore appropriate development under Policy GB7.

6.2 <u>Impact upon character & appearance and Heritage Assets</u>

6.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness 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.

6.2.2 Policy DM3 of the Development Management Policies 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.

6.2.3 The application site lies in in the north-west corner of the historic Moor Park, which is a Grade II* Registered Park and Garden (RPG). The proposed development involves the construction of a golf facility, which includes netting suspended from purpose-built supports. The LPA acknowledge the comments of the Conservation Officer and Historic England who both identify a low-level of less than substantial harm from the proposal. The LPA also note the comments of the Gardens Trust, who raise concerns regarding the proposed screening to the development.

6.2.4 The Conservation Officer was consulted on the proposed development and raised no objection. The proposed development, given the context of the approved development, would not have any impact in this regard.

6.2.5 The proposed development is therefore acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

6.3 Impact on amenity of neighbours

6.3.1 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 DM9 of the Development Management Policies document deals with contamination and pollution and sets out several criteria for development proposals which include external lighting.

6.3.2 The proposed development is for lighting. The application is accompanied by a Lighting Assessment. The spillage diagram clearly demonstrates that the lighting scheme would be concentrated to serve the use. There are no immediately adjoining neighbours who would be affected by the proposed development, and the nearest neighbours are approximately 150m from the site and would be unaffected. It is considered that the proposed development is acceptable in this regard and will be conditioned to be in accordance with the lighting information submitted. It is considered appropriate to condition the lighting to be turned off at 22:00.

6.3.3 In summary, subject to conditions, the proposed development would not result in any impact on the residential amenity of any neighbouring dwelling, and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.

6.4 Highways & Parking

6.4.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 and Appendix 5 of the Development Management Policies document set out parking standards.

6.4.2 The golf club contains a large customer car park adjacent to the clubhouse, and a further large overflow car park further back towards Moor Lane. It is not considered that the proposed facility would significantly or detrimentally impact the parking provision available.

6.4.3 The proposed development is therefore acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

6.5 Trees & Landscape

6.5.1 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.

6.5.2 The proposed development would not impact any trees. The conditions for the development to construct the facility would need to be adhered to until its conclusion and would remain in force under the relevant permission.

6.6 Ecology & Biodiversity

6.6.1 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.

6.6.2 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.

6.6.3 The application is accompanied by a Lighting Assessment, by Exled Golf, dated July 2026. Hertfordshire Ecology were consulted on the application and confirmed that the submitted information was acceptable for the application to be determined based on the submitted lighting specification and layout, including the use of warm-white 3000K luminaires, directional fittings, shielding measures and the orientation of lighting towards the GolfPod outfield to reduce light spillage. It is considered that the proposed development is acceptable in this regard and will be conditioned to be in accordance with the submitted information submitted.

6.7 Mandatory Biodiversity Net Gain

6.7.1 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.

6.7.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application is subject to the de minimis exemption under 25 square meters. The LPA agree that this exemption applies in this case.

7 Recommendation

7.1 That **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 0627.01, 0627.02, 0627.02, 0627.04, 0627.05, 0627.06 A, 0627.14

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, area and Heritage Assets, the residential amenity of neighbouring occupiers, and the openness of the Metropolitan Green Belt in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), and the NPPF (2026).

C3 The lighting hereby permitted shall not be used outside the following hours at any time:

09:00 – 22:00 Monday to Friday

09:00 – 21:00 Saturdays and Sundays (including Bank and Public Holidays).

Reason: To balance illuminating the facility for maximum use with the interest of preserving neighbouring amenity and biodiversity, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM6, DM7, DM9, DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

C4 No external lighting other than those agreed shall be installed on the site or affixed to the proposed all-weather pitch unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

Reason: In the interests of visual amenity and biodiversity and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 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@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works It is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please

note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

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

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

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the district.

I4 The 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.

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HOLYWELL
01442 23022



PLANNING COMMITTEE – Thursday 22 October 2026

26/1253/FUL - Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 MARLIN SQUARE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0EG

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 29.09.2026
Extension of Time Agreed: 30.10.2026

Ward: Abbots Langley and Bedmond
Case Officer: Danielle Kavanagh

Development Type: Householder development.

Recommendation: That planning permission be refused.

Reason for consideration by the Committee: The agent for the application is a District Councillor.

To view all documents forming part of this application, please go to the following website: 26/1253/FUL - Construction of single storey side and rear extension; removal of chimney stacks; alterations to the fenestration; construction of patio at 42 MARLIN SQUARE, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0EG

1 Relevant Planning and Enforcement History

1.1 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 - 15.07.2026 - Withdrawn

2 Description of Application Site

2.1 The application site is located on the eastern side of Marlin Square, Abbots Langley.

2.2 The site contains a two-storey, semi detached dwelling with a pebble dash exterior and a gabled roof form finished in grey slate. The host dwelling has a single storey front projection which houses a front bay window and a porch. This front projection is mirrored on the attached neighbour. To the rear of the dwelling is an existing two storey rear projection and a single storey rear extension, which does not extend across the full width of the host dwelling. A patio extends to the side and rear of the existing dwelling along with a garden area laid to lawn, enclosed by close boarded fencing and hedging. The host dwelling has a shared pedestrian access to the southern flank. Land levels fall from the front to the rear of the site.

2.3 The host dwelling does not have any assigned on-site parking.

2.4 The attached semi-detached neighbour sited to the north of the host dwelling is No. 40 Marlin Square. This dwelling has been extended at the rear to a similar depth as the existing single storey rear extension at the host dwelling. The boundary between the dwellings is marked by a high evergreen type hedge, and fencing towards the rear of the site.

2.5 The neighbour to the south of the host dwelling No. 46 Marlin Square, is a semi detached dwelling. This neighbour is separated from the host dwelling by a shared accessway which is approximately 2m wide. This neighbouring dwelling is set on a similar building line to the host dwelling, and has been extended to the rear.

3 Description of Proposed Development

3.1 This application seeks planning permission for the construction of a single-storey side and rear extension, removal of chimney stacks, alterations to the fenestration, and construction of a patio.

3.2 The existing original front projection, which serves a bay window, has been infilled to provide an enclosed porch forward of the front door. As part of the current application, the front door would be replaced with a window, with the remaining opening infilled with a replacement wall, flush with the front elevation of the porch.

3.3 The existing single-storey rear extension would also be demolished. The proposed single-storey side/rear extension would wrap around the existing two-storey rear projection and extend approximately 1.1m beyond the existing flank building line, extending to the full 5m width of the site, up to the neighbouring boundaries. The extension would have a stepped depth, 8.8m deep when measured from the existing two-storey rear projection, and 11.6m deep when measured from the southern flank. The roof form would be hipped and surrounded by a parapet wall, with a maximum height of 3.4m, reducing to 2.7m at the parapet. 8 roof lights are proposed for the roof slopes of the proposed extension. A set of bifold doors is proposed for the rear of the extension. The external finish of the side and rear extension is proposed to be smooth render.

3.4 The principal entrance to the host dwelling would be relocated from the front of the dwelling to the front of the side/rear extension. In the southern elevation, a first-floor flank window would be removed, and a ground-floor flank window would be added to the same elevation.

3.5 A patio is proposed to the rear of the extension, which would measure 3.1m deep. The plans suggest it would not be a raised patio but do not appear to account for the land levels change through the site.

3.6 Two chimneys are proposed to be removed as part of the proposal.

3.7 Requests were made during the course of the application for the rear extension to be reduced to a depth that extended no more than 3.6m beyond the rear elevation of the neighbour to the north, and for the extension to be reduced in depth and set off the shared boundary with the neighbour to the south and a fence line maintained. Amendments were not forthcoming; however, the agent for the application provided an illustrative drawing demonstrating an alternative permitted development fallback position as a justification for the proposed scheme. This position is analysed in paragraph 7.8 ‘Other material considerations’ of this report.

4 Statutory Consultation

4.1 National Grid: [No response received]

4.2 Abbots Langley Parish Council: [Comment received]

Members acknowledge the reduction in size in the revised plans and the neighbours' concerns over perceived overbearing nature of the proposed development. Members have no further comment.

4.3 **Public/Neighbour Consultation**

4.4 **Site notice displayed:** 11.08.2026, expires 02.09.2026

4.5 **Press notice published:** Not Required

4.6 Neighbours consulted: 6

4.7 Responses received: 1 [objection]

Summary of objection:

- The proposed extension is considered excessive compared with neighbouring extensions.

- Its size, proximity and apparent height (up to approximately 3.7m due to falling ground levels) could create an enclosed and dominant effect.

- Concerns include potential overshadowing of neighbouring gardens and habitable rooms, and reduced enjoyment of the rear garden.

- The extension is considered disproportionate and out of keeping with the established character and scale of Marlin Square.

5 Reason for Delay

5.1 The committee cycle.

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).

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

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

The Environment Act 2021.

6.2 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 DM6, DM8, DM9, DM13 and Appendix 5.

Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026). Relevant policies include AL3 and AL4.

6.3 Other

In August 2026 the NPPF was updated. Relevant policies include: DP3 and P3

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is at consultation stage, they are

not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant Policies include SP2, BGL1, TC2 and Appendices 1 and 3.

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 and streetscene

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness. Policy CP12 of the Core Strategy states that development should 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'.

7.1.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.1.3 As set out Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking.

7.1.4 Policy AL3 of the Abbots Langley Neighbourhood Plan (March 2026) states that all new development should reflect the character of the Character Area in which they are located. Policy AL4 further states that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.

7.1.5 Policy DP3 (3) of the NPPF 2026 sets out that development proposals should be refused if, without clear justification, they conflict with Policy DP3 paragraph 1 of the NPPF 2026 which sets out that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

7.1.6 Appendix 2 of the DMP LDD sets out that with regard to single-storey rear extensions, generally the maximum depth should be 3.6m in the case of semi-detached dwellings. The proposed rear extension would have a maximum depth of 11.6m, reducing to 8.8m from the original rear elevation of the dwelling, which exceeds the guidelines set out within Appendix 2 of the DMP LDD. In addition, a 3.1m patio is proposed to be set up to the rear of the proposed extension. The proposed rear extension would exceed the guidance by a significant margin. Whilst recognising that the extension would appear disproportionate in scale to the host dwelling, by virtue of its siting and single storey nature, it is not considered to be harmful to the character of the dwelling and wider area.

7.1.7 The two chimneys on the host dwelling's roof are proposed to be removed. It is considered that the chimneys contribute positively to the character and appearance of the dwelling and streetscene. However, it is accepted that the removal of these chimneys could likely be carried out under permitted development, and as such, there is no objection to their removal, recognising that other chimneys have been removed within the vicinity.

7.1.8 Fenestration changes are proposed. The existing front door in the front porch would be replaced by a window, and the front door would be relocated to the front elevation of the side/rear extension. In the southern flank elevation, a first-floor window would be removed.

And a ground-floor window was added. There are no objections to these elements of the scheme from a character and streetscene perspective.

7.1.9 In summary, while the extension would be disproportionate to the host dwelling, it is not considered that the proposed single storey side/rear extension would have an unacceptably harmful impact on the character of the dwelling and area, and would be acceptable with regard to to Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013), Policy DP3 (3) of the NPPF 2026, and Policies AL3 and AL4 of the Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026).

7.2 Impact on amenity of neighbours

7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels of disposition of privacy, prospect, amenity and garden space'.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in the loss of light to the windows of neighbouring properties nor allow overlooking, and should not be excessively prominent in relation to adjacent properties.

7.2.3 Policy P3 (2)(b) of the NPPF 2026 sets out that development should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers.

7.2.4 As set out above, the proposed single storey side / rear extension would have a maximum depth of 11.6m, reducing to 8.8m from the original rear projection of the dwelling, which exceeds the guideline of 3.6m depth for semi-detached dwellings, set out within Appendix 2 of the DMP LDD. The proposed rear extension would extend past the extended rear elevation of the attached neighbour No. 40 by approximately 5.9m. The extension would be positioned directly adjacent to the shared boundary, with a height of 2.7m. This depth of the extension past the existing rear building line of No. 40 is considered to result in an excessively overbearing, intrusive and un-neighbourly form of development, which would have a harmful impact on neighbouring amenity when viewed from the rear amenity area and rear facing windows at this neighbouring property. Additionally, when considering the orientation of the sun, the sheer depth of the extension would have a harmful impact on the level of resultant light received including overshadowing the garden, thus adversely affecting the residential amenity of the occupants of No. 40. The existing hedge which marks the boundary line between the host dwelling and this neighbour would be removed to facilitate the proposed extension. It is noted that the existing hedge is tall, and that it is likely that the hedge is having some impact on the light of this neighbour, as the sun moves around the site during the day. However, it must be noted that the hedge could be trimmed or removed and replaced with a different type of boundary treatment. Therefore, the existing situation is not comparable to an 8.5m deep 2.7m high wall set up to the shared boundary, which would visually have a greater impact.

7.2.5 The proposed rear extension would extend past the single-storey rear extension of No. 46 by approximately 9m, and it would be set up to the shared boundary with this neighbour. This neighbour is set off the shared boundary by approximately 1m. The proposed rear extension would bring the built form closer to this neighbour; the existing rear projection and extension at the host dwelling are set off the shared boundary by approximately 2m. The proposed extension would be set up to the shared boundary for a total depth of 11.7m, with a height of 2.7m which is considered to result in an overbearing, overly deep form of development adjacent to the shared boundary. It is noted that as No. 46 is sited to the south of the host dwelling, the proposal is unlikely to have an impact on the light as experienced by the occupants of the neighbouring dwelling. Notwithstanding this the extension is not considered to be an acceptable form of development with regard to its impact on the

amenities of the occupants of the neighbouring dwelling, No. 46, through its excessive depth which would create an un-neighbourly, intrusive and prominent form of development.

7.2.6 In terms of overlooking the proposed bi-fold doors in the rear elevation of the host dwelling are not considered to result in any additional overlooking of neighbours, as the doors would overlook the dwelling's own rear amenity space. It is not considered that the proposed 8 roof lights in the rear extension would result in any overlooking of neighbours due to their position high in the roof slope. These elements of the proposal are acceptable with regard to their potential for overlooking of neighbouring properties.

7.2.7 A 3.1m deep patio is proposed to the rear of the single-storey rear extension. The land levels fall from the front to rear across the site. As the patio is not shown on the side elevation drawings, its height is unknown, and therefore, the impact of a potential 3m deep raised patio on neighbouring and overlooking properties cannot be fully assessed.

7.2.8 The proposed fenestration changes including the relocation of the front door and the addition of a ground floor flank window facing No. 46 are not considered to impact residential amenity or result in increased overlooking. The window would be high-level and serve a bathroom.

7.2.9 In summary, the proposed development would result in an adverse impact on the neighbouring dwellings, and the development would not be in accordance with Policies CP1 and CP12 of the Core Strategy, Policy DM1 and Appendix 2 of the Development Management Policies LDD and Policy P3 (2)(b) of the NPPF 2026

7.3 Highways and parking provision

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

7.3.2 The proposed extension would not result in any additional bedrooms. It is noted that there is no assigned parking at the application site. As the existing 2-space parking shortfall would be maintained, the parking arrangement for the host dwelling would not be impacted and is acceptable in this regard.

7.4 Wildlife considerations

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

7.4.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.4.3 A Biodiversity Checklist was submitted with the application and states that no protected species or biodiversity interests will be affected as a result of the application. The Local Planning Authority is not aware of any records of bats (or other protected species) within the immediate area that would necessitate further surveying work being undertaken.

7.5 Mandatory Biodiversity Net Gain

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

7.5.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application relates to householder development.

7.6 Rear amenity

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

7.6.2 The proposed development would encroach on the dwelling's rear amenity space with 80 sqm (16.5 m-long) usable garden space retained. This would represent a negligible shortfall of 4 sqm compared with the Appendix 2 guidance for amenity space, which states that a three-bedroom dwelling should have 84 sqm of amenity space.

7.6.3 This shortfall in isolation is considered sufficient, as the resultant amenity area would still meet the everyday needs of the future occupants. Additionally, the site is within walking distance to local green space by way of Manor House Recreation Ground.

7.7 Trees and landscape

7.7.1 Policy DM6 of the DMP LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.7.2 The agent confirmed that the hedge along the northern rear flank boundary would be removed to facilitate the proposal. The hedge is not protected, and there would be no objection to the removal of this hedge.

7.8 Other material considerations

7.8.1 In assessing the impact of the proposed development, consideration is given to a fallback scheme comprising a reduced depth single-storey rear extension and a detached outbuilding measuring 2.5m in height, positioned up to the shared boundary with the neighbouring property to the north. The fallback would need to represent a realistic prospect of implementation and comply with the relevant permitted development rights. It is noted that there is no Certificate of Lawful Development to confirm that such a fallback position would be lawful if implemented. Planning permission would likely still be required for the rear extension to the dwelling.

7.8.2 In amenity terms, the outbuilding could result in some enclosure and affect the outlook at the garden level. However, its lower height at 2.5m would likely reduce its overbearing effect compared with the proposed extension, which is 2.7m high on the boundary, rising to 3.4m high.

7.8.3 The suggested fallback position can be given weight only where there is a realistic prospect of implementation and the relevant permitted development limitations would be met. A detached outbuilding within 2m of a boundary is generally limited to a maximum overall height of 2.5m, subject to other applicable restrictions. It is accepted that an outbuilding

could be erected in the rear garden, in a similar location to the proposed extension. However, as shown on the indicative plan, the fallback would be lower than the highest point of the proposed extension and would not extend to the shared boundary to the south. Accordingly, the fallback development would be likely to result in less harm to neighbouring residential amenity and would have a less significant impact on the character and appearance of the host dwelling than the proposed development.

7.8.4 Overall, while there is a reasonable possibility that such an outbuilding could be constructed under permitted development, the fallback position would, in theory, be a betterment compared to the proposed scheme, and therefore does not justify the granting of planning permission for the scheme as proposed.

8 Recommendation

8.1 That PLANNING PERMISSION BE REFUSED for the following reason:

R1 The proposed single storey side/ rear extension by virtue of its significant depth, height and proximity to the plot boundaries, would result in an overbearing and visually intrusive form of development to the detriment of the amenities of the occupants of adjacent neighbouring properties (No. 40 and 46 Marlin Square). Additionally, by virtue of the depth of the extension it is considered that the extension would result in an unacceptable loss of light to No 40 Marlin Square, adversely affecting the occupants' enjoyment of their property. Therefore, the proposed single storey side/ rear extension would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policy AL4 of the Abbots Langley Neighbourhood Plan 2026-2041 (March 2026 version) and Policies P3 (2)(b) and DP3(3) of the NPPF 2026.

Informative:

I1 The Local Planning Authority has been positive and proactive in considering 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 encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant and/or their agent did not have formal pre-application discussions with the Local Planning Authority and the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

42 Marlin Square





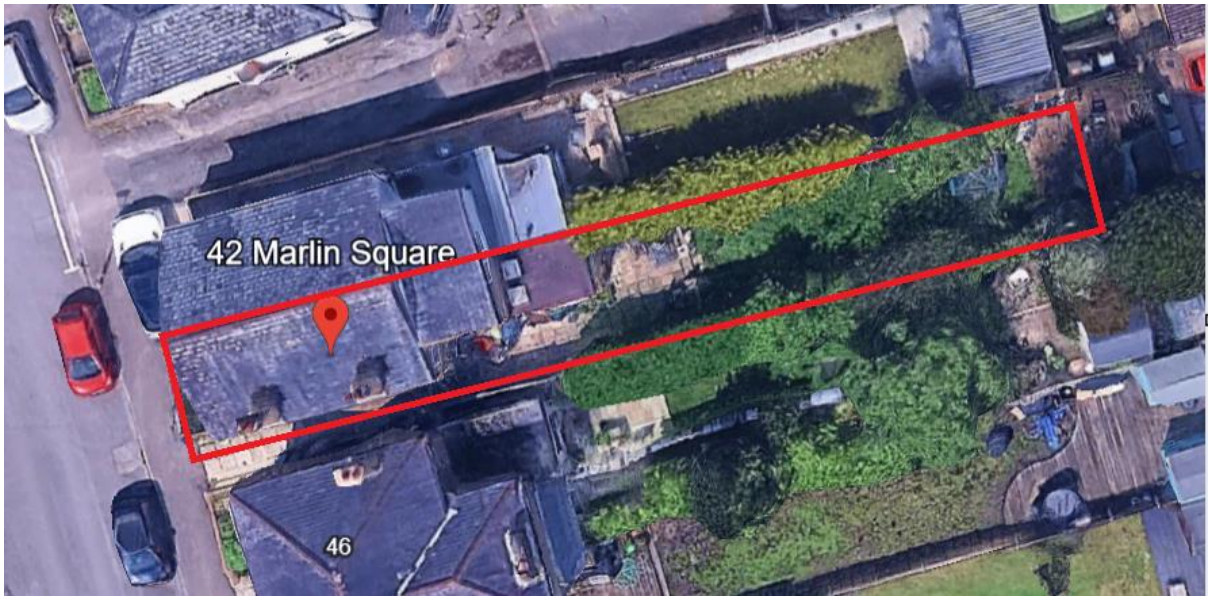



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THREE RIVERS DISTRICT COUNCIL
WasteAware








42 Marlin Square
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42 Marlin Square
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PLANNING COMMITTEE – Thursday 22 October 2026

26/1263/RSP – Part retrospective: Conversion of garage into habitable accommodation; alterations to the fenestration and alterations to driveway at 17 Edson Close, Leavesden, Watford, Hertfordshire WD25 7BX

Parish: Abbots Langley
Ward: Leavesden
Expiry of Statutory Period: 29 October 2026
Case Officer: Danielle Kavanagh

Development Type: Householder development

Recommendation: That part retrospective planning permission be GRANTED subject to conditions.

Reason for consideration by the Committee: The application was called in by Abbots Langley Parish Council due to concerns regarding parking, character and amenity and intensification of use.

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

26/1263/RSP 17 Edson Close Leavesden Watford Hertfordshire WD25 7BX

1 Relevant Planning and Enforcement History

1.1 26/0063/COMP – Enforcement investigation: Unauthorised conversion of garage into habitable accommodation.

1.2 26/0448/CLPD - Certificate of Lawfulness Proposed Development: Conversion of garage into habitable accommodation - 22.04.2026, Application Withdrawn

1.3 05/0534/FUL - Erection of 33 dwellings comprising 2-bed flats, 3 and 4-bed houses with public open space and associated access, parking and landscaping - 15.06.2006, Application Permitted

2 Description of Application Site

2.1 The application site fronts onto Edson Close, a residential development of detached, semi-detached, terraced and flatted dwellings.

2.2 The application dwelling is a three-storey mid terraced dwelling within a row of four matching town houses. In their original form, each terrace benefitted from an integral garage; however, the garage at the host property has recently been converted to habitable accommodation (subject to this application). The dwelling is currently in use as a small House of Multiple Occupation (HMO) which falls within Use Class C4 and would benefit from deemed planning permission.

2.3 To the front of the host dwelling there is an existing area of hardstanding which can accommodate a single off-street parking space. There is a strip of soft landscaping adjacent to the parking space. There is no boundary treatment to the front of the site separating the properties.

2.4 Other dwellings in the vicinity of the site are of differing design but are finished in similar materials. Whilst many had integral garages, some have been converted (such as at No. 11 and No. 15 within the same terrace row as the host dwelling).

3 Description of Proposed Development

3.1 This application seeks part retrospective planning permission for the conversion of the garage into habitable accommodation along with alterations to fenestration and alterations to the driveway.

3.2 The pre-existing integral garage has been converted into a habitable space. The garage door was removed and replaced by a wall in the lower portion of the opening and a white-framed UPVC window to match the existing windows in the upper portion.

3.3 The existing driveway would be extended in width to enable the provision of two parking spaces. The existing soft landscaping (low-level shrubs) would be removed to facilitate the driveway extension.

4 Statutory Consultation

4.1 National Grid: [No Response]

4.2 Abbots Langley Parish Council: [Objection]

The Committee objects to this application on the following grounds:

- *Non-Compliance with Parking Standards: The application property operates as a 6-bedroom House in Multiple Occupation (HMO). A large residential dwelling of this scale cannot sustainably be served by only two off-street parking spaces. The current provision of two spaces fails to meet the adopted local planning policy parking requirements for a 6-bedroom property.*

- *Impact on Local Character and Amenity: Edson Close is a residential road. The significant under-provision of on-site parking will inevitably lead to an increase in overspill parking on the public highway. This will detrimental to the character of the street scene and compromise local residential amenity.*

- *Risk of Further Intensification: While the Committee acknowledges the converted space is currently designated as a reception room—a facility otherwise supported within an HMO framework—its immediate proximity to existing utility services and drainage infrastructure raises material concerns. This layout creates a strong potential for the space to be converted into an additional habitable bedroom unit in the future, further exacerbating the existing parking and intensification pressures on the surrounding area.*

Recommendation:
The Committee strongly objects to this application as it stands. Should officers be minded to recommend approval, Members formally request that the application be called in to the Planning Committee for full determination.

4.3 **Public/Neighbour Consultation**

4.4 Neighbours consulted: 2

4.5 Responses received: 6 [6 objections]

4.6 Site Notice: 29.09.2026, Expires: 19.10.2026

4.7 Press Notice: Not required

4.8 Summary of objection comments received:

- *A reduction in off-street parking increases pressure on already limited on-street parking, potentially affecting access and highway safety.*
- *Concerns of intensified residential use, with concerns about overdevelopment, noise, disturbance and residential amenity.*

- *Concerns that the garage is being used as a bedroom despite being described as a reception room, and concerns that six occupants are already living at the property while the HMO (licensing) application remains pending.*
- *The conversion has altered the property's appearance and fenestration, with some neighbours considering the changes harmful to the character of the street and causing overlooking/privacy concerns.*
- *The conversion was undertaken before the relevant planning/HMO processes were concluded, raising concerns that retrospective approval would set an undesirable precedent.*
- *Concerns were raised regarding wider implications for the character of the close, parking capacity, and amenity of the small cul-de-sac, including children's safety and refuse collection.*

Officer note*:* This application is concerned with the retrospective conversion of a garage, associated fenestrations changes and the proposed extension of the existing driveway to provide two parking spaces.

It is acknowledged that the host dwelling is being used as a small house of multiple occupation (HMO). From the evidence available to the Local Planning Authority , there are no more than 6 occupants, and the use would therefore benefit from deemed planning permission via the General Permitted Development Oder 2015 (as amended). A HMO licence is pending consideration with the council's Environmental Health department at the time of finalising this report. This application does not seek permission for the use, and therefore this report does not assess the suitability of the dwelling for use as an HMO.

5 Reason for Delay

5.1 N/A.

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).

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

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

The Environment Act 2021.

6.2 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 DM6, DM8, DM9, DM13 and Appendix 5.

Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026). Relevant policies include AL3 and AL4.

6.3 Other

In August 2026 the NPPF was updated.

The Three Rivers District Council Local Plan 2026-2042 (Parts I and II) was recently subject of a Regulation 19 consutlation. As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is at consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant Policies include SP2, BGL1, TC2 and Appendices 1 and 3.

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

7 Planning Analysis

7.1 Overview

7.1.1 Condition 5 of planning permission 05/0534/FUL for the 'erection of 33 dwellings comprising 2 bed flats, 3 and 4 bed houses with public open space and associated access, parking and landscaping' applies to the application dwelling and states:

'Notwithstanding the provisions of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 the garages forming part of the dwellings hereby permitted shall be retained primarily for the garaging of private cars. No alterations shall be carried out to the garages such as to prevent its use for garaging private cars.'

7.1.2 Due to the above control express planning permission from the LPA is required for garage conversions. The imposition of this condition does not mean conversions are unacceptable in principle, but each requires an assessment which is set out below.

7.2 Impact on the character and appearance of the host building

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness 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.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.2.3 Policy AL3 of the Abbots Langley Neighbourhood Plan sets out that developments should reflect the architectural variety found locally and use materials that are in keeping with those found in existing buildings in the immediate locality.

7.2.4 Policy AL4 of the Abbots Langley Neighbourhood Plan sets out that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.

7.2.5 The converted garage has included the replacement of the garage door with a 2-casement white UPVC window, with a painted rendered wall to match the existing exterior. This change is visible from the streetscene of Edson Close. It is noted that there are two other converted garages within the terrace of four dwellings of which the host dwelling is sited (at No. 11 and No. 15). Given that the new window is a match for the existing fenestrations in the front elevation and the exterior is in keeping with the dwelling and other examples of converted garages withing the immediate streetscene, it is not considered that the conversion results in an incongruous form of development from a character and streetscene perspective.

7.2.6 The existing driveway is proposed to be extended. This would result in an area of soft landscaping containing small-scale shrubbery being removed, and paved with hardstanding to provide 1 additional parking space within the dwelling's frontage. While the loss of the soft landscaping is regrettable, it is noted that the planting is of a small scale and its loss is not considered to result in an unacceptably harmful impact to the surrounding streetscene of Edson Close. Additionally, it is noted that similar driveway extensions have been completed at two of the neighbouring terraced dwellings.

7.2.7 In summary, the proposed development would not be of a 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 AL3 and AL4 of the Abbots Langley Neighbourhood Plan.

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should ‘protect residential amenities by taking into account the need for adequate levels 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.

7.3.2 The front window only overlooks the application's frontage and adjacent highway. It is not considered that the addition of a ground-floor level window in the dwelling’s front elevation has resulted in any unacceptable overlooking of any neighbouring dwellings or amenity areas.

7.3.3 The extension of the driveway is not considered to have any harmful impact on the residential amenity of any neighbouring dwellings.

7.3.4 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.

7.4 Highways & Parking

7.4.1 Core Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.

7.4.2 The plans indicate that the dwelling has 5 units/bedrooms; this does not include the converted garage, which is shown to serve as a dining room. However, officers are aware that a HMO licence application for 6 occupants is pending consideration. Therefore, the parking requirement will be assessed on the basis of a potential 6 occupants.

7.4.3 Appendix 5 sets out that a HMO, which this dwelling is understood to operate as, should provide 0.5 spaces per tenancy, a total requirement of 3 spaces in this case, based on 6 possible tenancies. Other parking standards that are relevant include Appendix 5 guidance for 4 bedroom+ residential dwellings and the guidance contained in the emerging local plan, which are set out in the table below:

Planning Policy	**6 occupant HMO**	**6-bedroom residential dwelling**
Current Local Plan (2013) Appendix 5	3 parking spaces/0.5 per unit	3 parking spaces
Emerging Local Plan *(currently given limited weight)*	6 parking spaces/1 per unit	2.5 parking spaces

7.4.4 The potential parking shortfall of parking of 1 space in the case of an HMO or 1 space in the case of a residential dwelling is noted. In addition, the parking standards for HMOs set out in the emerging local plan would result in a shortfall of 4 spaces; this guidance, while considered, can only be given limited weight at this time.

7.4.5 The conversion of the pre-existing garage has resulted in the loss of 1 assigned parking space at the host dwelling. The proposed driveway extension would increase the number of assigned spaces to 2, reflecting the pre-existing parking situation at the dwelling. Therefore, there would be no net loss of assigned parking spaces serving the host dwelling. The objection comments of neighbours to the application with regard to parking are acknowledged, it was noted during a site visit that Edson Close appears to be experience parking pressure, with many cars parking on the footway on both sides of the road along the close.

7.4.6 The resulting parking provision would be equal to the pre-existing situation. It would reflect the same parking arrangement as two other dwellings within the same terrace, where the garage has been converted and two spaces provided on the front driveway. As there would be no material change to the amount of parking spaces at the host dwelling as a result of this proposal, and the similar neighbouring developments, it is not considered that a refusal of planning permission on parking would be justified. Therefore, the proposed parking provision is considered acceptable in this regard.

7.5 Rear Garden Amenity Space

7.5.1 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.

7.5.2 The proposed development would not encroach upon the rear amenity space of the host dwelling. 65 sqm of useable amenity space would remain. The host dwelling has 6 bedrooms; therefore, a rear amenity space of 147 sqm would be required as per the Appendix 2 guidance on amenity space. While this shortfall is noted, it reflects the existing situation at the application site and is therefore considered acceptable to serve the host dwelling.

7.6 Trees & Landscape

7.6.1 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.

7.6.2 The proposed development would not require the removal of any trees nor is considered to result in any harm to others.

7.7 Biodiversity

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

7.7.2 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.

7.7.3 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.

7.8 Mandatory Biodiversity Net Gain

7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.8.2 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 Part Retrospective **PLANNING PERMISSION BE APPROVED** subject to condition:

C1 Within 4 months of the date of this permission hereby granted, the driveway shall be extended as shown on plan TRDC001 (PROPOSED LOCATION & BLOCK PLANS) in order that it can accommodate two vehicles. The driveway extension shall be undertaken in a permeable material or provision made to direct run off water to a permeable or porous area or surface within the site. The driveway shall be retained as such thereafter.

Reason: In the interests of highway safety and to ensure sufficient on-site parking is provided in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 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@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works It is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

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

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

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

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

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

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

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

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

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

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

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


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PLANNING COMMITTEE – Thursday 22 October 2026

26/1321/RSP - Part retrospective: Construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation. 10 Hyde Lane, Nash Mills, Hemel Hempstead, Hertfordshire, HP3 8RY

Parish: Abbots Langley
Expiry of Statutory Period: 20.10.2026

Ward: Gade Valley
Case Officer: Chris Day

Development Type: Householder development

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

Reason for consideration by the Committee: it was called in by three members of the planning committee due to concerns around the impact on the Green Belt and the impact on neighbours.

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

26/1321/RSP | Part retrospective: Construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials; conversion of garage to habitable accommodation. | 10 Hyde Lane Nash Mills Hemel Hempstead Hertfordshire HP3 8RY

1 Relevant Planning History and Enforcement History

1.1 W/2442/73 – Replacement Garage

1.2 25/0421/FUL - Erection of a part single, part two storey side extension – Permitted and commenced.

1.3 25/0461/CLPD - Certificate of Lawfulness Proposed Development: Erection of a single storey rear extension; loft conversion including hip to gable roof alterations and rear dormer and front rooflights – Permitted and commenced.

1.4 25/0354/PDE - Prior Approval: Single storey rear extension (depth 4.37 metres, maximum height 3.00 metres, maximum eaves height 3.00 metres) – Withdrawn

1.5 25/0603/PDE - Prior Approval: Single storey rear extension (depth 4.70 metres, maximum height 3.00 metres, maximum eaves height 3.00 metres) – Permitted

1.6 25/0604/PDE - Prior Approval: Single storey rear extension (depth 4.70 metres, maximum height 3.00 metres, maximum eaves height 3.00 metres) – Refused, due to impact on amenity. – Refused due to impact on amenity

1.7 26/0088/COMP – Enforcement Investigation: Works not in accordance with 25/0461/CLPD and 25/0421/FUL: works require planning permission (subject to this application).

2 Description of Application Site

2.1 The application site is located on a corner plot with Hyde Lane and Woodlands Road, Nash Mills. Hyde Lane is characterised by a number of two-storey semi-detached dwellings of similar architectural styles and designs, many of which appear to have been extended or altered.

2.2 The application dwelling is a two-storey semi-detached dwelling with a hipped roof and a two-storey front bay projection with a gable. The dwelling has an exterior finish consisting of a smooth white render. The dwelling is subject to on-going works relating to planning permission 25/0421/FUL which included a two story side extension and the rear dormer was permitted under ..

2.3 To the front of the dwelling is an existing area of hardstanding providing off street parking provision. To the rear is an amenity garden which appears to be laid largely to hardstanding and has been subject to land level alterations and erection of new fencing (not subject to this application). The dwelling sits on an elevated position relative to the highway on Hyde Lane and is situated on a corner plot adjacent to Woodlands Road. Towards the rear of the garden area is an existing detached garage which is set back from the highway on Woodlands Road whereby an access exists.

2.4 The adjoining neighbour No. 12 Hyde Lane is sited east of the application dwelling. This neighbour is set on the same front and rear building line as the host dwelling but benefits from a two-storey side extension set down from the main ridge.

2.5 To the south of the dwelling is No. 1 Woodlands Road, this neighbour's flank elevation faces the rear boundary of the application site. This neighbour is set on a lower land level and appears to have implemented a two-storey side extension.

2.6 The neighbour to the west is No. 8 Hyde Lane, this dwelling remains separated from the application site by virtue of Woodlands Road. This dwelling is set on a lower land level than the application site and appears to have benefited from a two-storey side extension.

2.7 The dwelling is located within the Metropolitan Green Belt.

3 Description of Proposed Development

3.1 This application seeks part retrospective planning permission for the construction of a part single, part two storey side extension; loft conversion including with a rear dormer and front roof light; internal alterations; alterations to the fenestration; alterations to external materials and conversion of garage to habitable accommodation.

3.2 The applicant implemented both 25/0421/FUL and 25/0461/CLPD together, meaning neither was lawfully carried out independently. Consequently, all the works require planning permission.

3.3 The part two-storey, part single storey side extension is in line with the existing front and rear building line of the dwelling and has a total depth of approximately 7.7m. The depth at the first floor reduces to approximately 6.7m, as the first floor is set back from the front elevation by approximately 1m. The extension has a total width of approximately 3.2m and is set off the flank boundary by approximately 5.6m.

3.4 The part two storey, part single storey extension has a hipped roof set down from the main ridge line of the dwelling by approximately 0.75m, an increase on the previously approved plans permitted by 25/0421/FUL of 0.15m. The extension sits at a total height of approximately 8.95m above the ground level. The eaves line are consistent with the eaves height of the existing dwelling. The mono pitched roof to the single storey side extension has a total height of approximately 3m.

3.5 The extension has been constructed in materials to match the existing dwelling. It is finished in smooth white render and all windows within the front and rear elevation of the extension and both ground and first floor level.

3.6 The rear dormer window is 2.7m high, 5.3m wide and 2.4m deep and it is set down from the ridge by approximately 0.2m. Within the rear dormer, two windows have been inserted.

3.7 One rooflight has been inserted within the front roof slope of the main dwelling.

3.8 The garage is proposed to be converted into gym and games room with W/C, shower facilities. The room is served by a door and windows on the front elevation and high level windows to the flank elevation.

4 Statutory Consultation

4.1 National Grid: [No Response]

4.2 Abbots Langley Parish Council: [Objection]

This representation is submitted to the Planning Committee to object strongly to the part-retrospective application under reference 26/1321/RSP. The development represents a severe overdevelopment of a restricted site, failing to comply with Three Rivers District Council (TRDC) development management policies concerning scale, design, Green Belt protection, and highway safety.

Policy Non-Compliance: The proposed rear dormer is excessive in its height, width, volume, and overall scale. It fails to maintain a subordinate relationship with the original roofscape, directly conflicting with TRDC design guidelines.

Permitted Development: The dimensions and positioning of the dormer exceed the thresholds permitted under General Permitted Development rights.

Precedent: Approving a design of this disproportionate scale would set a damaging planning precedent for the surrounding residential area.

2. Overdevelopment and Intensification of Use (Potential HMO)

Intensification: The cumulative impact of the two-storey side extension, loft conversion, and the conversion of the detached garage into habitable space effectively creates a large 6-bedroom dwelling. Layout Concerns:

The internal layout and room configuration strongly indicate a layout optimised for use as a House in Multiple Occupation (HMO).

Local Context: Given the site's highly confined context alongside neighbouring properties, a 6-bedroom high-density occupation represents a severe over-intensification of the site.

3. Parking Deficit and Highway Safety

Substandard Parking Provision: The intensification to a 6-bedroom layout demands a commensurate level of off-street parking accommodation under local transport standards. The current layout fails to demonstrate adequate parking for this level of occupation.

Locational Constraints: Hyde Lane is a narrow, single-track country lane with an absolute lack of safe on-road parking capacity.

Highway Safety Risks: The site occupies an exposed, dropped road junction setting. The inevitable overspill of vehicles onto this restricted junction will severely exacerbate local parking pressure, compromise vehicular turning movements, and degrade road safety for all.

Visual Amenity: The combined mass of the two-storey side extension, extensive first-floor flank fenestration, dominant rear dormer, and converted garage creates a visually jarring, contrived, and cramped appearance.

Green Belt Impact: The property sits within a sensitive Green Belt setting. The scale of the overall volumetric increase fails to preserve the openness of the Green Belt and harms the established semi-rural character of this residential area.

Consistency in Decision-Making: Restrictive planning policies have historically protected this area from disproportionate additions. The fact that these works have been carried out layout-first as a retrospective application reinforces that this is a tangible, observable case of overdevelopment rather than a perceived one.

Conclusion

The retrospective nature of this application highlights a disregard for the established planning framework designed to protect the character of the district. If local development management controls are to remain robust and equitable, developments that clearly cause demonstrable harm to highway safety, neighbourhood amenity, and the Green Belt must be resisted.

If the officer is of a mind to approve this application we ask that it be brought to the attention of the planning committee.

4.3 **Public/Neighbour Consultation**

4.4 Neighbours consulted: 37

4.5 Responses received: 28 Objections

4.6 Summary of Comments

- Parking/on off street
- Changing into HMO
- permission should be subject to a condition that prevents its use as an HMO
- Highway safety / pedestrian safety
- Encourage similar builds
- No Public Transport
- Noise
- Garage converting to habitable accommodation loss of parking space
- Garage not being used as a parking space
- Rear Drive showing two cars
- Loss of privacy / overlooking
- Over development
- Drainage
- Fencing /land levels
- Neighbours' amenity
- No compliance of Policy DM1 and DM2

- Breaching Design Criteria in appendix 2 section 4
- Roof form out of character of the area.

Officer Note: Comments from the neighbour are noted. The analysis as to the impact of the development subject of this application on Green Belt, cumulative impact of the development, overdevelopment, design, neighbouring amenity and parking is set out in a later section of this report.

Regarding the concerns of the dwelling being changed into an HMO and the potential of 6+ non-related in habitants the LPA have no evidence to suggest the dwelling would be converted to a large HMO. HMO's occupied by more than 6 individuals would require planning permission. It is also noted that only 4 bedrooms are proposed on the plans.

Matters relating to drainage would fall outside the remit of this application and would be caught by other legislative requirements.

There were also concerns raised regarding fencing and land levels which is likely to be subject to a separate planning application and is not included in the assessment of this application.

4.7 Site Notice: Not Required

4.8 Press Notice: Not Required

5 Reason for Delay

5.1 N/A.

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).

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

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

The Environment Act 2021.

6.2 Statutory Development Plan

The Core Strategy was adopted on 17 October 2011 after the Inspector concluded that it was sound following Examination in Public which took place in June 2011. Relevant policies of the adopted Core Strategy include CP1, CP9, CP10, CP11 and CP12. The NPPF retains a presumption in favour of sustainable development.

The Development Management Policies Local Development Document (LDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM4, DM6, DM13 and Appendices 2 and 5.

Abbots Langley Neighbourhood Plan 2025-2041 (March 2026 version, Made June 2026): Relevant Policy includes AL4.

6.3 Other Material Considerations

Supplementary Planning Guidance No 3 – Extensions to Dwellings in the Green Belt (August 2003).

On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. Relevant Policies include GB1, SP2 and SP4.

In August 2026, the NPPF was updated. Relevant policies include S3, DP3, GB2, GB6, GB7 and TR4.

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

7 Planning Analysis

7.1 Impact on Metropolitan Green Belt

7.1.1 The application site is located within the Metropolitan Green Belt. The NPPF (August 2026) sets out that the objective of Green Belt is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

7.1.2 Policy GB6 (2) 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. Such circumstances will not exist unless the potential harm to the Green Belt by reasons of its inappropriateness and any other harm resulting from the proposed development is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

7.1.3 Policy GB6 (1) of the NPPF states that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. Policy GB7 sets out that the following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances.

7.1.4 The most relevant exception of GB7 is considered to be:

b) The re-use, **extension**, alteration or replacement **of an existing building**, provided that the existing building **is of permanent and substantial construction**, **is lawful in planning terms**, and **any extension or alteration will not result in a disproportionate increase in size compared to the original building**.

7.1.5 Policy DM2 of the Development Management Policies Document relates to development within the Green Belt and sets out that extensions to buildings in the Green Belt that are disproportionate in size (individually or cumulatively) to the original building will not be permitted. The buildings proximity and relationship to other buildings and whether it is already, or would become, prominent in the setting and whether it preserves the openness of the Green Belt will be taken into account.

7.1.6 The 'Extensions to Dwellings in the Green Belt Supplementary Planning Guidance' provided further explanation of the interpretation of the Green Belt policies of the Three Rivers Local Plan 1996-2011. These policies have now been superseded by Policy DM2 of the Development Management Policies document. Nevertheless, the Extensions to Dwellings in the Green Belt Supplementary Planning Guidance provides useful guidance and

paragraph 4.5 of the Development Management Policies document advises that the guidance will be taken into account in the consideration of householder developments in the Green Belt until it is incorporated into the forthcoming Design Supplementary Planning Document.

7.1.7 The requirements of the NPPF are considered to reflect the adopted policies of the Three Rivers District Council Local Plan. Core Strategy Policy CP11 sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it.

7.1.8 Green Belt Calculations

Approved Application - 25/0421/FUL

Original Floorspace	Existing Extensions	Existing Percentage	Proposed Extensions	Percentage Increase over Original
108.96	n/a	n/a	36.91	34%

Proposed Application - 26/1321/RSP

Original Floorspace	Existing Extensions	Existing Percentage	Proposed Extensions	Percentage Increase over Original
108.96	n/a	n/a	75.45 including dormer	68.4%

7.1.9 The application dwelling does not appear to have been previously extended prior to recent works. The extension to the dwelling would result in a cumulative increase above the original dwelling of approximately 68.4% when all parts of the development are totalled; however without the dormer the works would be the same as the approved application 25/0421/FUL therefore below 40% and given its design and scale was not considered to be disproportionate. It is noted in the SPG 3 that extensions resulting in a cumulative increase in floorspace of over 40% compared with the original dwelling will normally be unacceptable, with the following exceptions:

i) dormer windows satisfying 10 (c), Dormer windows proportionate to the existing building, and with glazing covering the full frontage other than side framing, will not normally be viewed as adversely effecting the openness of the Green Belt.

ii) ground floor conservatories of modest size compared to the house and site, though planning conditions will then be imposed on permissions prohibiting their replacement with more substantial construction, 'in-fill' extensions (e.g. if the existing building is 'L' or 'U' shaped) which do not increase the apparent bulk of the building.

iii) 'in-fill' extensions (e.g. if the existing building is 'L' or 'U' shaped) which do not increase the apparent bulk of the building.

7.1.10 In this case, the dormer window falls within exception (i), as it is set down from the eaves and set in from the flank elevations making it subordinate and proportionate to the existing dwelling therefore it is not viewed as adversely affecting the openness of the Greenbelt.

7.1.11 It is noted that the garage conversion into habitable accommodation in the form of a gym and games room would not be increasing in size would be acceptable with GB7 b) therefore would be acceptable in this regard.

7.1.12 In summary, the proposed development would be considered appropriate development within the Green Belt and would not adversely affect its openness. While the cumulative increase would appear disproportionate in isolation, the part single part two-storey side extension has already been approved and does not exceed the 40% threshold. In addition, the dormer extension is considered to fall within exemption 10(c) of the SPG. The development complies with Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (2013) and the NPPF (2026).

7.2 Impact on the character and appearance of the host building

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness 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.

7.2.2 Policy DM1 and Appendix 2 of the Development Management Policies Local Development Document (adopted July 2013) set out that development should not lead to a gradual deterioration in the quality of the built environment, have a significant impact on the visual amenities of the area and that extensions should respect the existing character of the dwelling, particularly with regard to the roof form, positioning and style of windows and doors, and materials.

7.2.3 As set out in Appendix 2, new development should not be excessively prominent in relation to adjacent properties or general street scene and should not result in a loss of light to the windows of neighbouring properties nor allow for overlooking. 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 metres. This distance must be increased in low density areas or where the extension would have an adverse effect on an adjoining property. In high density areas an absolute minimum of 1 metre will be considered

7.2.4 AL4 of the Abbots Langley Neighbourhood Plan states 'All new development should reflect the character of the Character Area in which they are located as shown on as described in the Abbots Langley Design Guidance and Codes. Developments should reflect the architectural variety found locally and use materials that are in keeping with those found in existing buildings in the immediate locality. This will help to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, where this demonstrably enhances the quality of the built form.

7.2.5 The part single and part two storey side extension is identical to what has previously been approved on application 25/0421/FUL. It is readily visible from both Hyde Lane and Woodlands Road given the corner plot location of the site. The extension is set in line with the existing front and rear building line of the host dwelling, extending for its full depth at the ground floor, with the first floor extending in line with the existing rear building line but setback some 1m from the main front wall. Given the set back, this reduces the first floor visual prominence of the extension. The extension has a hipped roof which would is set down from the main ridge line of the dwelling and is therefore subservient. The single storey element to the ground floor front elevation has a traditional pitched roof which is not considered to appear unduly prominent within the context of the host dwelling or wider streetscene. In addition to the above, the proposal has been constructed in materials to match the existing dwelling which has further retained its character within the streetscene.

7.2.6 The extension is also set in from the flank boundary by approximately 5.6m. Given the spacing retained to the boundary and the siting of the dwelling on a corner plot it is not considered that the extension results in the creation of a terracing effect. Thus, it is not considered that the extension results in demonstrable harm to the character of the host dwelling or wider streetscene.

7.2.7 With regards to the rear dormer, 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.

7.2.8 It is recognised that the rear dormer is a notable new feature of the rear roof slope, with views possible from public vantage points along Hyde Lane and Woodlands Road. However, the dormer is set down from the highest ridge by 0.9m and approximately 0.2m from the two storey side extension's ridge line. The dormer is also set in from the western flank elevation, facing Woodlands Road by 2.1m and is 0.5m from the adjacent neighbour and set up from the eaves at the rear of the dwelling. While the dormer is large, it is noted that it is smaller than that what was approved under 25/0461/CLPD. Furthermore, there is sufficient spacing retained to all sides of the dormer such that it does not fully subsume the rear roof slope. Given the spacing, it is considered that the dormer would, on balance, be acceptable.

7.2.9 While there is an increase in the bulk and massing of the roof form resulting from the two story side extension and the rear dormer combined, it is not considered that it would is at a level that is unacceptably harmful to the character of the host dwelling or surrounding streetscene.

7.2.10 One rooflight is positioned at the front roof slope. Rooflights are considered to be a common feature of the surrounding streetscene so there is no objection to this element.

7.2.11 The garage conversion has removed the wooden door and window and replaced them with a door and new windows. It is not considered that such changes would cause harm to the street scene and therefore acceptable in this regard. A condition has been applied to the garage to ensure that it remains in ancillary or incidental use.

7.2.12 In summary, the development does not result in any adverse harm to the character or appearance of the host dwelling or wider streetscene. The development is acceptable in accordance with Policies CP1 and CP12 of the Core Strategy and Policy DM1, Appendix 2 of the Development Management Policies LDD (2013) and AL4 of the Abbots Langley Neighbourhood Plan.

7.3 Impact on amenity of neighbours

7.3.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels 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.

7.3.2 The part two storey, part single storey side extension extends from the existing flank wall of the dwelling, away from the adjoining neighbour at No. 12 Hyde Lane. This neighbour appears to have implemented a two-storey side extension. The extension is largely screened from view of this neighbour by virtue of the dwelling. The extension does not project beyond the existing front or rear building line of the host dwelling and is set down from the ridge line of the dwelling. As such, it is not considered to result in an overbearing form of development or result in a harmful loss of light to the residential amenities of the occupiers of this neighbouring dwelling.

7.3.3 No. 1 Woodlands Road is sited to the rear of the application site, this neighbour is set at a lower land level to the host dwelling and its flank elevation faces the boundary with the application site. It is acknowledged that this neighbour appears to have implemented a two-storey side extension which remains set off the boundary with the application site. This neighbour is further separated from the dwelling by virtue of the host dwelling's existing

detached garage(converted) to the rear of the site. The extension projects from the existing flank wall and does not extend beyond the current rear building line. It retains a hipped roof and is set down from the main ridge line of the dwelling and owing to the spacing retained to the boundary is not considered to give rise to an overbearing form of development or harmful loss of light such to justify a refusal in this regard

7.3.4 The proposed rear dormer may increase the perception of overlooking towards neighbouring amenity areas this would be towards flank. 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 for which there is no objection.

7.3.5 The front rooflight is not considered to result in any unacceptable overlooking of neighbours due to the location high in the roof slope.

7.3.6 The garage conversion has replaced a wooden door with a door and 2 casement windows it is not viewed that this conversion will cause any visual harm to the neighbours

7.3.7 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.

7.4 Highways & Parking

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

7.4.2 The proposal would increase the number of bedrooms within the dwelling by two, resulting in a four-bedroom dwelling. Appendix 5 of the DMP LDD sets out that four or more-bedroom dwelling would require 3 assigned spaces within the dwelling's curtilage. The existing dwelling has an area of hardstanding forward of its front elevation which can accommodate 1 vehicle. Additionally, there is an area of hardstanding forward of the garage which can also accommodate an additional vehicle. There is a shortfall of 1 space when applied to the parking standards for a 4 bedroom dwelling.

7.4.3 Officers note that a parking plan was submitted with the application; however, it has not been afforded weight as it shows two parking spaces to the rear of the site accessed via a route that has been determined not to be lawful. Notwithstanding this, it is recognised that there appears to be scope to increase parking provision within the front curtilage to help address the shortfall, should demand while greater on-site provision. However, this could only be achieved through extensive works to the garden which are not proposed under this application. Notwithstanding, it is not considered that the shortfall in one space would be unacceptable.

7.5 Rear Garden Amenity Space

7.5.1 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.

7.5.2 The proposed development does not encroach upon the rear amenity space of the host dwelling. 148 sqm of useable amenity space would remain, which is acceptable to serve the five-bedroom dwelling.

7.6 Trees & Landscape

7.6.1 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.

7.6.2 The development has not required the removal of any trees nor is considered to result in any harm to others. It is acknowledged that boundary hedging has been removed, however, this formed part of works not currently subject to this application.

7.7 Biodiversity

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

7.7.2 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.

7.7.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors have been affected as a result of the development. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment.

7.8 Mandatory Biodiversity Net Gain

7.8.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.8.2 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 Part Retrospective **PLANNING PERMISSION BE APPROVED** subject to conditions:

C1 Those works which yet to be undertaken shall be carried out hereby permitted shall be carried out in accordance with the following approved plans: 25.293.PL.001A REV 00, 25.293.PL.001B REV 00, 25.293_BR.001 REV 00, 25.293.PL 002, 25.293.PL 003, 25.293.PL 004, 25.293.BR.003B REV 01, 25.293_PL.003 REV 03.

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).

C2 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).

C3 The detached garage conversion; 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.

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).

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:

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

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

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

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

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

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

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

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

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

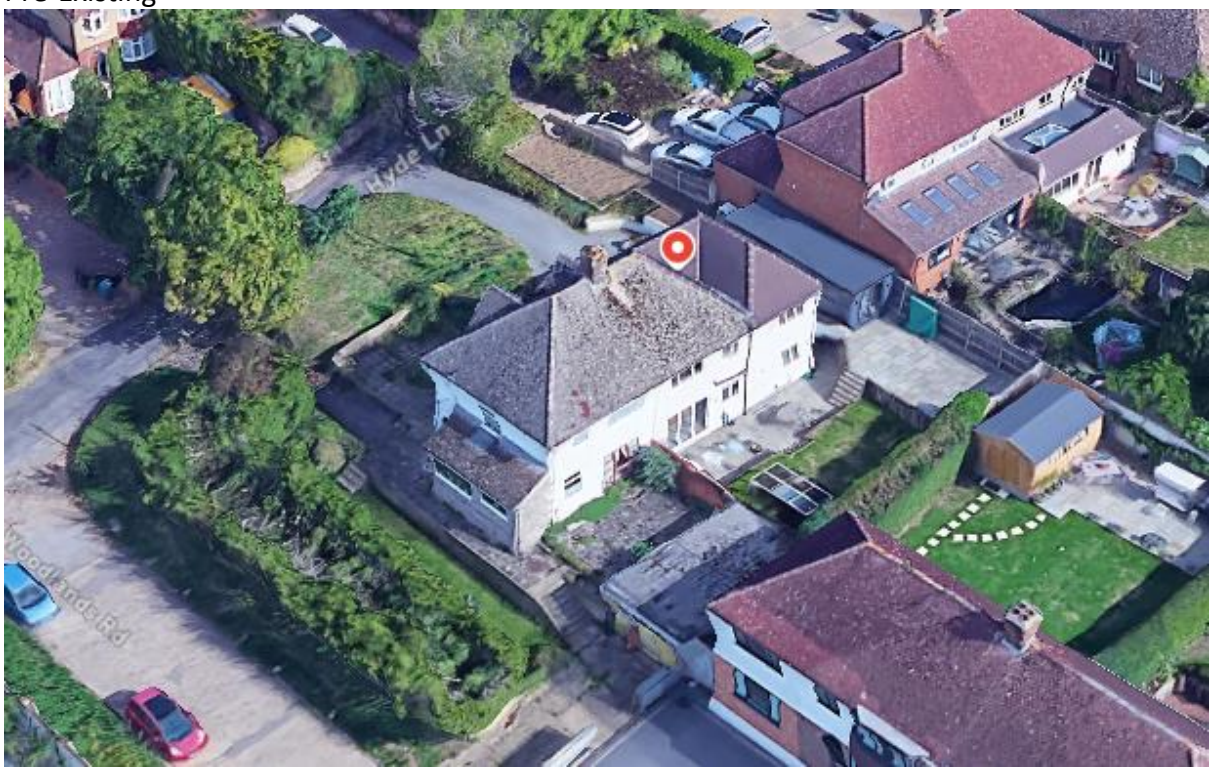
The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use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

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

I5 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.

10 Hyde Lane

Pre-Existing






Gaddes
Sold







Site following commencement of works











PLANNING COMMITTEE – 22 October 2026

26/1359/FUL - Construction of single-storey rear extension, air source heat pump; alterations to landscaping including demolition of outbuilding; internal alterations at 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN

Parish: Croxley Green
Ward: Durrants
Expiry of Statutory Period: 21.10.2026 (EOT to 30.10.2026)
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:

26/1359/FUL 36 Girton Way, Croxley Green, Rickmansworth, Hertfordshire, WD3 3QN

1 Relevant Planning History

1.1 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 – 26.08.2026 Permitted, not implemented

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 outbuilding 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. Land levels on the application site are largely flat.

2.3 The application site is flanked on the eastern side by a public footpath which connects Girton Way to Baldwins Lane (Croxley Green 015).

2.4 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.

2.5 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.

2.6 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 the construction of a single-storey rear extension, air source heat pump, alterations to landscaping, including demolition of an outbuilding; internal alterations

3.2 An existing outbuilding sited to the rear of the host dwelling would be demolished.

3.3 The proposed single storey rear extension would have a stepped depth, it would extend in line with the eastern flank elevation of the dwelling for a depth of 5.8m, for a width of 6.3m, the extension would then step back to a depth of 4m from the rear elevation of the host dwelling for a width of 3.4m. the rear extension would not extend beyond the existing flanks of the host dwelling.

3.4 The proposed roof form would be flat with a parapet wall of a maximum height of 3.4m. Two roof lights are proposed for the flat roof. Fenestrations are proposed for the rear and flank elevations of the extension. In the rear elevation, a set of bifold doors is proposed, and an arched doorway, a corner window is proposed for the rear elevation, wrapping around to the western flank elevation. In the eastern flank elevation, a horizontal window is proposed.

3.5 The proposed material finished for the extension would be brick to match the existing external walls, and the parapet wall around the flat roof would have stone coping. The fenestrations would be grey-framed aluminium units.

3.6 A patio is proposed to wrap around the extension, it would join an existing area of patio to the rear of the flank garage, and extend to a maximum depth of 4m from the rear elevation of the proposed extension, it would wrap around the north-eastern corner of the dwelling and extend tp the full depth of the extended dwelling along the eastern side. This part of the patio would have a splayed width of 5.5m at the rear, reducing to 1.4m near the front of the dwelling. Hedging along the eastern boundary with the footpath would be retained. The proposed patio is intended to be level with the internal ground floor, with an approximate 120mm difference between the existing and proposed levels.

3.7 An air-source heat pump (ASHP) is proposed to be sited centrally at the ground floor level on the western flank elevation of the existing dwelling.

3.8 An outdoor kitchen was removed from the plans, and the proposed air source heat pump specification was provided during the course of the application. Additional plans were provided to confirm the extent and height of the proposed patio.

4 Statutory Consultation

4.1 National Grid: [No Response]

4.2 Croxley Green Parish Council: [Comment received]

4.3 Croxley Green Parish Council draws the planning officer's attention to the lack of information regarding the air source heat pump no details of noise output etc are provided, and the outside kitchen and requests that the Officer requests details on these before deciding on the application. The officer is also requested to consider the application in light of the recent application for a loft extension on the property.

The applicant should be advised to ensure that any restrictive covenants are complied with.

4.4 **Public/Neighbour Consultation**

4.5 Neighbours consulted: 9

4.6 Responses received: 0

4.7 Site Notice: 03.09.2026, Expired: 24.09.2026

4.8 Press Notice: 07.09.2026, Expired: 02.10.2026

5 Reason for Delay

5.1 Committee Cycle

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).

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

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

The Environment Act 2021.

6.2 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 DM6, DM8, DM9, DM13 and Appendix 5.

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

6.3 Other

In August 2026 the NPPF was updated. Relevant policies include:

The Three Rivers District Council Local Plan 2026-2042 (Parts I and II) has recently been subject of a Regulation 19 consultation. As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the policies listed; however, as the new Local Plan is at consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight. Relevant Policies include SP2, BGL1, TC2 and Appendices 1 and 3.

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 Design Criteria at Appendix 2 states that 4m is the depth generally considered acceptable for single-storey extensions to detached properties. The proposed single-storey rear extension would have a maximum depth of depth of 5.8m, reducing to 4m, which would exceed the Design Criteria in part; however, it is not considered that the extension would appear disproportionate in scale or design relative to the host dwelling or the plot. It is noted that the extension steps back to a policy-compliant depth of 4m in line with the western flank of the dwelling. It is not considered that views of the extension would be possible from Girton Way due to the siting of the extension at the rear of the dwelling. There may be some visibility of the extension from the public footpath, which runs along the eastern boundary of the application site. The extension is proposed to have a flat roof form with a modest height of 3.4 m; it is not considered that the single-storey rear extension would be unduly prominent or result in an incongruous form of development as viewed from public vantage points. The extension would be finished in brick, helping it blend in with the existing dwelling's finish.

7.1.5 An air-source heat pump (ASHP) is proposed to be sited at ground level along the eastern elevation of the host dwelling. Given the positioning of the ASHP, and the existing boundary treatments which would be retained, it is not considered that any views of this element of the proposal would be possible from public vantage points. It is therefore acceptable from a character and streetscene point of view.

7.1.6 It is not considered that the proposed patio would result in any harm to the character of the dwelling or streetscene, it would in part replace existing hardstanding to the flank of the dwelling.

7.1.7 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 rear extension would project 5.8m, reducing to 4m beyond the existing rear elevation of the host dwelling and would introduce additional built form extending past the neighbouring maisonettes at Nos. 19, 21, 23 and 25 Malvern Way. The extension would be 4m deep, adjacent to the closest boundary with the neighbouring maisonettes. These neighbours are sited perpendicular to the application site, with their rear elevations facing towards the western flank and rear of the application dwelling. As such, the proposed extension has the potential to increase the extent of built form visible from the rear-facing windows and amenity areas of the neighbouring properties. Notwithstanding this, an approximate 15m separation between the rear elevations of the neighbouring maisonettes and the proposed extension would be maintained. The extension would be single-storey and would have a flat roof of modest height. On this basis, it is considered that the proposed rear extension would not result in an unacceptable impact on the living conditions of the occupiers of Nos. 19, 21, 23 and 25 Malvern Way. In terms of overlooking a corner window, a proposal is to wrap around the northwestern corner of the rear extension, which window would face towards the boundary with the maisonettes, the boundary is marked by closed board fencing and mature vegetation. It is not considered that the corner window, due to its ground-floor location and the existing boundary treatments, would result in any additional or unacceptable overlooking of these neighbours.

7.2.3 The proposed rear extension would extend approximately 1.4m beyond the rear elevation of the neighbouring dwelling, No. 34 Girton Way. This neighbour is separated from the application site by a public footpath; there would be approximately 9.5m of separation distance, including the path, between the proposed extension flank and the neighbouring dwelling. considering this separation between the dwellings and the limited extend the extension would extend past the neighbours rear elevation, it is not considered that the proposed development would result in a any harm to the light or amenity of No. 34. In terms of overlooking a low level horizontal window is proposed for the flank elevation facing towards the flank elevation of No. 34, considering the mature hedging which marks the boundary and the ground floor location of the window, it is not considered that this window would result in any additional overlooking of this neighbour.

7.2.4 The proposed air source heat pump would be sited on the flank elevation of the dwelling facing no. 34, approximately 8m from this neighbour and again separated by the public footpath and the boundary treatments associated with both dwellings flank boundaries, which are shared with the public footpath. The provided ASHP specification indicates it would produce up to 60 dB, which is comparable to a normal conversation. When considering the siting at ground level and the physical boundary treatments, and the separation distance, it is not considered that the ASHP would result in any unacceptable harm to the residential amenity of the occupants of No. 34. As the neighbouring maisonettes are sited on the opposite side of the host dwelling and separated by their rear amenity gardens it is not considered that this element of the proposal would have any impact on these neighbouring dwellings.

7.2.5 The proposed patio would wrap around the proposed extension and would, in part, replace existing hardstanding. The proposed elevations show that the patio would be approximately 0.12m above the existing patio, which is level with the rear garden level. Given that the patio would not result in a raised platform, it is not considered to create any opportunity to overlook neighbours beyond what would be possible from garden level.

7.2.6 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 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. The 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 encroach upon the rear amenity space of the host dwelling. 382 sqm of useable amenity space would remain, which is acceptable to serve the four-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: DR A 01 004 S1 P01, DR A 02 001 51 P01, DR A 01 001 S1 P01, DR A 01 002 S1 P01, DR A 02 002 S1 P01, DR A 91 001 S1 P01, DR-A-01-003-S1-PO2, DR-A-01-005-S1-PO2, DR-A-01-004-S1-PO2, DR A 01 007 S1 P01, DR A 01 006 S1 P01, DR A 91 002 51 P01, DR A 90 001 51 P01

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).

C4 The flat roof of the single storey rear extension, and shown on plan number DR A 01 007 S1 P01 shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

Informatives

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

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

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

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

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

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

I2 The applicant is reminded that the Control of Pollution Act 1974 stipulates that construction activity (where work is audible at the site boundary) should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

I3 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority suggested modifications to the development during the course of the application and the applicant and/or their agent submitted amendments which result in a form of development that maintains/improves the economic, social and environmental conditions of the District.

I4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

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

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

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

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

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

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

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

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

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

I5 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.

I6 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.




St Oswald's
Church & Hall
Pathway
St Oswald's Preschool
Temporarily closed
Pathway
36
34
32
Girton Way
Girton Way













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