

Watford Rural Parish Council	1.1.1	Object
Three Rivers District Council – Tree and Landscape Officer	1.1.2	No objection
Three Rivers District Council - Conservation Officer	1.1.3	No objection
Herts County Council Highways Authority	1.1.4	Objection
Herts County Council Lead Local Flood Authority	1.1.5	Objection
Herts County Council Archaeology	1.1.6	No objection
Herts County Council Minerals and Waste	1.1.7	No objection
Herts County Council Water Officer	1.1.8	No objection
Transport for London	1.1.9	No comment
Network Rail	1.1.10	No objection
National Grid	1.1.11	Holding objection
British Pipeline Agency	1.1.12	No objection
Active Travel England	1.1.13	No comment
Thames Water	1.1.14	No objection
Affinity Water	1.1.15	Objection
Environment Agency	1.1.16	No objection
TRDC Local Plans Team	1.1.17	No objection
TRDC Housing	1.1.18	Comments
Herts Constabulary Safety Design Officer	1.1.19	No objection
Herts County Council Growth and Infrastructure	1.1.20	No objection
Environmental Health (Contamination)	1.1.21	No objection
National Highways	1.1.22	No objection
Herts County Council Ecology	1.1.23	Objection
Watford Borough Council	1.1.24	Objection
Hertsmere Borough Council	1.1.25	No objection
National Health Service	1.1.26	Commented
TRDC Environmental Protection	1.1.27	No comments received
TRDC Environmental Health (Residential)	1.1.28	No comments received
TRDC Transport and Parking	1.1.29	No comments received
TRDC Leisure Department	1.1.30	No comments received
Natural England	1.1.31	No comments received

## **Appendix 1:**

### **1.1 Statutory Consultation**

#### **1.1.1 Watford Rural Parish Council [Object]**

Watford Rural Parish Council formally objects to the above planning application. We strongly believe that the proposed development is inconsistent with national and local planning policies and would result in substantial and irreversible harm to the character, infrastructure, and environmental quality of the Carpenders Park area.

This objection draws upon the application's submitted documentation and identifies direct conflicts with the National Planning Policy Framework (NPPF, 2023), the Three

Rivers Core Strategy (2011), and Development Management Policies (2013). It also reflects the clear concerns of our local residents and councillors.

## **Summary of Objections**

### **1. Highways Safety and Congestion**

The site is accessed from a section of road that is fast-moving, with no designated right-turning lane. This raises significant safety concerns. The Transport Assessment fails to mitigate or realistically address these risks.

#### **Policy Conflicts:**

- NPPF paragraph 111 – Developments should be refused if they create unacceptable highway safety impacts.
- TRDC Policy CP10 and DM4 – Sustainable and safe transport access must be ensured.

### **2. Flood Risk and Drainage**

Carpenders Park is already prone to surface water flooding. The submitted Flood Risk Assessment and Thames Water's response highlight inadequate drainage infrastructure and network capacity concerns.

#### **Policy Conflicts:**

- NPPF paragraph 167 – Development must not increase flood risk elsewhere.
- TRDC Policy DM8 – Requires robust SuDS and flood prevention design.

### **3. Green Infrastructure and Biodiversity**

The Biodiversity Net Gain Assessment does not demonstrate a significant gain and involves the loss of mature vegetation that serves as a vital green buffer between Hertsmere and Watford.

#### **Policy Conflicts:**

- NPPF paragraphs 174 & 180 – Development must minimise impacts on biodiversity.
- TRDC Policy CP11 and DM6 – Protects green infrastructure and promotes biodiversity.

### **4. Visual Impact and Urban Sprawl**

The proposed layout and massing lack sensitivity to the semi-rural fringe character of Carpenders Park. The development creates an impression of urban coalescence with Hertsmere due to the absence of any green transition zone.

#### **Policy Conflicts:**

- NPPF paragraph 130 – Developments must be sympathetic to local character.
- TRDC Policy DM1 and DM14 – Protect local character and important views.

## 5. Infrastructure Strain

No meaningful evidence has been submitted to demonstrate how local GP surgeries, schools, and community facilities will absorb the increased demand. The Health Impact Assessment lacks robustness.

### Policy Conflicts:

- NPPF paragraph 8 – Strong, healthy, and well-serviced communities must be supported.
- TRDC Policy CP2 and CP6 – Requires demonstration of adequate infrastructure capacity.

## 6. Environmental Pollution (Air, Light, Noise)

There are cumulative effects identified across assessments that have not been sufficiently mitigated, particularly with regard to artificial lighting and air quality.

### Policy Conflicts:

- NPPF paragraph 185 – Requires protection from pollution impacts.
- TRDC Policy DM9 – Pollution control and protection of residential amenity.

## Conclusion

Watford Rural Parish Council urges Three Rivers District Council to **refuse** this application on the grounds outlined above. The scheme would significantly and unacceptably harm the character and sustainability of the local area and sets an undesirable precedent for development on this urban fringe.

We request that this letter be formally recorded as a **material representation**.

Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions, and you should satisfy yourselves on any facts before reaching your decision.

### 1.1.2 TRDC Landscape Officer [No objection – Conditions suggested]

The Site is within Metropolitan Green Belt and there are trees on site protected by Tree Preservation Order (TPO181). A Public Right of Way (footpath 012 Watford Rural), also known as Merry Hill Green Way runs northeast /southwest along the southeast boundary of the site.

The submitted plans indicate that eight 'B grade' (good quality) trees and tree groups would need to be removed, and around 30 'C grade' (poor quality) trees to facilitate the development, this includes several trees protected by TPO. However, this removal of trees could be mitigated over time through the replacement tree planting indicated on the soft landscaping plans.

From a landscape perspective it would be desirable to see a pedestrian link through from the southeastern end of the site to the Right of Way, to give future residents

access into the wider countryside and an off-road commuting route to Bushey. If the application is approved, a compliance condition requiring the tree protection method statement and landscaping plans to be implemented in full.

#### 1.1.3 Conservation Officer - [No objection]

The application is for Demolition of existing structures and construction of 96 residential dwellings (Use Class C3), flexible community floorspace (Use Class F), with the provision of an access, vehicle and cycle parking, landscaping, sustainable urban drainage systems and other associated works.

The application site is an irregular plot of land containing a vacant fire damaged dwelling and greenfield land for horse grazing to the northeast of Oxhey Lane between the Auburn Mere Residential Care Home and Any Skips commercial site. The site features the derelict Woodlands Cottage and associated garage (also derelict) but no other built form. In addition to the housing, the proposal would add a new pedestrian and vehicular accesses into the site, retain the undeveloped land fronting onto Oxhey Lane, remove the existing boundary wall and add additional landscaping.

There are no heritage assets, either designated or non-designated on the Site and the submission has identified three heritage assets which have 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

Oxhey Grange has architectural interest from the building's high-quality detailing, form and surviving historic fabric, in a high Victorian Gothic style. It has historic interest due to its association with architect Willima Young and illustrative interest as part of Oxhey Grange Estate. There is a strong physical separation between the Site and Oxhey Grange and they are not historically associated, with the setting of the Grange set within its own grounds to the southwest. As a result, the Site does not currently contribute to the significance of Oxhey Grange, and the proposal would not have a harmful impact on its significance.

The Site is located approximately 150m to the southeast of Oxhey Grange Lodge. The Lodge dates from the early twentieth century and has architectural interest in relation to its stone and brick construction and historic fabric. It has historic interest due to its association with Oxhey Grange Estate. The Site is part of its wider setting but there is no historic association between the two and only limited intervisibility. The proposal may result in a small degree of intervisibility with the Lodge. However, due to the circumstances described above the proposal would not result in harm to its significance. Due to the potential limited degree of intervisibility, a strong boundary treatment on the northwestern boundary is encouraged and this appears to be form part of the proposal.

Watford Heath Conservation Area is located approximately 300m to the southeast of the Site. Its significance and special interest relate to its architectural and historic

interest, connected to the buildings and the landscaped setting of the central village green and associative links to the Oxhey Grange Estate. There is extensive modern built form separating the Site from the Conservation Area and other open space areas as well. The Site does not appear to contribute to the significance of the Conservation Area and the proposal would not appear to harm the significance of the Conservation Area. However, the Conservation Area is in a neighbouring borough and appropriate consultation should be undertaken with the relevant authority.

This response has been provided in the context of Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 199 and the National Planning Policy Framework (NPPF) Chapter 16 'Conserving and Enhancing The Historic Environment'.

1.1.4 Herts County Council Highways Authority – [Objection; Objection maintained following receipt of additional information]

1.1.4.1 **First Comments received 3 July 2025:**

#### **Recommendation**

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

*1. Insufficient details have been submitted to demonstrate that the proposed transport and access arrangements are acceptable and sufficient. The proposals have therefore not been demonstrated to be in accordance with policy guidelines as outlined in the National Planning Policy Framework (NPPF), specifically paragraphs 115 and 117 and Hertfordshire County Council's (HCC) Local Transport Plan 4 (LTP4), specifically Policy 1: Transport User Hierarchy and Policy 5: Development Management.*

The site is proposed to be accessed via one new access from Oxhey Lane (A4008). Oxhey Lane is designated as a classified A main distributor roads, subject to a speed limit of subject 30mph (changing to 40mph to the south-east of the proposed access point) 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 Assessment (TA) has been submitted as part of the current application.

It has been considered that there are insufficient details submitted at this stage in order for HCC as Highway Authority to consider the proposals acceptable from a highway and transport perspective.

Therefore it is recommended that further details are provided and amendments taking into account the following points:

#### **1. Proposed Access and Road Safety Audit**

In the context of the nature and location of the proposed new access and associated works onto a main distributor A road, a Stage One Road Safety Audit and Designers Response would be required to be submitted for all of the proposed highway works.

This would be required to assist in identifying any considerations or amendments that may be required from a safety perspective.

Clarification is also sought in respect to the point made in the TA, section 4.11, which states that “the junction spacing (offset) between the proposed and existing accesses complies with HCC’s requirements (i.e. 43m separation for adjacent junctions). These offset distances are achievable to the existing access to Auburn Mere Residential Care Home to the north and a site known to sell Christmas Trees to the south (Appendix B)”. Drawing number 425.065707.00001.PD01 A shows the junction space between the site access and the Christmas Tree site as being 35m.

2. While HCC as Highway Authority would not object, in principle, to the level of vehicle parking as proposed (which is lower than that as outlined in Three Rivers District Council (TRDC)’s parking standards), this should be supported by appropriate infrastructure improvements to support the maximisation and promotion of sustainable travel alternatives. Consideration has not been given to:

- a. Providing improved crossing point(s) for pedestrians and cyclists from the development side of Oxhey Lane (north side) to the Carpenders Park on the south side of Oxhey Lane.
- b. Providing a safe crossing point for pedestrians across the large vehicular access opening into the Christmas Tree site.
- c. Improving cycling provision to and from the site e.g. through the provisions of an extended shared use cycleway/footway into the site to link to the existing shared use pedestrian /cycle path on the northeast of Oxhey Lane (to the southeast of the site) and provide a link to public bridleway Watford Rural 031.
- d. The potential for vehicles to park on the highway footway and/or carriageway on Oxhey Lane, particularly for the proposed community use or other visitors to the site, which links into the lack of consideration to improve sustainable and active travel options as outlined above.

Whilst HCC as Highway Authority is supportive of the suggested on-site cycle hire, this should be supported by appropriate infrastructure considerations and improvements on the surrounding highway network.

Please note that TRDC as the Local Planning and Parking Authority for the district would need to take a view on any parking proposed levels and be satisfied with any parking restrictions that may be needed on the adjacent highway, dependent on the submission of other details as outlined in this response.

3. Internal layout points – not necessarily a reason to recommend refusal from a highways perspective but lack of details at this stage to suggest that the following points have been sufficiently considered.

- a. Many of the proposed dwellings have gates/doors that open out onto the proposed footways. This would cause a potential obstruction and safety issue for users of the adjacent footways and the gates /doors should be amended to open inwards into the properties.

b. The entrance road into the site (for the first approximately 80m from Oxhey Lane) is 5.5m wide, which is acceptable and in accordance with HCC's Place & Movement Planning and Design Guidance. As you move further into the site the width of the carriageway reduces to 4.8m fronting the main access road fronting the dwellings and then reduces to 3.7m further into the site. Consideration should be given to the following:

i. The 4.8m wide carriageways are bordered by parallel car parking spaces.

Has the potential for doors opening out into the carriageway been considered?, a carriageway which would be used by cyclists and therefore could be a potential barrier to encouraging cyclists to use the site.

ii. Some of the 3.7m width carriage areas including the stretch providing access to plots 79 to 94 do not have separate footways and would therefore act as shared used areas. Whilst HCC as Highway Authority is not opposed to shared use access areas providing access to 25 dwellings or less, the 3.7m width carriageway could be a barrier to some pedestrians using this area particularly when refuse and other large vehicles are using the road where there would be limited space for pedestrians to pass.

iii. Provisions would need to be considered to ensuring that the proposed turning areas for refuse vehicles, emergency vehicles and other service / delivery vehicles are kept clear of parked vehicles, which would be particularly important when taking into account the narrow carriageways in the site and lack of two way vehicle passing on the 3.7m width stretches.

#### Emergency Vehicle Access

Following consideration of the size of the development, details of the proposals and have been passed to Herts Fire & Rescue for attention and for any comments which they may have. This is to ensure that the proposals are in accordance with guidelines as outlined in MfS and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates).

#### Conclusion

Following consideration of the above points, HCC as Highway Authority is therefore recommending that the application be refused. Insufficient details have been submitted to demonstrate that the proposals are acceptable and in accordance with the NPPF and LTP4 at this stage specifically in relation to providing safe and suitable access to all users. Therefore the above details and information are being recommended to be provided and/or considered.

#### 1.1.4.2 **Second set of comments received following review of additional information, comments dated 5 August 2025 – objection maintained:**

##### **Proposal**

Supplemental details submitted including Road Safety Audit.

Demolition of existing structures and construction of 96 residential dwellings (Use Class C3), flexible community floorspace (Use Class F), with the provision of an

access, vehicle and cycle parking, landscaping, sustainable urban drainage systems and other associated works

### **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. The proposed transport and access arrangements have not been demonstrated to be acceptable or sufficient. The proposals are therefore not in accordance with policy as outlined in the National Planning Policy Framework (NPPF), specifically paragraphs 115 and 117 and Hertfordshire County Council's (HCC) Local Transport Plan 4 (LTP4), specifically Policy 1: Transport User Hierarchy and Policy 5: Development Management.*

Please see comments / highways response below for more detail.

### **Comments**

The site is proposed to be accessed via one new access from Oxhey Lane (A4008). Oxhey Lane is designated as a classified A main distributor road, subject to a speed limit of subject 30mph (changing to 40mph to the south-east of the proposed access point) 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 Response (TR) (SLR No. 425.065707.00001) and Stage 1 Road Safety Audit & Designers Response (RSA1) have been provided in response the original Highways consultee response dated 24/07/2025, which recommended refusal. A Transport Assessment (TA) was submitted as part of the original documents submitted.

Following a review of the supplemental details submitted, there are still insufficient details and provisions to enable HCC as the Highway Authority to consider the proposals acceptable from a highway and transport perspective. In order to be considered acceptable, further details would need to be provided and amendments taking into account the following points:

#### **1. Proposed Access and Road Safety Audit**

The Highway Safety Team at HCC has provided a Road Safety Review of the submitted RSA1. The reviewer has concerns in relation to problem 3.2.1 "Possible risk of side impact or rear end shunts due to insufficient forward visibility". It is not clear that there is a design solution which addresses this forward visibility concern. Therefore visibility splays from the right turn lane should be provided for review at the current design stage.

The reviewer also has concerns that in response to problem 3.3.1, the right turn lane may not be sufficiently wide enough based on the curvature, although this could potentially be mitigated by minor widening of the lane.

The designers response is considered acceptable for problems 3.1.1, 3.1.2, 3.3.2.



The Highway Safety Team identified one additional problem in respect to Road Signage. The reviewer notes that several signs associated with the development are shown to be relocated rather than renewed. While relocation may retain their functional positioning, it does not guarantee that the signs will meet current standards for visibility, condition, or conspicuity, particularly where the signs are worn, dirty and partially obscured. Given that the junction lies on a transition into a lower speed limit area, the use of yellow backing boards on terminal speed limit signs would enhance driver awareness and reinforce the change in environment.

Additionally, vegetation clearance is recommended to ensure that visibility to signage remain unobstructed. The inclusion of speed limit roundels on the carriageway surface at terminal positions would further reinforce the speed limit change and improve compliance.

Following consideration of the review, particular attention should be made to points 3.2.1 and 3.3.1 at this planning application stage to ensure that sufficient mitigation has shown to be achievable and sufficient.

2. SLR Response 3 in the TR refers to the points made in respect to appropriate infrastructure improvements to support the maximisation and promotion of sustainable travel alternatives . Despite the points made in the TR, it is considered that insufficient consideration has been given to:

a. Providing improved crossing point(s) for pedestrians and cyclists from the development side of Oxhey Lane (north side) to the Carpenders Park on the south side of Oxhey Lane. The TR states that “there is a shared pedestrian / cycle crossing to the immediate south of By the Wood”. This is incorrect as it is not designed as a shared use facility and would therefore need to be upgraded to a shared use facility in accordance with Cycle Infrastructure Design: Local Transport Note 1/20 (LTN 1/20) if this is intended to be part of the cycling route between the site and Carpenders Park.

b. Providing a safe crossing point for pedestrians across the large vehicular access opening into the Christmas Tree site. Points 2.10 to 2.13 of the TR refers to this and states that the existing “access has operated without any recorded pedestrian, cycle or child casualties between 1999 and 2023”. This does not however mean that the arrangement is sufficient to support the new development which would be required to be able to provide safe and suitable pedestrian accessibility to and from the site for a larger number of pedestrian users. Any provision and design should be taking into account DFT’s Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (IM) , LTP4 and the NPPF, which is not currently the case. At the very least, tactile paving should be provided and a refuge island considered.

The TR makes reference to the Christmas Tree site access width as being “shorter than the equivalent configuration to the south that serves Braeside and The Old Brickworks”.

This point has limited weight as parts of it serve a residential driveway with low levels of vehicle movements and the overall design is more pedestrian friendly with clear

priority given to pedestrians using the highway footway and a more favourable angle and visibility for all users. Nevertheless this section would also need to be improved if it were to act as the cycling route to and from the site as referred to in point c of this response.

c. Improving cycling provision to and from the site. Point 2.6 of the TR states that “the site is connected to Carpenders Park via the existing footway / shared use facility along the north side of Oxhey Lane”. This is incorrect as the shared use facility does not commence until approximately 300m southeast of the proposed site access. Insufficient details and plans have therefore been provided as to how cyclists would safely travel between Carpenders Park and the site and between the site and public bridleway Watford Rural 031.

Point 2.16 states that cycle flows to/from the site connecting to the existing shared use facilities (and existing facilities) “are not considered substantial enough to justify physical widening of the footway. Such widening would also adversely impact the existing right-turn facilities at the accesses between the site and Carpenders Park.” Whilst this may well indeed have an impact on whether or not the right turn facilities can be safely provided, the onus is on the applicant to demonstrate that a safe and suitable access to and from the site can be made for all users, including vehicles and cyclists.

Point 2.18 states that “It is considered that cycle signage and cycle road markings between the Site and public bridleway Watford Rural 031”. This has not been demonstrated to be a safe nor suitable option at this stage and is not in accordance with LTN1/20 or IM and has not been included in the submitted safety audit.

d. The potential for vehicles to park on the highway footway and/or carriageway on Oxhey Lane, particularly for the proposed community use which links into the lack of consideration to improve sustainable and active travel options as outlined above. This point is still relevant when taking into account the above points.

Whilst HCC as Highway Authority is supportive of the suggested on-site cycle hire, this should be supported by appropriate infrastructure considerations and improvements on the surrounding highway network. Without an appropriate level of off-site provision, it is limited as to how feasible it is to promote cycling as a safe and easy travel option for all future residents of the site. One of the justifications made for not requiring improvements to the existing footway (which is also proposed to function as the route for cyclists) is that flows would not be high enough which is counter to the site’s objectives to promote sustainable travel options (which in itself is being used to justify the lower level of on-site vehicle parking). The points made are therefore quite contradictory in this respect.

Please note that TRDC as the Local Planning and Parking Authority for the district would need to take a view on any parking proposed levels and be satisfied with any parking restrictions that may be needed, dependent on the submission of other details as outlined in this response.

3. Internal layout points – as previously stated these are not necessarily a reason to recommend refusal from a highways perspective and the applicant has indicated that

they do not intend to offer the internal road(s) to be dedicated as highway. Nevertheless as a responsible authority, the points raised are deemed to be reasonable and require consideration by the applicant and TRDC as the Local Planning Authority.

In respect to the gates/doors that open out onto the proposed footways, HCC as Highway Authority would recommend amended plans at the consultation and/or suitably worded condition in this respect, as suggested in the TR.

HCC as Highway Authority would be supportive of the suggested Parking Management Plan, to be secured via an appropriately worded condition which should also include provision to ensure that all necessary turning areas and pedestrian footways are kept free from any parked vehicles.

#### Emergency Vehicle Access

As referred to in the Highway Authority's previous response, details of the proposals have been passed to Herts Fire & Rescue for attention and for any comments which they may have. This is to ensure that the proposals are in accordance with guidelines as outlined in MfS and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates).

#### Conclusion

Following consideration of the above points, HCC as Highway Authority is therefore recommending that the application be refused. Insufficient plans have been submitted to demonstrate that the proposals are acceptable and in accordance with the NPPF and LTP4 specifically in relation to providing safe and suitable access to all users.

#### 1.1.5 Herts County Council Lead Local Flood Authority – [Objection]

Thank you for your consultation on the above site, received on 3 July 2025. We have reviewed the application as submitted and wish to make the following comments.

This is a full application which involves demolition of existing structures and construction of 96 number of dwellings (Use class C3) with associated infrastructure within a site area of 3.48ha.

We **object** to this planning application in the absence of an acceptable Flood Risk Assessment or / and Drainage Strategy or / and supporting information relating to:

- The development is not in accordance with NPPF, PPG or Three Rivers local policies including Policy DM8 – Flood risk and Water resources and Policy DM9 – Contamination and pollution control.

#### **Reason**

To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

We will consider reviewing this objection if the issues highlighted on the accompanying Planning Application Technical Response document are adequately addressed.

A summary of the main points of this are:

- 1) As per the Environment Agency flood map, there is a flow path forming across the site in the 'Yearly chance of flooding between 2040 and 2060' scenario. This has not been assessed by the applicant, who has only considered the current day 'Yearly chance of flooding' scenario.
- 2) A surface water drainage scheme that prioritises the reuse of rainwater in line with the National Standards for SuDS, so correctly addressing the drainage hierarchy required shall be provided. Interception of the first 5mm of water must be shown to be managed by the drainage strategy without leaving the site.
- 3) It is noted that there is a pond proposed in the Flood Risk Assessment and Landscape Strategy which is not included in the drainage drawings or drainage calculations. The pond can provide water quality, biodiversity and amenity benefits.
- 4) LLFA notes that Thames Water has confirmed available capacity within their storm network which is an alternative discharge location. However, the applicant is required to provide in principle agreement for the outfall arrangements to the watercourse. Additionally, the drainage calculations do not provide information for 1% AEP event plus climate change water level of the watercourse and a surcharged outfall scenario may need to be provided.
- 5) It has been noted that the runoff coefficient ( $C_v$ ) of 0.75 has been used in calculations. The applicant should revise the calculation with  $C_v$  value of 1.
- 6) The applicant should provide the calculation for 50% AEP and 3.33% AEP plus climate change allowance scenarios.
- 7) The applicant must ensure that finished floor levels are set at a minimum of 300mm above the maximum design water levels and 150mm above finished ground level, and this provision must be clearly accounted for in the development proposal.
- 8) The applicant is required to provide the biodiversity and amenity benefits; it has been noted that the central area of site needs more biodiversity and amenity elements.
- 9) The applicant must demonstrate water quantity benefits in open and above ground SuDS, since 57% of attenuation occurs underground.
- 10) LLFA acknowledges the inclusion of the exceedance flow route; however, the drawings show a flow path across the northwest buildings.
- 11) The applicant is required to provide the half drain down time for proposed Geocellular tanks.
- 12) Appropriate easements in accordance with the adopting authority's standards must be clearly indicated on the drawings for SuDS features, with a minimum width of 3 metres.

13) Provision must be made for a designated vehicular access route and off-road parking area to facilitate the maintenance of the attenuation tank / rain gardens.

### **Informative**

For further advice on what we expect to be contained within the FRA and/ or a Drainage Strategy to support a planning application, please refer to the Validation List and Proforma on our surface water drainage webpage <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx> this link also includes HCC's Flood Risk Management policies on SuDS in Hertfordshire. We do expect the Validation List to be submitted to the Local Planning Authority and LLFA to show you have provided all information and the Proforma to the LLFA to summarise the details of the proposed development.

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](mailto:FRMConsultations@hertfordshire.gov.uk).

#### **1.1.6 Herts Archaeology - [No objections – pre-commencement conditions requested]**

### **ARCHAEOLOGICAL IMPLICATIONS**

Thank you for consulting me on the above application.

No heritage assets of archaeological interest are known from within the proposed development site. However, as noted in the Archaeological Desk Based Assessment (HCUK 2025) report submitted with the planning application, there is an underlying potential for prehistoric, medieval and post-medieval activity. The earliest findspots within the study area originate from the Neolithic period with flint tools and representing 'the typical Chiltern surface industries of the Neolithic or Early Bronze Age' as described in Table 4. The remains of medieval ridge and furrow have been identified to the north, suggesting a broader agricultural landscape during this time, according to para. 4.28.

The site has not been subject to significant development or other disturbance, and according to the same Desk Based Assessment, cartographic evidence shows the development site has remained largely untouched since at least 1842. As a result, it is likely that if any archaeological remains are present on the remainder of the site, they are well preserved.

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;
2. such appropriate mitigation measures indicated as necessary by that evaluation.

These may include:

- a. the preservation of any remains in situ, if warranted,
  - b. appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of results,
  - c. archaeological monitoring of the groundworks of the development (also including a contingency for the preservation or further investigation of any remains then encountered),
  - d. such other provisions as may be necessary to protect the archaeological interests of the site;
3. 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;
  4. such other provisions as may be necessary to protect the archaeological interests of the site;

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 16 (para. 218, etc.) of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

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

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

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

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

If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

I hope that you will be able to accommodate the above recommendations.

1.1.7 Herts County Council Minerals and Waste Team - [No objection – pre-commencement 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.

#### Waste

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development.

The National Planning Policy for Waste (October 2014) sets out the following:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is

acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;

- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.

Section 6.3 of the Planning Statement makes reference to the Waste Core Strategy and Development Management Policies DPD (2012). The policies in the adopted DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

It should be taken into consideration that the proposed site is located on an area of Historic Landfill (reference: EAHLD09974, Auburn Mere). It is also located adjacent to another area of Historic Landfill (reference: EAHLD12361, Oxhey Lane). The presence of and risk from contaminative materials should be a consideration in the proposal at this site.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). Section 5.1 of the Circular Economy Statement notes that a SWMP will be prepared prior to commencement of the project. The county council welcomes this commitment.

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when



segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

#### 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.

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).

1.1.8 Herts County Council Fire and Rescue Department – [No objections – condition suggested]

Please note there is no main concerns from the HFRS water team but please note that HFRS will be seeking a condition for the provision of Fire Hydrants, at no cost to ourselves.

1.1.9 Transport for London – [No comment]

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

This response is made as Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

1.1.10 Network Rail – [No objection]

Network Rail Ltd has no objections.

1.1.11 National Grid – [Holding Objection]

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application which is in the vicinity of our gas asset/s. We are placing a holding objection on the proposal whilst our engineering team reviews the available information. We will be in touch once we have reviewed the proposals in more detail. In the meantime, we may contact you for more information to help us make the decision.

What you need to do

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](http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm)

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels and storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's 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 where 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](mailto:box.eaplantprotectionops@cadentgas.com)

1.1.12 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.

1.1.13 Active Travel England – [No comment]

In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as it does not meet the statutory thresholds for its consideration.

1.1.14 Thames Water – [No objection – pre-commencement condition 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](mailto:devcon.team@thameswater.co.uk)) prior to the planning application approval.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care

needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. This is to prevent damage to the sewer network and ensures we have suitable and safe access to carry out maintenance and repairs. Please refer to our guide on working near or diverting our pipes: <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Please ensure to apply to determine if a build over agreement will be granted.

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.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

#### **Water Comments:**

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.

1.1.15 Affinity Water – [No objection]

1.1.15.1 **Initial comments received, dated 21 July 2025, objecting:**

Thank you for notification of the above planning application. These are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located near an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) and on land marked as historical landfill, corresponding to our Pumping Station (EAST). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd (AW).

We currently **object** to the application as we require the submission of a Controlled Waters Risk Assessment for our review, to allow us to assess the application in greater detail and, if we are able to remove our objection, provide informed condition requirements. This further information should include but not be limited to the following:

- i Identification both the aquifer and the abstraction point as potential receptors of contamination (including turbidity generation from groundworks).
- ii The depth to water of the lower aquifer.
- iii Considered sampling of groundwater to inform the risk assessment
- iv Proposed construction measures (e.g. piling) that consider the risk to the aquifer and abstraction point.

A plan for this can be checked with us prior to submission to ensure all areas of concern for us are covered.

We need to ensure we have been provided with as much information as possible for our review, as issues arising from the development 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.

At this time it is our view that the development as proposed represents a risk to groundwater, however if our requests, set out above, have been addressed we may ask that appropriate conditions are imposed to protect the public water supply.

**Water efficiency**

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk

stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

### **Infrastructure connections and diversions**

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the 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](mailto:aw_developerservices@custhelp.com). 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](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

#### **1.1.15.2 Second response received on 6 October 2025 removing objection subject to conditions:**

Following on from our response dated 21/07/25 we have since been provided with further information for our review and we are now prepared to remove our objection, provided that the following conditions are applied to the development:

##### **Contamination through Ground Works:**

It should be noted that due to the proximity of the proposal on or within landfill, the foundation risk assessment (FRA) requested below will need to be specific to our concerns (e.g. it will need to be fully demonstrated that PAH and other contaminants from the landfill will not be drawn down into the aquifer and will need to consider the need for monitoring during the works) in order for us to recommend discharge. We can accommodate meetings with the developer prior to the development and submission FRA to ensure all our concerns have been covered if requested.

##### **Condition 1**

Prior to the commencement of the development, no works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- **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 to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

- **Acknowledgement of the need to notify Affinity Water of excavation works 15 days before commencement** in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply

**Reason:** To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction.

#### 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 **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.

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.

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

### **Water efficiency**

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

### **Infrastructure connections and diversions**

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the 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](mailto:aw_developerservices@custhelp.com).

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](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

1.1.16 Environment Agency – [No objection – pre-commencement conditions requested]

Thank you for consulting us on the above planning application on 03/07/2025. As part of the consultation, we have reviewed the following submitted documents:

- Desk Study prepared by GEA, dated June 2025 (ref.: J24293);
- Ground Investigation prepared by GEA, dated June 2025 (ref.: J24293A);
- Flood Risk Assessment and Drainage Strategy Report prepared by BWM, dated June 2025 (ref.: 5951-BWM-XX-XX-RP-C-0001-ISSUE 2).

### **Environment Agency Position**

Considering the information provided, **we have no objection to the proposed development given the inclusion of the following conditions on any grant of decision notice**. Without these conditions we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

The proposed development site's former use as a landfill means it contains sources of contamination. Potential contaminants could be mobilised and impact on controlled waters, specifically groundwater in the underlying Lambeth Group Secondary A aquifer and the deeper Chalk Principal aquifer, as a result of the proposed redevelopment of the site. 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). We note in section 4.5.1 of the submitted Ground Investigation by GEA (ref.: J24293A) that groundwater will not be a critical risk receptor. Because piled foundations are yet to be ruled out, nor the target depth/geology should they'd be installed to confirmed, we cannot rule out the creation of preferential pathways for contaminant migration to more sensitive groundwater receptors. The Lambeth Group beneath the London Clay is variable in terms of permeability and therefore could be in hydraulic connection with the Chalk, which is a Principal aquifer; there has been no discussion on this and we therefore are of the opinion that groundwater cannot be ruled out as a receptor.

### **Environment Agency Recommended Conditions**

**Condition 1 – Remediation Strategy** No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing, by the local planning authority. This strategy will include the following components:

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

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason for Condition 1** To ensure that the development does not contribute to, and is not put at, unacceptable risk from adversely affected unacceptable levels of water pollution in line with paragraphs 187, 196, and 197 of the National Planning Policy Framework.

**Advice for Condition 1** The submitted Desk Study by GEA (ref.: J24293) will satisfy (1), and their subsequent Ground Investigation (ref.: J24293A) will satisfy (2). The recommendations outlined in section 7.1 in the latter should be carried out in accordance with LCRM guidance, as the site still exhibits unacceptable levels of contamination. It is recommended that controlled water receptors are considered more within any scope of future works. We recommend that developers should:

- follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination;
- refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as
  - human health;
  - consider using the National Quality Mark Scheme for Land Contamination Management, which involves the use of competent persons to ensure that land contamination risks are appropriately managed;
- refer to the contaminated land pages on gov.uk for more information.

**Condition 2 – Unexpected Contamination** 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.

**Reason for Condition 2** 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. This is in line with paragraphs 187, 196, and 197 of the National Planning Policy Framework.

**Condition 3 – Monitoring** The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

**Reason for Condition 3** To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 187 of the National Planning Policy Framework.

**Condition 4 – Investigative Boreholes** A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

**Reason for Condition 4** To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution in line with paragraph 187 of the National Planning Policy Framework. 4

**Advice for Condition 4** Redundant boreholes that are not intended for monitoring should be decommissioned as soon as practicable as to not act as pathways for contaminants – either already present or associated with the construction phase – to migrate to sensitive groundwater receptors themselves. The decommissioning of boreholes at the site should be undertaken in line with the guidance presented in *Good practice for decommissioning redundant boreholes and wells (Environment Agency, 2006)* available at the following website: [ARCHIVED CONTENT] ([nationalarchives.gov.uk](http://nationalarchives.gov.uk)).

**Condition 5 – Verification Report** Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The

report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**Reason for Condition 5** To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the National Planning Policy Framework.

**Condition 6 – Piling** Piling, deep foundations, or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

**Reason for Condition 6** To ensure that the proposed development does not harm groundwater resources in line with the Environment Agency's approach to groundwater protection. A foundation works risk assessment will be required, prepared with reference to Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention.

**Advice for Condition 6** Piling has the potential to create preferential pathways, aiding the vertical migration of contaminants towards sensitive groundwater aquifers. We consider it prudent to include geotechnical investigation within the scope of any further intrusive ground investigation in order to inform foundation design. Continuous Flight Auger (CFA) piling is our preferred piling method, if piling is indeed deemed necessary. If the proposed strata for piles to terminate in is a Principal aquifer, **we strongly recommend exploring the feasibility of shallower foundations as much as possible**. If penetrative techniques are indeed to be used during the construction of this development, information to address these issues will need to be included as part of a risk assessment and should consider the following:

- identification of relevant receptors and baseline monitoring;
- determination of contaminants of concern and establishment of trigger values;
- a monitoring strategy to be implemented during and after piling;
- mitigation measures to be implemented should the agreed trigger values be breached.

### **Advice to Applicant**

#### **Waste**

Contaminated soil that is (or must be) disposed of is waste, therefore its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991;

- Hazardous Waste (England and Wales) Regulations 2005;
- Environmental Permitting (England and Wales) Regulations 2016;
- The Waste (England and Wales) Regulations 2011.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on gov.uk for more information. Additionally, the CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2), often referred to as "DoW:CoP", provides operators with a framework for determining whether or not excavated material arising from site during land development or remediation is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials can be reused on-site as part of the development, as a planned activity, providing they are fit for purpose and unlikely to cause pollution;
- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution;
- treated materials can be transferred between sites as part of a hub and cluster project;
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically. Refer to the Waste Classification Technical Guidance and the waste suitability page on gov.uk for information about what each type of waste comprises and what it can be used for. 6

## **Permitting**

The construction of this project may be subject to a number of activities regulated through Environmental Permits (EPR), including (but not limited to):

- dewatering;
- Deposit for Recovery (DfR);
- Flood Risk Activity Permit (FRAP);
- use of drilling fluids;
- abstraction license;
- surface and groundwater discharge consent(s).

We recommend contacting the National Permitting Team for permitting matters and any issues likely to be raised as early as possible as the processing times vary depending on the type of permit and can be long in some cases.

## **Water Resources**

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

## **Residential developments**

The supply of water in the area is under serious water stress (as identified in our report: Water stressed areas – 2021 classification). All residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within the Building Regulations &c. (Amendment) Regulations 2015. This standard **or higher** may already be a requirement of the local planning authority.

## **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](mailto:HNLsustainableplaces@environment-agency.gov.uk).

Further information on our charged planning advice service is available at; <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>.

## **Advice to Local Authority**

The current drainage strategy as presented in the submitted Flood Risk Assessment and Drainage Strategy Report by BWM (ref.: 5951-BWM-XX-XX-RP-C-0001-ISSUE

2) is deemed acceptable. If it changes during another stage of planning, we request to be reconsulted, especially if it is to include infiltration drainage features.

### **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.

In accordance with the planning practice guidance, please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

#### **1.1.17 TRDC Local Plans Officer – [No objection]**

**Representation:** The application relates to the development of 96 residential dwellings, associated flexible community floorspace, access, vehicle and cycle parking, sustainable urban drainage systems and landscaping. The application site is located wholly within the Metropolitan Green Belt.

The application site has not been allocated as a housing site by the Site Allocations Local Development Document (2014) and as such is not currently identified as part of the District's housing supply. The site should therefore be considered as a windfall site. Policy CP2 of the adopted Core Strategy (adopted 2011) states that applications for windfall sites will be considered on a case by case basis having regard to:

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

The Spatial Strategy states that new development will be directed towards previously developed land in the urban area of the Principal Town (Rickmansworth) which is identified as one of the most sustainable locations in the District. The site is not within a defined settlement (although is located in close proximity to the settlement boundary of Carpenders Park) and is not previously developed land. The development would result in the net gain of 96 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 96 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, which would make a significant and positive contribution to the affordable housing need within the District.

The application site is located in the Metropolitan Green Belt. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 further sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless certain exceptions apply.

Paragraph 154 of the NPPF sets out the following exceptions to inappropriate development in the Green Belt:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
  - i. mineral extraction;*
  - ii. engineering operations;*
  - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
  - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;*



- v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

Additionally, paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a.) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b.) There is a demonstrable unmet need for the type of development proposed;*
- c.) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d.) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157*

Policy CP11 of the Core Strategy states that ‘there will be general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it’.

Policy CP3 of the Core Strategy states that the Council will require housing proposals to take into account the range of housing needs, in terms of size and type of dwellings as identified by the Strategic Housing Market Assessment (SHMA). The most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	<b>1- bed</b>	<b>2- bed</b>	<b>3- bed</b>	<b>4+ bed</b>
<b>Market Housing</b>	4%	21%	42%	32%
<b>Affordable Home Ownership</b>	19%	39%	30%	13%
<b>Social / Affordable Rented Housing</b>	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”.

The site is proposing the creation of flexible community floorspace. Policy DM12 (c) of the Development Management Policies Local Development Document states “Where development proposals are submitted for new or improved community, leisure or cultural facilities, they should be accessible by sustainable modes of transport”.

Whilst not located within a conservation area, the site is located relatively close to two Listed Buildings (to the west of the site). 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”.

The site is located relatively to a Local Wildlife Site to the south. Policy DM6 of the Development Management Policies Local Development Document sets out that:

*“Development that would affect a Site of Special Scientific Interest, Local Nature Reserve, Local Wildlife Site or protected species under UK or European law, or identified as being in need of conservation by the UK Biodiversity Action Plan or the Hertfordshire Biodiversity Action Plan, will not be permitted where there is an adverse impact on the ecological, geological or biodiversity interests of the site, unless it can be demonstrated that:*

- i) The need for the development would outweigh the need to safeguard the biodiversity of the site, and where alternative wildlife habitat provision can be made in order to maintain local biodiversity; and*
- ii) Adverse effects can be satisfactorily minimised through mitigation and compensation measures to maintain the level of biodiversity in the area.*

1.1.18 TRDC Housing Officer – [Commented on scheme noting mix is not in accordance with 70/30 split]

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 (with an indicative split of 50% First Homes and 50% shared 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.

The proposed split is 50% affordable housing, with 60% allocated for social rent and 40% for intermediate housing. While our preference would be for a 70% social rent and 30% intermediate split, we are generally supportive of this proposal, provided the dwellings are of an appropriate size to meet our needs—specifically, family-sized units.

1.1.19 Herts Constabulary Safety Design Officer – [No objection]

Hope all is well , thank you for sight of planning application 25/1055/FUL, Demolition of existing structures and construction of 96 residential dwellings (Use Class C3), flexible community floorspace (Use Class F), with the provision of an access, vehicle and cycle parking, landscaping, sustainable urban drainage systems and other associated works, Land To The Rear Of Woodlands Cottage Oxhey Lane Carpenders Park.

I can see it is the client's intention to build this development to the police preferred minimum security standard Secured by Design, as detailed in the Design and Access statement Chapter 10 (page 94). I would ask that if this application is granted I could meet with the architect and developer to review the development from a security and designing out crime perspective .

1.1.20 Herts County Council Growth and Infrastructure Department – [No objection – advised infrastructure contributions required]

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 **96 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	15	21
3	37	6
4+	15	0
Total	67	27

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

Trajectory						
Year	2025	2026	2027	2028	2029	2030
Units	0	48	48	0	0	0

**PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought**

**Secondary Education Contribution** towards the delivery of a new secondary school at Carpenter's Park and/or provision serving the development £1,360,656 (which includes land costs of £26,246) index linked to BCIS 1Q2024)

**Special Educational Needs and Disabilities (SEND) Contribution** towards the delivery of new Severe Learning Difficulty (SLD) special school places (WEST) and/or provision serving the development (£184,537 index linked to BCIS 1Q2024)

**Waste Service Transfer Station Contribution** towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£11,046 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”.

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](mailto: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.

**1.1.21 Watford Environmental Health Officer – [More information requested]**

The following documents have been reviewed:

*Report Ref. GEA. Land to the Rear of Woodland Cottage, Oxhey Lane, Carpenders Park, WD19 5RE. Desk Study. Dated: June 2025. Ref. J24293 Rev 1.*

*Report Ref. GEA. Land to the Rear of Woodland Cottage, Oxhey Lane, Carpenders Park, WD19 5RE. Ground Investigation. Dated: June 2025. Ref. J24293 Rev 1.*

Please find below a summary of the findings of the reports, comments and recommendations.

**Report Ref. GEA Desk Study. Ref. J24293. Rev 1 Dated June 2025.**

***Introduction***

A Desk Study has been prepared by GEA to support the planning application (Ref. 25/1055/FUL) for the Site 'Land to the Rear of Woodland Cottage, Oxhey Lane, Carpenders Park' (hereafter named "the Site"). The proposed development comprises 90-100 residential dwellings with a community centre, new roadways and associated soft landscaping.

***Summary of the Desk Study***

The report provides the site boundary and a current site description with details of a site walkover undertaken in November 2024. The walkover indicates the northern sections of the Site comprised open fields, with sections in the south comprising evidence of fly-tipping and former industrial activities perhaps associated with the

adjacent land-uses. It is noted an aerial photograph from 1999 indicates the southern sections of the Site comprised former yards areas associated with the adjacent land parcel. The presence/absence of invasive species are not mentioned in the report.

The report provides a summary of the site history and states it previously comprised agricultural fields at the dates of the early maps with a pond denoted at the south-western corner. By 1935 a number of buildings are noted at the southern-western corner. It should be noted that the aerial imaging from 1999 indicates the Site at the south has expanded over into the site boundary. A number of unnamed buildings are denoted at the north in 1959.

Historical activities off-site comprise the Clay Brick Works at the south, which is denoted by a large excavation and a series of buildings, which was backfilled by 1959. The Brick works is denoted as a factory 1970s, and then Brickfields Farm by 1992.

The report states the superficial geology is likely to be absent at the Site, with the solid geology anticipated to be London Clay (Unproductive Aquifer). However, it should be noted that the Envirocheck mapping indicates the Lambeth Group encroaches onto the southern boundary, designated as a Secondary A Aquifer. A thickness of Made Ground should be anticipated due the landfilling and former industrial activity at the south of the Site.

The report states that the Site is located within a Zone II Outer Source Protection Zone. However, it should be noted that the southern tip is located within a Zone I Inner Zone Source Protection Zone, associated with the change in geology (Lambeth Group).

A large landfill is denoted at the Site across the eastern section. The report states the licence was held by Aubern Mere Residential Care Home, which was developed adjacent to the Site. The report also states that information from the planning portal indicates the landfilling involved infilling and recontouring of the land.

The report also states a landfill is also located at the immediate boundary of the Site at the south associated with the former Brickworks, with filling understood to have been undertaken between 1939 and 1957.

The risk from unexploded Ordnance (UXO) is stated to be Low.

The Site is not located in a Radon Affected Area.

The presence of invasive weeds including Japanese Knotweed is not included in the report.

The report states that the Oxhey Brook flows across the southeastern corner of the Site flowing north-east-southeast direction.

No consultations with the relevant departments of Watford Borough Council (WBC) & the Environment Agency have been undertaken in the preparation of the report.

The report presents a conceptual site model with a number of sources stated to include infilling associated with the landfill designation; fly-tipping noted at the south of the Site. The unnamed buildings at the north of the Site should be included, together with the apparent expansion of the Site to the south into the Site boundary. The report identifies the proposed end-user as a critical receptor. The report rules out groundwater as a receptor due to the underlying Unproductive Strata. This is considered an oversight due to the presence of the Lambeth Group at the south of the Site and the associated Source Protection Zone I, together with the Site falling into a Source Protection Zone II. Groundwater should be included as receptor.

The Oxhey Brook, located at the south of the Site, is not included as a receptor. This is also an oversight and should be included as a receptor.

A tabulated preliminary conceptual model is included, with potential sources, pathway and receptors identified. The report concludes a Moderate risk to the proposed end-users from the existing site soils (including asbestos). A moderate risk from ground gas to the proposed end-uses. Controlled waters have been excluded from the conceptual site model.

### ***Assessment of compliance with LCRM***

We are in broad agreement with the findings of the report and the requirement for a ground investigation, with the following additional information requested to be included:

- Controlled waters should be included in the conceptual site model. Both the surface water of the Oxhey Brook and the groundwater associated with the Source Protection Zone II and I;
- Recognition of the expansion of the site to the south into the southern sections of this site;
- The migration of ground gas onto the Site from the adjacent sources should be considered.

It is recommended that the following points are incorporated in the ground investigation planning and are included with the subsequent Phase 2 Report submitted for the Site:

- Invasive weeds are not included in the report scope. Prior to completing any intrusive works, the potential for invasive weeds to impact the Site should be confirmed;
- We are in agreement with the requirement for an intrusive investigation at the Site, please ensure the ground investigation conforms to the requirements of BS10175:2011+A2:2017. In addition, should the Site be proposed to be reprofiled/



increased and / or reduced in level, the chemical testing of the Site soils should be suitable to characterise the existing Site and the Site soils following reprofiling.

- Potential ground gas is considered to be a moderate issue at the Site from a number of sources, please ensure correctly installed monitoring wells are located at the Site and subject to a suitable frequency of monitoring in accordance with current regulations and best practice.
- Consultation should be undertaken with the Environment Agency and Watford Borough Council Departments Environmental Health and Building Control to gain publicly available information regarding the Site. Prior to the ground investigation commencing this information should be reviewed.

***Report Ref. GEA Ground Investigation. Ref. J24293A. Rev 1 Dated June 2025.***

A Phase 2 Ground Investigation Report has been submitted by GEA in support of the planning application for the proposed residential development.

The ground investigation comprised 3No. cable percussive boreholes to depths of between 15m and 19m bgl; 8No. window sampling probeholes; 7No. trial pits advanced to depths of up to 3m (18No. exploratory hole locations) together with the installation of 5No. ground gas and groundwater monitoring wells. The rationale behind the location and position of the exploratory holes is absent from the report. It is noted that the coverage of the ground investigation is sporadic and sections of the site to the north, east and south remain un-investigated, particularly in areas of the southern boundary (where expanded industrial activity is noted) and where the Lambeth Group is expected. In addition, areas to the north area absent (where unnamed buildings were historically present).

The recorded ground conditions comprised Made Ground to depths of between 0.40m and 2.90m bgl, underlain by London Clay to depths of between 11m to 12.40m. The Lambeth Group was recorded underlying the London Clay. It is noted that the soil samples collected were not subject to a headspace screen using a Photo Ionisation Detector (PID) in the field nor were the samples scheduled for BTEX testing or volatile organic contaminant (VOC) testing.

The report does not detail visual or olfactory evidence of contamination recorded. A review of the exploratory hole logs notes the following visual and olfactory evidence of contamination at the following locations:

- BH05 between 1.0-1.25m bgl. Black tarmac fragments with bituminous odour
- TP03 between 1.10 and 1.25m bgl black tarmac gravel;
- TP06 between 0.40m and 1.90m bgl – bituminous odours

Refuse type waste is denoted in trial pit TP03 & TP05, TP06 between ground level and 1.10m and 2.90m bgl, described as whole bricks, plastic sheeting, concrete slabs, plastic rubbish, tile, fabric rubbish electrical waste including wires and circuit

boards, metal scaffolding, metal rubbish. Refuse type waste would suggest PFAS as a contaminant of concern.

The report states groundwater was encountered in each of the boreholes at the base of the Made Ground. 5No. monitoring standpipes were installed in the boreholes. No groundwater samples were collected for laboratory analysis and an assessment of controlled waters risk is not included in the report.

A total of 12No. soil samples were scheduled for chemical testing. The suite of testing included PAHs, TPH total, cyanides, asbestos and metals. Trial pit TP06 (as noted to contain visual and olfactory evidence of contamination) but was not subject to chemical testing.

It is noted that total TPH was scheduled for the majority of samples. TPH C8-40, is a total test not allowing distinction between the carbon bands and does not include the more volatile fraction. Total TPH testing is considered an outdated approach to TPH testing and does not follow industry best practice. On a number of occasions total TPH concentrations are recorded to be greater than <10mg/kg.

The laboratory data has been compared to 'GACs for a residential with plant uptake end-use at 1% SOM. The report states significantly elevated concentration of lead, PAHs, Sulphate and TPH together with asbestos fibres, have been recorded in the site soils.

The report includes 4No rounds of ground gas monitoring undertaken at the Site. The monitoring was undertaken in 5No. exploratory hole locations, all with response zones targeting the CLAY strata. No monitoring wells are installed targeting the Made Ground, particularly the deeper landfilled material recorded centrally and to the south of the Site. The report states that the site is designated as CS1 and requires no ground gas protection measures.

The report presents a waste disposal section and indicates the use of the Definition of Waste Code of Practice (CoP) might be applied at the Site. Please be aware that to re-use materials at the Site, within the areas of former designated landfill, may require specialist waste permitting from the Environment Agency.

A tabulated final conceptual model is not included in the report and an assessment of risk not included. The report recommends that suitable engineered cover systems will be required in areas of gardens and landscaping to prevent contact with the underlying soils. An assessment of the risk to controlled waters risk assessment has not been included. The report recommends further ground investigation and the preparation of a Remediation Strategy.

## **Summary and Conclusions**

In general, we consider that the site **has not been characterised** sufficiently with areas of the Site not subject to ground investigation, inadequate chemical testing and key receptors omitted from the assessment.

### ***Recommendations***

A Desk Study and Ground Investigation report have been submitted in support of planning application Ref. 25/1055/FUL. We are in broad agreement with the findings of the Desk Study, however, further site characterisation will be necessary.

We recommend the inclusion of standard planning conditions relating to ground conditions to include Phase 2 Ground Investigation and Risk Assessment, Remediation Strategy and Verification Plan, Verification Reporting, and monitoring for unidentified contamination during redevelopment works. The works and reporting shall be undertaken in accordance with Environment Agency Land Contamination Risk Management (LCRM) guidance.

We recommend the following are incorporated into future contaminated land works/submissions for the site:

- Prior to completing any intrusive works, the potential for invasive weeds to impact the Site should be confirmed;
- Ensure the ground investigation conforms to the requirements of BS10175:2011+A2:2017. In addition, should the Site be proposed to be reprofiled/ increased and / or reduced in level, the chemical testing of the Site soils should be suitable to characterise the existing Site and the Site soils following reprofiling;
- Potential ground gas is considered to be a moderate issue at the Site from a number of sources. Ensure correctly installed monitoring wells are located at the Site and subject to a suitable frequency of monitoring in accordance with current regulations and best practice;
- Consultation should be undertaken with the Environment Agency and Watford Borough Council Departments Environmental Health and Building Control to gain publicly available information regarding the Site. Prior to the ground investigation commencing this information should be reviewed;
- Rationale behind the location of the exploratory holes should be included. There are areas of the site that remain un-investigated and key areas of the Site, identified in the Desk Study not subject to ground investigation. Further ground investigation will be necessary to provide a more comprehensive coverage of Site and provide suitable site characterisation. This
- should include a review of the Desk Study sources and targeting anomalous areas recorded during this first phase of ground investigation;

- Refuse type deposits were recorded centrally within deeper areas of Made Ground. PFAS should be included as a Contaminant of Concern with regard to the soils and groundwater at the Site;
- Groundwater and surface water samples have not been collected as part of the ground investigation, nor are controlled waters included in the conceptual model. The risks to the surface water and the Source Protection Zones should be established.;
- Visual and olfactory evident of contamination was recorded however not all locations were scheduled for chemical testing. Further delineation and chemical testing of these areas will be necessary;
- Total TPH only has been scheduled for the majority of site soils. Total TPH C8-C40 does not include the more volatile fraction, is an outdated test and does not follow industry best practice. Please provide a further assessment of risk from TPH at locations in which total TPH is recorded above <10mg/kg;
- It is noted that soils sampled in the field were not subject to headspace screening for volatile contaminants, nor were samples scheduled for VOCs or BTEX. Please provide a further assessment of risk with regard to potential volatile contaminants at the Site;
- Ground gas monitoring was undertaken in 5No. exploratory hole locations, all with response zones targeting the CLAY strata. No monitoring wells are installed targeting the Made Ground, particularly the deeper landfilled material recorded centrally and to the south of the Site. It is considered that the ground gas assessment does not target the potential sources of ground gas at the Site and therefore does not present an accurate assessment. Monitoring wells should be installed within the deeper landfilled materials;
- Consideration has not been given within the conceptual model for the migration of ground gas from the off-site landfill associated with the historical brickworks at the south. This should be included in the conceptual site model and subject to suitable investigation

1.1.22 National Highways – [No objection]

No objection.

1.1.23 Herts County Council Ecology Department – [Objection – objection maintained following submission of additional information]

1.1.23.1 Initial comments dated 27 August 2025, raising objection.

## **ECOLOGICAL IMPLICATIONS**

Thank you for consulting this office on the above application.

Overall Recommendation:

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

Summary of Advice:

- **Insufficient information on great crested newts to advise determination of the application** – Despite one of the reports stating that the onsite pond is dry, the BNG assessment states that this pond holds water. We have records of:
  - great crested newts breeding in the vicinity, and there are additional ponds within 250m of the site. Given the amount of terrestrial habitat to be removed, I do not consider the current ecological report has adequately addressed whether GCN will be affected by the development. **One of the two options should be demonstrated prior to determination:** 1. Confirmation of joining the DLL scheme (by submitting the IACPC). 2. Traditional survey route. More details below under s1.3.
  - The Lighting Impact Assessment report is insufficient to properly address the impact of the development on foraging and commuting bats – **Either the report should be amended prior to determination, or re-submitted as a Condition of approval.** Details relating to amendments under s1.2.
  - LEADS Ecology undertook a site visit on 07/08/2025.
  - The site meets the criteria for Local Wildlife Site status for mixed habitats;
  - However, the only abundant indicator species onsite was Fleabane, which was not listed on any of the species lists submitted.
  - Given the rarity of most other indicator species present, we do not consider that the site in its current state meets the standards of a Local Wildlife Site. **However, conservation efforts should be made to preserve the Fleabane onsite.**
  - Seed Harvesting & Compensation Plan **Condition.**
  - CEMP Condition.
  - CEMP should include mitigation for nesting birds, mammals, bats, reptiles, and invasive species.
  - Badger pre-commencement survey **Condition.**
  - Species Enhancement Plan **Condition.**
  - Minimum requirement for BNG has been demonstrated.
  - Offsite BNG required – HMMP **Condition.**

Supporting documents:

- Preliminary Ecological Appraisal (Alder Ecology, November 2024).
- Phase 2 Ecology Surveys and Assessment (Alder Ecology, December 2024).
- Private Lighting Impact Assessment (MMA Lighting Consultancy, May 2025).
- Biodiversity Net Gain Assessment (Ethos, June 2025).
- Biodiversity Metric (April 2025).

Comments:

1. The application site is of high ecological importance mostly because of the mosaic of habitats present including woodland, scrub, ponds, and grasslands. Whilst this site is not a statutory or non-statutory designation, the adjacent woodland to the south is a local wildlife site, and this connects to further woodland habitats to the west which is designated as ancient woodland. The habitats currently onsite will be important for a variety of protected species, and these habitats will act as a corridor for wildlife to reach the further woodland and grassland habitats to the north and northeast. We have no fundamental objections to the development however there is currently insufficient information on great crested newts to advise determination of the application. Creating a cleaner, greener, healthier Hertfordshire

A Preliminary Ecological Assessment report and Phase 2 Ecology Surveys and Assessment report have been submitted as part of the application (Alder Ecology).

**1.1 Bats:** The original ecology survey identified some roosting opportunities for bats in the onsite building, and trees. Further surveys were recommended and subsequently carried out. Initial inspection surveys of the onsite trees were undertaken in May 2024. Various trees were subject to emergence surveys, which were carried out between May and September whereby no bats were seen emerging from any of these trees, confirming the likely presence of bats at the time of the surveys. The two structures onsite were also subject to emergence surveys during the same time period, and no bats were seen emerging from these buildings. Bat detectors were also used across the site to determine general activity levels, which confirms the site is being utilised by a range of bat species.

**1.2 Bats & lighting:** A Lighting Impact Assessment has been submitted as part of the application, and the Phase 2 Ecology Surveys document also contains the results of a lighting baseline assessment undertaken onsite. Currently, the site sits with the E2 Environmental zone, whereby a change in lighting will affect the movement or feeding patterns of fauna but the receptors can adapt.

The ecology report notes that the most prevalent bat activity was at the eastern section of the site, which is currently the area that is subject to the lowest light levels. It also states that lux levels will need to be kept low at this boundary to ensure there are still dark corridors for bats to utilise for foraging and commuting. Slower-flying species such as brown long-eared and Daubenton's are confirmed to be using the site, which are generally more likely to be affected by illumination. The lighting impact assessment report refers to the baseline of the current lighting conditions, how light spill will be reduced, minimising upward light, limiting light pollution and sky glow, and reducing glare. Mitigation measures are listed in s11 of the report.

However, whilst there is reference to the baseline lux levels in the Phase 2 ecology report, this has not been included in the lighting impact assessment. Furthermore, there is no map of the predicted post-development lux levels in each area of the site to compare the new levels of light to the current levels. Given the species of bat found

on site, I consider this should be included in the assessment report. Additionally, the Bat Conservation Trust Guidelines state that a lighting impact assessment should generally show a plan of illumination from all existing light sources.

Consequently, **I consider that this report is currently insufficient for LEADS Ecology to properly assess the impact of the development on foraging and commuting bats. Therefore, we advise that one of the below options should be demonstrated:**

1. The lighting impact assessment report should be amended **prior to determination**, and a plan showing modelled illuminance lux levels from all proposed and (and existing) sources of light should form part of this amended report.

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1. The lighting impact assessment report should be **re-submitted as a Condition of approval**, and the newly updated report should contain a plan showing modelled illuminance lux levels from all proposed and (and existing) sources of light.

**1.3 Great crested newts:** Great crested newts have been considered in the initial ecological assessment, however since the onsite ponds were dry at the time of surveying, no further action has been taken. However, this is contrary to the BNG assessment report which has a photo of the woodland pond holding water. The condition assessment also states that the pond has clear water. The report also states that the site is suitable for foraging and commuting amphibians. We can see on both magic and GIS that there is a pond roughly 100m north of the site, and another couple of ponds 350m southwest of the site. We would expect these ponds to at least be mentioned in the report, and further assessment to be carried out if the ecologist deems necessary. The site is also within a great crested newt ring data point on our database, which suggests that there are breeding great crested newts within 500m of the site.

A large amount of potential terrestrial habitat is being removed onsite, and there is not only a pond onsite, but ponds in the close vicinity. Therefore, I do not consider the risk to great crested newts has been adequately addressed. **I would recommend that this development joins the District Level Licensing (DLL) scheme for great crested newts. If this option is sought, then the cosigned Impact Assessment & Conservation Payment Certificate should be submitted to the LPA prior to determination as proof of entering the scheme.**

**If DLL is not joined, then the application should go down the traditional survey route**, whereby the two ponds (and any additional ponds if present) should either be subject to a Habitat Suitability Index (HSI), or eDNA surveys. It should be noted that eDNA surveys may still be required subsequent to the HSI depending on the results. If presence is confirmed, population surveys will be required which will inform a license application. **If this option is sought, then the results of the surveys should be submitted to the LPA prior to determination.**

Great crested newts are protected under national and international law. Therefore, sufficient information should be submitted to the LPA prior to determination, to enable them to sufficiently address the potential impacts of the development on this species, and discharge their legal obligations under the Conservation of Habitats and Species Regulations 2019 (as amended).

**1.4 Reptiles:** Reptile surveys were carried out across the site between May and October 2024. No reptiles were found onsite during any of the survey visits. There were some limitations to the surveys since there was some disturbance from grazing horses which may have affected the results, however this was not considered significant.

**1.5 Nesting birds:** Common bird species were confirmed to breeding onsite, and three priority species (song thrush, starling, and house sparrow) were present, but not breeding. Recommendations have been made in the report for nest boxes to be included in the development plan.

**1.6 Badgers:** Badger dung was recorded onsite, and a live badger was observed on the stealth cam. However, no setts were recorded onsite, therefore it was concluded that the site is being utilised by foraging and commuting badgers.

**1.7 Invasive species:** Two non-native species were located onsite during the PEA: *Rhododendron ponticum* and Japanese rose. The report has stated that these will need to be eradicated from the site.

**1.8 Habitats:** There are two parcels of other neutral grassland onsite (A4 & A5). The original PEA outlines a species list for the grassland, and so does the BNG assessment report. The species lists are varied, although some species remain the same. This is likely due to the different time of year in which the surveys were conducted.

Looking at the site as a whole, there are 9 out of 12 species present from Appendix 5 of the Local Wildlife Site Criteria for mixed grasslands. Therefore, whilst the site falls slightly short of Local Wildlife Site status, there is no quadrat data available to support the assessment. Furthermore, it seems the species list in the report is not an exhaustive list, since the condition sheet assessment page states that indicator species such as bird's foot trefoil are present, but there is no mention of this species in any of the given lists. With the addition of bird's foot trefoil, this would increase it to 10 out of 12 species for the Local Wildlife Site Criteria, therefore given this discrepancy, we were not confident that LEADS Ecology had the full picture of the site's habitats.

Because of the above, LEADS Ecology decided to undertake a site visit on 07/08/2025.

The grassland is clearly species-rich semi-improved damp neutral grassland. The community is characteristic of damp grassland on slightly acid clays. It supports a



reasonable range of Local Wildlife Site indicators such as Fleabane, Meadow buttercup, Meadow vetchling, Bird's-foot trefoil, Germander speedwell, Tufted vetch, Red clover, and Black knapweed. Additional LWS indicators recorded previously by the consultants were Lesser stitchwort, Common sorrel, Bugle and Common sedge. If correct, this means that the grassland is sufficient to meet the threshold for a mixed grassland Local Wildlife Site. Surprisingly one of the most abundant species and characteristic of damp grasslands - Fleabane – was not previously recorded during the BNG assessment or PEA undertaken.

However, other than the Fleabane, all other LWS indicators appeared rare, perhaps occurring as only a few individuals. Whilst clearly the site is not without value and includes a small damper area dominated by sedges and rushes, it is considered that whilst it has potential, the site is unlikely to justify LWS status given the very limited abundance of most of the indicator species. However, conservation efforts should be focussed on trying to conserve the Fleabane where possible on-site if conditions are suitable. This could be done by seed collection and will be referred to below in the BNG section.

The most significant aspect influencing the site's current ecology is grazing by horses, although only one was seen during the visit. Grazing has created very tight lawns where open areas exist between bramble patches. This means the open vegetation is closely cropped making identification very difficult. Perhaps up to at least half of the site is dominated by dense clumps of bramble, which whilst adding to the diversity of the site, represent a thoroughly degraded former grassland site.

Anecdotal information from a local resident also indicates the site was subject to considerable spoil dumping 20+ years ago, indicating the site has been highly disturbed in the past. This is consistent with at the most degraded areas and general ruderal nature of much of the vegetation. However, the site still supports a characteristic damp grassland flora largely dominated by Fleabane which is itself relatively unusual and could be more valuable under better management.

**1.9 Biodiversity net gain:** This application is subject to mandatory biodiversity net gain. A biodiversity metric and assessment has been submitted.

The metric is currently showing a net loss of 40.29%. Baseline habitats comprise other neutral grassland, scrub (blackthorn, mixed, and bramble), ponds, ruderal, other broadleaved woodland, and rural trees. We are pleased to see that most of the broadleaved woodland at the southwest section of the site is being enhanced. The original PEA was undertaken within the optimal survey season, however the BNG assessment was undertaken in April. This has been listed as a potential limitation to the survey, albeit given that two surveys have now been completed, this was not considered significant.

There are two parcels of other neutral grassland onsite (A4 & A5), and A5 refers to the wetter grassland. Most of the site in the PEA has been mapped as scrub, which

from seeing the site, this is not accurate. However, the BNG assessment has a more accurate map.

Given the size of the development, there are limited onsite habitat proposals, which is the reason for the net loss. There are some very small patches of proposed other neutral grassland, which in theory, will be hard sustain. Prior to the submission of the gain plan, the onsite proposals should be reassessed given the above. Albeit this is not required at this stage.

Whilst there is no quadrat data to justify habitats described, LEADS Ecology have visited the site, and we consider that the classification of “other neutral grassland” is appropriate in this case. As mentioned, the site technically does meet local wildlife site criteria, but the only abundant indicator plant is fleabane, and the rest of the indicators were found in very small numbers.

Given the net loss, offsite BNG is required. Whilst we do not object to the principle of the development despite the site meeting LWS criteria, we consider that compensation should be in place to preserve the most abundant indicator plant onsite, Fleabane. **Consequently, given that some areas of other neutral grassland will be created onsite, we advise that the seeds from the existing fleabane should be collected at the appropriate time of year, and these should be sown to create the new areas of other neutral grassland. Consequently, we advise that a Seed Harvesting and Compensation Plan should be submitted as a Condition of approval.** Condition wording at the end of the letter.

**The minimum requirement for determination has been demonstrated.** The biodiversity gain condition will apply to this application, whereby a biodiversity gain plan will be submitted as part of this condition. We advise that the government template for the biodiversity gain plan should be used, and a metric which corresponds with the gain plan should be submitted alongside this.

Whilst the biodiversity gain condition is a post determination matter, given that an offsite location has not been found, presently we cannot advise the LPA that they can have confidence at this stage that the general biodiversity gain condition can be discharged. Nevertheless, 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 the general biodiversity gain condition is a pre-commencement condition and that these matters will need to be addressed either now or at the post determination stage.

At the biodiversity gain plan stage an updated metric will need to be submitted showing how a net gain can be delivered using an off-site location, with the provision of the Biodiversity Gain Site Register reference number for that site. 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.

The claims for BNG for this site would be considered as ‘**significant**’ net gain. This is because of the creation of medium distinctiveness habitats. In this instance the LPA are advised to secure this significant net gain for the respective habitat units via legal agreement whether through an S106 agreement or conservation covenant.

**Given that BNG for this site is significant, if the LPA were minded granting permission, a Habitat Management and Monitoring Plan (HMMP) should be secured via the legal agreement.** This shall demonstrate how the habitat enhancement and creation, and subsequent target habitat conditions on-site will be created, enhanced, and monitored over 30 years following the completion of the capital works required to create them. It is recommended that the HMMP should be in line with the HMMP template produced by DEFRA. Considerations should also be given within any legal agreement to secure resources to allow adequate monitoring over the 30-year period.

#### **Conditions:**

Condition 1: Construction Environmental Management Plan (CEMP): Creating a cleaner, greener, healthier Hertfordshire

*No development shall take place (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 the following:*

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*

*The CEMP shall also include mitigation measures for the following:*

- i) Reptiles*
- j) Nesting birds*
- k) Bats*
- l) Invasive species*
- l) Mammals*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.*

**Condition 2: Badger pre-commencement survey**

*A pre-works badger survey shall be undertaken by a suitably qualified ecologist no more than 3 months prior to the commencement of works. The results of this survey shall be incorporated into a badger report, which shall be submitted to and approved in writing by the LPA.*

**Condition 3: Species Enhancement Plan**

*Prior to commencement of the development (including vegetation clearance, demolition and ground works), a Species Enhancement Plan shall be prepared. It will include a graphical plan, setting out the number, type and position of enhancement features to be incorporated into the design scheme. This plan shall be submitted to the Local Planning Authority for written approval and the development shall be carried out in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority. The plan shall include the following:*

- *At least 96 integrated swift bricks.*
- *At least 96 integrated bat boxes.*
- *Hedgehog highways.*

**Condition 4: Seed Harvesting & Compensation Plan**

*To preserve the Fleabane onsite, a Seed Harvesting & Compensation Plan should be submitted as a Condition of approval. The plan shall include the following:*

- *Baseline assessment for the current population.*
- *Timings for seed collection.*
- *Detail of the persons carrying out the activity and their qualifications.*
- *The method that will be used for seed collection, including tools required.*
- *Post-harvest seed handling.*
- *Seed storage.*
- *Replanting methodology.*

**Condition 5: Habitat Management and Monitoring Plan**

*“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 has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:*

- 1. a 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]”.*

**1.1.23.2 Second set of comments dated 2 October 2025 following receipt of additional information:**

**ECOLOGICAL IMPLICATIONS**

Thank you for consulting this office on the above application.

**Overall Recommendation:**

The planning officer should either:

1. Refuse the applicant or advise it is withdrawn or,
2. Request further information from the applicant and re-consult the Ecology Service (LEADS) when it is furnished.

**Summary of advice:**

- I consider the submitted document sufficient to overcome the previous concern that GCN may be utilising the onsite ponds for breeding.
- However, the offsite pond ~100m away from the development site has still not been mentioned in the GCN report, despite our previous advice. The GCN report should either be updated to justify why this pond is not a constraint, or, the advice in our previous letter (para1.3) should be followed whereby the development either joins the DLL scheme or demonstrates sufficient survey effort through the traditional survey route.
- The modelled illuminance figure (Figure 10) in the lighting impact assessment is illegible. A readable copy of this figure should be resubmitted in the report or submitted separately.

**Supporting documents:**

- Great Crested Newt Report (Alder Ecology).
- Private Lighting Impact Assessment (MMA Lighting Consultancy, September 2025).

**Comments:**

Subsequent to our letter dated 27/08/2025, a Great Crested Newt Report and Private Lighting Impact Assessment have now been submitted.

The GCN report lists justifications as to why GCN are unlikely to be breeding onsite, and to support this conclusion, the report also lists various ecology surveys carried out at the site whereby the ponds were recorded as dry. Whilst I do not dispute this, there has been no mention of the ponds in the close vicinity which we mentioned in our previous letter. Given the proximity of the apparent pond around 100m to the north (shown on MAGIC), GCN could still potentially be utilising the site during their terrestrial stage.

We would expect as a minimum for this pond to be mentioned, and since there has been no mention of this, I still consider there to be insufficient information on great crested newts to advise determination of the application. GCN are confirmed to be breeding within 500m of the site, therefore in the absence of this further information, the LPA cannot be confident that the Conservation of Habitats and Species Regulations (2017) has been applied and satisfied.

Consequently, I advise that the GCN report should either be updated to justify why this pond is not a constraint, or, the advice in our previous letter (para1.3) should be followed whereby the development either joins the DLL scheme, or demonstrates sufficient survey effort through the traditional survey route.

Lighting: A Lighting Impact Assessment has been submitted which contains an illuminance model as requested. However, this figure is illegible, and it is therefore not possible to see the lux level labels. Since this has been submitted prior to determination, I advise that a readable copy of Figure 10 should be made available (either resubmitted in the report or submitted separately). This information is required for LEADS Ecology to properly assess the impact the development will have on foraging and commuting bats.

#### 1.1.24 Watford Borough Council – [Objection]

Thank you for the opportunity to comment on this application. The application would see a development of 96 new residential dwellings on land designated as Green Belt between Watford and Carpenders Park. The northern edge of the proposed development would run along boundary of Watford Borough Council.

The site appears currently to be open countryside with a large number of trees and vegetation. The level of proposed development would seriously compromise the separation between the large built-up area of Watford and the town of Carpenders Park, creating a large urban block that would result in the merger of the two towns. The development would also disconnect the areas of Green Belt to the east of the site, between the railway line and Oxhey Lane, from the remaining Green Belt to the west. Development on this site would fundamentally impact the openness and undermine the Green Belt purposes.

The site strongly meets three purposes of the Green Belt; (a) to check the unrestricted sprawl of large built-up areas, (b) to prevent neighbouring towns from merging into

one another and (c) to assist in safeguarding the countryside from encroachment. The Green Belt here is particularly narrow and this proposal would merge Watford with Carpenders Park almost entirely.

The Three Rivers Green Belt Stage 2 study states that the loss of this parcel would result in High harm to the Green Belt purposes and that *“release of the parcel would have a significant impact on preventing the merging of towns and preventing encroachment the countryside, and a relatively significant impact on preventing urban sprawl”*.

In this context, Watford Borough Council has significant concerns regarding the application proposed.

Watford Borough Council previously objected to the allocation of this site in the Three Rivers Local Plan and supported the removal of the site from the Three Rivers Local Plan Regulation 18, Part 4, in October 2023. The Council recognise that the site is not included in the current Regulation 18 Part 5 consultation.

Watford recognises the growth pressures placed on Three Rivers District Council to release Green Belt land. However, the Council does not believe the benefits of this proposal outweigh the significant harm that the development would cause to the Green Belt purposes, especially purpose b, the merging of two towns.

The proposal is not considered to meet any of the exceptions listed in Paragraph 154 of the NPPF and so Watford Borough Council consider this development to be inappropriate development in the Green Belt.

Given the strong contribution the site makes to Green Belt purposes a) and b) in Paragraph 143 of the NPPF, and the fact the development of the site would fundamentally undermine the remaining Green Belt to the east of the site boundary, Watford Borough Council does not consider the site can be defined as grey belt for the purposes of Paragraph 155 of the NPPF.

If you wish to discuss any aspect of this response, then please do not hesitate to contact myself or the Planning Policy Team. We would appreciate it if we could be kept up to date with further progress regarding this application.

1.1.25 Hertsmere Borough Council – [No objection]

Insofar as you will have regard to the comments made by statutory consultees and neighbours, **Hertsmere Borough Council raises no objections to this application.**

Three Rivers Council may therefore proceed to assess the application against their statutory development framework.

1.1.26 National Health Service – [No objection]

We would struggle to identify a project in Carpenders Park given that Attenborough branch surgery there was extended in 2019.

- 1.1.27 TRDC Environmental Protection – No comments received.
- 1.1.28 TRDC Environmental Health (Residential) – No comments received.
- 1.1.29 TRDC Transport and Parking – No comments received.
- 1.1.30 TRDC Leisure Department – No comments received.
- 1.1.31 Natural England – No comments received.