

## PLANNING COMMITTEE – 20 NOVEMBER 2025

**25/0896/FUL – Construction of 192 no of dwellings (Use Class C3), public open space, landscaping, new vehicular access and pedestrian accesses and associated infrastructure at LAND AT WOODSIDE ROAD, WOODSIDE ROAD, ABBOTS LANGLEY, HERTS.**

Parish: Abbots Langley

Ward: Leavesden

Expiry of Statutory Period: 28 November 2025

Case Officer: Claire Wilson

Recommendation: Delegate to the Head of Regulatory Services and following completion of a S106 Agreement (securing the Heads of Term set out at 7.20 below including affordable housing provision, contributions to highways improvement and monitoring of the travel plan, contributions to infrastructure including education and waste infrastructure and a monitoring fee in relation to BNG) that Planning Permission is granted subject to conditions.

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee due to it being a large development on the edge of green belt, close to narrow busy roads leading to many schools and West Herts Crematorium.

**Development type:** Major Dwellings

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

[25/0896/FUL | Construction of 192no. dwellings \(Use Class C3\), public open space, landscaping, new vehicular access and pedestrian accesses and associated infrastructure. | Land At Woodside Road Woodside Road Abbots Langley Hertfordshire](#)

### **UPDATE**

A preliminary report was brought to Planning Committee in September 2025, setting out the key material planning considerations that would need to be considered. A resolution was made that given the scale of the application, that members would undertake a site visit prior to the application being brought back to committee with a recommendation.

When the preliminary report was considered, the main points raised by members related to housing and highways matters as summarised below:

#### **Affordable Housing and housing mix:**

- The development does not accord with the Council's policy in relation to affordable housing.
- The development does not provide any social rented housing units.
- Concerns raised in relation to number of single units.

#### **Access and Highways:**

- Concerns raised in relation to the Traffic Survey being undertaken during half term and suggestion that the traffic survey should be undertaken again.
- Concerns that additional traffic will cause problems on the highway network.
- Is the site access safe?
- Will roads be wide enough, would cars block pavements if the roads are too narrow?
- There will be a car parking shortfall of 31 car parking spaces.

The above points and all other material considerations raised will be addressed in the analysis below.

## 1 Relevant Planning History

- 1.1 25/0245/EIA: EIA Screening Request: Proposed development of up to 200 dwellings, associated works, open space, infrastructure, landscaping and access. Determined. Not EIA development.

## 2 Description of Application Site

- 2.1 The application site has an area of approximately 7.31 hectares and is located on the north-eastern boundary of Abbots Langley. The site is located within the Metropolitan Green Belt.
- 2.2 It is a greenfield site consisting of three individual field parcels which are collectively bound by Woodside Road to the west, High Elms Lane to the north-east, open field land to the south-east with a cluster of residential dwellings close to High Elms Lane. The residential development consisting of Fraser Crescent is located directly to the south.
- 2.3 The land is currently utilised for the grazing of horses and has no vehicular access. The field boundaries are marked by existing fencing and existing trees/hedgerows, with trees also located within the existing fields. An existing Bridleway runs through the site from Fraser Crescent, where it connects to Public Right of Way 61 through to High Elms Lane. Located in close proximity to the boundary is an informal War Memorial which consists of some laminated boards. To the south-east of the site are two existing Grade II Listed Buildings (Ice House and Garston Manor).
- 2.4 The area of open land located to the south west of the site (outside of the red line) is an allocated school site (Site S(c) in the Site Allocations LDD). This parcel of land is within the ownership of Hertfordshire County Council with future access established via Fraser Crescent.

## 3 Description of Proposed Development

- 3.1 The applicant is seeking full planning permission for the construction of 192 no of dwellings (Use Class C3), public open space, landscaping, new vehicular access and pedestrian accesses and associated infrastructure.
- 3.2 The application site would be accessed via a new vehicular access to be created from Woodside Road. The existing pedestrian footpath through the site from Fraser Crescent would be retained with a new pedestrian link being created in the south-east corner from Fraser Crescent to the area annotated on plan as 'The Lanes'. In addition, enhancement works are proposed to the pedestrian crossing from the existing bridleway across High Elms Lane, and a new uncontrolled pedestrian crossing is proposed across Woodside Road.
- 3.3 The application proposes a total of 192 residential dwellings of which 96 (50%) would be for private sale and 96 (50%) would be affordable. The split between rented (including social and affordable rents) and intermediate (including shared ownership and first homes) therefore equates to 57% rented housing and 43% intermediate. The proposed housing mix is set out in the table below:

Private Dwellings: 96 Dwellings (50%)

No. Beds	Private	
1	0	0
2	22	23%
3	29	30%
4+	45	47%
Total	96	100%

Affordable Housing: 96 Dwellings (50%)

No. Beds	Shared Ownership		First Homes		Affordable Rent		Social Rent		<u>Total</u>
1	2	9%	18	95%	6	40%	20	50%	46 (48%)
2	6	27%	1	5%	-	-	19	48%	26 (27%)
3	12	55%	0	0%	9	60%	1	2%	22 (23%)
4+	2	9%	0	0%	-	-	-	-	2 (2%)
<b>Total / % per tenure</b>	22	23%	19	19%	15	16%	40	42%	96

- 3.4 The block plan indicates that the development site would consist of three areas, which would reflect the existing field structure of the site. The first area annotated as 'The Street' and 'The Avenue' would be located closest to Woodside Road and High Elms Lane. The plans indicate that the built form would be set back by a minimum of approximately 20.6m (as measured from Plot 1) from the new access point on Woodside Road. Plot 64 would be located closest to the existing cottages fronting Woodside Road, with the flank elevation of this dwelling being set in by approximately 6.5m from the existing rear boundary of the Cottages. The built form on Plot 5 is shown to be set back from the northern boundary with High Elms Lane by approximately 19.5m. A drainage basin is indicated to be located between the built form and the northern boundary with High Elms Lane. The built form in this area of the site would consist of a mix of detached, semi-detached and terrace dwellings; maisonettes, 'flat over garages' and flats. The flatted blocks would be located more centrally.
- 3.5 The area annotated as 'The Lanes' would be located to the south of the site adjacent to Fraser Crescent. Again, this would consist of a mix of detached, semi-detached and terrace dwellings and flats. Detached and semi-detached dwellings would face towards the southern boundary of the site with Fraser Crescent. The plans indicate that the built form would be set back from the southern boundary of the site (red line), by a minimum of 18.5m (as measured from plot 114). A new pedestrian link would be located opposite Plots 132 and 133 and would provide access through to Fraser Crescent with the existing Bridle Way providing access through from Fraser Crescent, and High Elms Lane shown to be retained.
- 3.6 The third area, to the north of the site would be positioned around the proposed public open space with the existing Veteran Oak Tree being retained as a focal point in this area. An indicative drainage basin is shown separating this area of the site from 'The Lanes' to the south. Flats are proposed which would be located centrally with detached dwellings located in the northern portion of the site in closest proximity to High Elms Lane. The plans indicate that the dwellings in this location would be set back from the northern boundary of the site by a minimum of 11.7m (the flank elevation of the dwelling on Plot 165).
- 3.7 The proposed dwellings would be two and two and a half stories, a maximum of approximately 9.45m in height. These would consist of a variety of styles and external finishes, including a mix of brick, render and cladding. Full details are included on the external materials plan accompanying the application. In addition, details are shown on the

accompanying elevations. The dwellings with accommodation in the roof space would be served by the provision of front dormer windows.

- 3.8 The flatted blocks would be a maximum of three storeys with a height of approximately 10.1m (Plots 19-24, 25-30, 69-74, 75-83, 93-98, 150-158, 176-185, 186-192).
- 3.9 An ecology enhancement area is indicated in the north eastern corner of the site, with a further indicative drainage basin shown along the south eastern boundary.
- 3.10 The plans indicate that the existing Pill Box would be retained in the south eastern corner of the site. A foul pumping station is also proposed within the south eastern corner.
- 3.11 Within the public open space, a permanent war memorial would be provided, which would replace the existing informal war memorial located in close proximity to High Elms Lane. The full details of its siting and form have not been provided as part of the current application. The applicant is also proposing the provision of 'play on the way' equipment which would be provided on green spaces adjacent to the public bridle way. Full details of this have not been provided at this stage.
- 3.12 Since the time of September Planning Committee, the applicant has worked to overcome the technical objections including those raised by Herts Highways, National Highways and the Environment Agency. In addition, amendments have been made to the proposed housing mix, including the provision of social rented housing. In addition, amendments have been made to the design of the flats to remove the dark cladding elements and to replace with brickwork.

## 4 Consultation

### 4.1 Statutory Consultation

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

Abbots Langley Parish Council	9.1	Objection
Active Travel England	9.2	No objection
Affinity Water	9.3	No objection
Environment Agency	9.4	No objection
HCC Water Officer	9.5	No objection subject to condition
Herts Archaeology	9.6	No objection
Herts Constabulary	9.7	No objection
HCC Growth and Infrastructure Unit	9.8	No objection, contributions requested
Herts Ecology	9.9	No objection subject to conditions
HCC Highway Authority	9.10	No objection
HCC Minerals and Waste	9.11	No objection subject to conditions
HCC Lead Local Flood Authority	9.12	No objection
National Grid	9.13	No objection
National Highways	9.14	No objection
NHS England	9.15	No response received
Sport England	9.16	No objection
Thames Water	9.17	No objection
TRDC Conservation Officer	9.18	No objection

TRDC Environmental Health	9.19	No objection subject to condition
TRDC Environmental Protection	9.20	No objection
TRDC Housing Officer	9.21	No objection
TRDC Tree and Landscape Officer	9.22	No objection subject to conditions
TRDC Leisure Officer	9.23	Advisory comments
TRDC Planning Policy	9.24	Advisory comments
Watford Borough Council	9.25	No response received
WBC Environmental Health (Commercial)	9.26	No objection subject to conditions

## 4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 151

4.2.2 No of responses received: 34 objections (including from the Countryside Charity (CPRE), it is also noted that some properties have commented more than once).

4 general comments received including from the North Herts Swift Group in relation to ecology.

4.2.3 Site Notice: Expiry: 21.07.2025

Press Notice: Expiry 18.07.2025

4.2.4 Summary of Responses:

### Policy

I have not seen the results of the thorough assessment of the emerging local plan making process for you to deliver the development.

What assessments have been done regarding traffic increases. What assessments have been done regarding biodiversity for example the bat and badger population and wild foxes.

### Highways and Parking

Concern regarding new access on to Woodside Road. The entrance to new development was intended to be from the large roundabout on Woodside Road by Moore Road/Fraiser Crescent. Concern regarding the use of the proposed T-Junction with limited visibility.

Traffic Survey- when was this undertaken? Was it done during school holidays. If so a further traffic survey would be needed during term time and appropriate times of the day?

Traffic Survey was undertaken during 24<sup>th</sup>-30<sup>th</sup> October. These dates coincide with Half Term for both Parmiters and St Michaels School which generate the most peak traffic. The traffic data is therefore not representative of typical traffic in the area.

Should be a new pedestrian link to High Elms Lane.

Fully support the vehicular access to be on Woodside Road.

Commend the decision to relocate the proposed access point to Woodside Road.

Fraser Crescent/Moore Road estate is under significant traffic pressure particularly during school drop off and pick up times. Introducing a further access point here would exacerbate congestion

Object to the development, however, fully support location of the access.

The new access point will help with the free flow of traffic.

The access point should be as originally proposed from Fraser Crescent roundabout, otherwise the proposal will cause problems for pedestrians/school children.

No restrictions on stopping lorries continually using Woodside Road and Chequers Lane as a cut through as this would be worse during construction.

High Elms Lane and Chequers Lane should be made one way- the flow of traffic would be eased and the regular accidents occurring on Chequers Lane would be eliminated as the road is too narrow for two -way traffic

38 visitor car parking bays are insufficient. Given the location, most visitors will arrive by car. 1 visitor space per 5 dwellings is insufficient.

The addition of a junction on Woodside Road will cause a reduction in road safety for motorists and pedestrians who will have to cross another road.

### Landscaping and Ecology

Loss of green space.

New access will destroy many metres of established hedgerow and will have an impact on wildlife.

As many existing trees should be retained as possible. The tree and shrub boundary between the new estate and Fraser Crescent must be preserved.

Concerns regarding how the increase in biodiversity is being measured. When will the increase be seen?

Concern regarding tree removal. Are these mapped out using technology so stakeholders can provide feedback to a transparent set of figures.

This development is suitable for Swift bricks to be integrated into the walls of the new building. The Ecology Report makes vague reference to the provision of bird boxes but no firm commitment to them.

Development should include integrated nest boxes where possible, with an aim of one nest box per unit. There should be a condition.

### Drainage and flooding

Pleased that developer has been in touch with properties adjacent to supply them with main drainage. Would like assurances that this request is taken seriously.

Six houses comprising High Elms Cottage are not connected to mains drainage. Sewerage Treatment is maintained behind the back gardens which needs regular access from Woodside Road for emptying and servicing. This is achieved by a right of easement over land which is now scheduled for development. What are the developers plans for dealing with this? The access must be maintained.

High Elms Lane and Chequers Lane are prone to flooding. This has caused severe disruption. Flood prevention measures are needed. Introducing more traffic without measures will exacerbate delays and safety risks.

### Residential Amenity

New development is close to the back gardens of High Elms Cottages. The boundary is screened by a low fence. This will be inadequate for providing security and privacy once the building works starts and after completion. What is the developer doing?

Proposed five- year construction period is unreasonably long and will cause constant disruption to residents.

Working from home, the noise from construction, machinery and ongoing site work will make this difficult/impossible. This effects my livelihood and wellbeing.

The play area is next to my garden and will lead to continual noise and loss of privacy. Object to buildings having windows that overlook my property.

### Heritage

Confirmation that the pillbox at the bottom of the estate will be maintained and kept in good condition.

### Affordable Housing Mix

Affordable housing should be encouraged, however, nearly half the affordable housing are one bedroom flats built to the minimum specification (51sqm). These are out of character with the Abbots Langley Area.

The area is suited to families, 1 bedroom flats would be too small. 24/25 of the proposed first homes are 1 bedroom flats.

TRDC recommended mix is for social housing and affordable rent. The proposed development significantly deviates.

### Green Belt and character

Pressure on Green Belt land.

Destroys a lovely piece of Green Belt.

The plan is unimaginative and the buildings would be 'meaningless boxes'.

Why can there not be a corner shop/coffee shop/post office or playground?.

The addition of a playground/bike route or continuation of the bike route that ends at the north eastern side of the development.

Number of dwellings is too high a density and is inappropriate.

### Infrastructure

Pressure on public services including doctors and dentists.

Secondary schools in area are oversubscribed.

The area is prone to power cuts.

What are the plans for other infrastructure such as public transport and health care provision.

## Other

Would the developer consider providing the six properties on Woodside Road with better broadband?

Hope the developer honours their intention of including Willow Walkways and other environmental things promised.

People forget about The Secure Unit on Woodside Road

### 4.2.5 The Countryside Charity (CPRE Hertfordshire): [Objection]

I write with regard to the above planning application to which CPRE Hertfordshire objects for the following reasons.

1. The land identified for this proposed development is designated as London Metropolitan Green Belt in the adopted Three Rivers Core Strategy where development is inappropriate unless very special circumstances are identified which clearly outweigh the harms caused, according to criteria in the National Planning Policy Framework (NPPF).

2. The Applicant's Planning Statement (PS) seeks to justify the proposed development both on the basis of very special circumstances relating to the lack of housing land supply in the emerging Local Plan and the introduction of the concept of grey belt. The PS proceeds to assert that none of the three purposes of the Green Belt which maybe identified (see NPPF Glossary definition of grey belt) where development would be inappropriate apply in this case.

3. This follows the now frequent pattern of recent applications, arguing similarly that the revised National Planning Policy Framework (NPPF) has changed the basis for their determination and indicating that the three purposes a), b) and d) noted in paragraph 143 are not sufficient to prevent the granting of permission. CPRE Hertfordshire opposes this interpretation of the grey belt and believes that purposes a) and d) (NPPF Paragraph 143) relating to "unrestricted sprawl" and "coalescence" apply in this case.

4. The urban sprawl referred to in the NPPF should relate as much to uncontrolled growth as a result of the proximity of London, which was a primary objective of the original Green Belt legislation, as to any adjacent major settlement. As noted above, the first purpose of the Green Belt refers to the effect of urban sprawl emanating from the growth of London as the major development generator in this and the surrounding areas and provides the "strong reason" required in this case to refuse development as noted in the NPPF footnote 7.

5. Notwithstanding the Government's update to Planning Policy Guidance (PPG) in Feb 2025 (Assessing Green Belt to identify grey belt land - Paragraph: 005 Reference ID: 64-005-20250225) which specifically excludes villages from consideration of the merging of settlements in the Green Belt, the proposed site also performs a crucial function in preventing the coalescence of the various settlements north of Watford which include Abbots Langley, Bricket Wood, Chiswell Green and the southern districts of St Albans.

6. CPRE Hertfordshire will continue to campaign vigorously for changes in national planning policy and PPG to redress the imbalances that now exist in assessing the impact of the merging of Green Belt settlements, regardless of the settlement size. Unrestricted development around villages adjacent to and between towns is already leading to the coalescence of larger settlements.

7. It is also not appropriate in our view for such a significant allocation in the Green Belt to be determined outside the Local Plan process which is ongoing. The Green Belt in southwest Hertfordshire is under continuous and unrelenting pressure for development

which is jeopardising the highly valued benefits which protection brings. Its continual reduction through consents for speculative development is in danger of bringing the planning system into disrepute and we urge the Council to refuse permission for this inappropriate development.

8. It is undeniable that the new planning policy context has provoked a disturbingly high number of new applications and re-applications for sites which were previously refused permission. Whereas a proportion of such applications may warrant consideration for various reasons, the illogicality of the revised NPPF supporting five purposes of the Green Belt (para 143) and then only permitting three purposes to be considered in applications (NPPF Glossary definition) is unsupportable in this and many other cases.

We urge the Council to refuse permission for this inappropriate speculative development.

## **5 Reason for Delay**

5.1 To allow for negotiations and technical objections to be overcome.

## **6 Relevant Planning Policy, Guidance and Legislation**

### **6.1 Legislation**

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

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

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

### **6.2 National Planning Policy Framework and National Planning Practice Guidance**

In December 2024 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The 2024 NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

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

### **6.3 The Three Rivers Local Development Plan**

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

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP3, CP4, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM11, DM13 and Appendices 2 and 5.

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

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

The Waste Site Allocations Development Plan Document 2011–2026.

#### 6.4 Other

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

Affordable Housing SPD.

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

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

Stage 4 Green Belt Review (2025) – Draft form only.

### **7 Planning Analysis**

#### 7.1 Principle of Development – Impact on the Green Belt

7.1.1 The National Planning Policy Framework (NPPF) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belt are their openness and their permanence. One of the purposes of including land within Green Belt is to safeguard the countryside from encroachment.

7.1.2 The NPPF identifies the five purposes of including land in Green Belts as:

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

7.1.3 Paragraph 153 of the NPPF states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason

of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations

7.1.4 Paragraph 154 of the NPPF states that Development in the Green Belt is inappropriate unless one of the following exceptions applies:

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

7.1.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies LDD (adopted July 2013) notes that “as set out in the NPPF, the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out below”. Relevant to this current application is a) New Buildings, which states “Within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance”. Policy DM2 was adopted prior to the publication of the current NPPF. However, it was adopted after the publication of the original 2012 NPPF, and the Green Belt policies in the NPPF in relation to inappropriate development are not materially different between the two. On that basis, it is considered that Policy DM2 is in accordance with the NPPF and may be afforded full weight

7.1.6 The proposed development for the erection of 192 residential dwellings and associated access and infrastructure would be located on existing agricultural land. As such, the proposed development would not meet any of the exceptions to inappropriate development as defined by Paragraph 154 of the NPPF. However, whilst the development would not be in accordance with Paragraph 154 it is also necessary to consider the development in relation to paragraph 155 of the NPPF. This sets out ‘*that the development of homes,*

*commercial and other development in the Green Belt should not be regarded as inappropriate where all of the following apply:*

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

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

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

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

- a) To check the unrestricted sprawl of large built up areas*
- b) To prevent neighbouring towns merging into one another*
- d) To preserve the setting and special character of historic towns.*

- 7.1.9 In considering whether the application site contributes to the purposes (a), (b) or (d) regard must be had to Planning Practice Guidance at paragraph 005 Reference ID: 64-005-2025022 which provides guidance in relation to informing judgements as to whether land can be considered as Grey Belt. In addition, Paragraph 007 of the PPG is also relevant and sets out the following:

*After consideration of the above criteria, any assessment area that is not judged to strongly contribute to any one of purposes a, b, or d can be identified as grey belt land, subject to the exclusion of land where the application of the policies relating to the areas or assets in footnote 7 to the NPPF (other than Green Belt) would provide a strong reason for refusing or restricting development.*

- 7.1.10 a) To check the unrestricted sprawl of large built- up areas: The application site is located at the edge of the settlement of Abbots Langley which is defined as a Key Settlement within the Core Strategy. Whilst Abbots Langley is not considered to be a large built up area, the site it is located in close proximity to the large built-up area of Watford. At present, the site itself consists of open fields, and is free of built form.

- 7.1.11 The PPG sets out that sites which make a strong contribution to this purpose are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict or contain development. In addition, they are likely to result in an incongruous patter of development such as 'an extended finger' of development into the Green Belt.

- 7.1.12 In this case, High Elms Lane forms a strong boundary to the north which would contain further development, and there is residential development to the south of the site and located adjacent on Woodside Road. As such, it is considered that development would be contained and would not result in an incongruous pattern of development or an 'extended

finger' as referred to within the PPG. It is noted that the site forms part of Parcel WN4 which formed part of the TRDC Stage 2 Green Belt Review and it was concluded that this parcel made a moderate contribution to Green Belt purpose A, noting:

*'The parcel lies on the edge of Watford which forms part of the large built- up area. It is predominantly open and undeveloped, though the presence of some washed over development and the lack of distinction with the inset edge limits the extent to which release would be considered as sprawl'.*

7.1.13 Officers therefore consider that the site makes a moderate contribution to purpose (a).

7.1.14 b) To prevent neighbouring towns merging into one: It is acknowledged from the PPG that this specifically relates to the merging of towns, rather than villages. As such, this point is concerned with the relationship between the two nearest towns of Watford and St Albans.

7.1.15 In this case, the site is of limited scale, and the site is considered to play a very limited role in preventing the merging of these two towns. The PPG sets out that the development of a site having a strong contribution to this purpose would be likely to result in the loss of visual separation between the towns. In this case, there would be no loss of visual separation. The PPG sets out that sites which make a weak contribution are those which form only a very small part of the gap without making a contribution to visual separation. This is supported by the TRDC Stage 2 Green Belt Assessment (as noted the site forms part of the parcel WN4), which concludes that the parcel makes a relatively limited contribution in relation to the merging of towns:

*'The Parcel lies between the towns of Watford and St Albans where the inset settlements of Bricket Wood and Chiswell Green narrow the gap between the towns. However, the gap to the east is narrower which limits the role of the parcel in maintaining separation'.*

7.1.16 Officers therefore consider that the site makes a weak contribution in relation to purpose (b).

7.1.17 d) To preserve the setting and special character of historic towns: The PPG sets out that areas that make no or only a weak contribution are likely to include those that 'have no visual, physical or experiential connection to the historical aspects of the town'. In this case, officers consider that the application site would make a weak contribution to this purpose on the basis that the historic core of Abbots Langley is set away from the application site.

7.1.18 It is therefore considered that the application site does not make a strong contribution to any of the above purposes and as such, officers are of the view that the site is Grey Belt. It is noted that the Stage 4 Green Belt Review has recently been published, this document is in draft form and as such is of limited weight. This document, however, does identify the application site as being located within the Grey Belt.

7.1.19 Paragraph 155 of the NPPF also advises that where development utilises Grey Belt land, it must not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. In this case, it is not considered that the development would undermine the purposes of the remaining Green Belt across the plan area.

7.1.20 In addition, criteria (b) of Paragraph 155 of the NPPF sets out that development in the Green Belt would not be inappropriate where *'there is a demonstrable unmet need for the type of the development proposed'*. In this case, the applicant is proposing a residential development for the provision of 192 dwellings. National Policy places great emphasis on the delivery of housing with paragraph 61 of the NPPF stating the following:

*To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed,*

*that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.*

- 7.1.21 The Council cannot demonstrate a five- year housing land supply as required by the NPPF, with the current housing land supply being at 1.7 years. Consequently, there is a significant need for housing within the district which must be afforded significant weight in the decision-making process. In this case, the scheme would deliver 192 residential dwellings of a range of unit sizes, providing an opportunity to meet different needs. In addition, it is noted that there is also a significant need for affordable housing within the district. In this case, 50% of the 192 residential units would be for affordable housing. Given the need for housing and affordable housing within the district, it is considered that the proposed development would be in accordance with criteria (b) of the Paragraph 155.
- 7.1.22 Criteria (c) of Paragraph 155 sets out that the development should be in a sustainable location with particular reference to paragraphs 110 and 115 of the NPPF. In response, officers consider that the site is located in a sustainable location. It occupies an edge of settlement location at the edge of Abbots Langley. The comments received from the Highways Officer acknowledge the location of the site, setting out that the Orchard Avenue bus stops are the closest to the site and are located an approximately 750m (7 minute walk) from the proposed southern access. This bus stop is served by route no.20 providing connections to Abbots Langley, Holywell, Warners End and Hemel Hempstead. In addition, two bus stops are located along Horseshoe Lane. The Highways Officer notes that these are located approximately 800m from the site with the walking distance of 5-10 minutes considered reasonable. In addition, the Highways Officer has noted that the development presents an opportunity to improve bus stop infrastructure through planning obligations, noting that these could include the provision of pedestrian crossings with tactile paving. The comments received from Herts Highways note that a total of £1,310,592 (plus indexation) is requested in order to fund bus stop and service improvements to support connections to schools, employment opportunities and key local facilities and amenities to Watford, London fringe and surrounding areas. The contributions will also be used for enhanced pedestrian and cycle crossings, alongside active travel schemes in the vicinity of the area that help connect to key local facilities and transport hubs. The Highways Officer sets out that the site is located within 3km of both Kings Langley and Garston Train Stations, although Garston is more accessible via existing active travel infrastructure including a segregate shared use path along High Elms Lane.
- 7.1.23 Officers also note that the site is within a six minute walk (0.3miles) of shops and services including Tesco Express located on Katharine Place. The amenities at Katharine Place can be accessed on foot by pavements with on street lighting available.
- 7.1.24 As such, officers are of the view that the proposed development would be in a sustainable location and thus would be in accordance with Criteria (c) of the Paragraph 155 of the NPPF.
- 7.1.25 Finally, Criteria d sets out that the development must meet the 'Golden Rules' requirements set out in paragraphs 156-157 of the NPPF as follows:

*Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:*

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b. necessary improvements to local or national infrastructure; and*

*c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.*

- 7.1.26 With regard to criteria (a) of paragraph 156, the application proposes the provision of 50% affordable housing with a total of 96 out of 192 units proposed to be for the provision of affordable housing. As such, the proposed development would meet criteria (a)
- 7.1.27 With regard to criteria (b), as set out in Table 6 of the applicant's Planning Statement, necessary improvements to local infrastructure are proposed. This would include the provision of a new pedestrian access from Fraser Crescent into the development, a new crossing providing safer access across High Elms Lane from the top of the Bridle Way, provision of a formalised war memorial and further appropriate contributions towards local services.
- 7.1.28 With regard to criteria (c), the proposed development would provide a new public open space on site, which would also include the provision of a formal war memorial in place of the informal memorial currently sited at the side of the Bridle Way near High Elms Lane. In addition, new residents would be able to walk to Leavesden Country Park which is located in close proximity to the application site.
- 7.1.29 Summary: In summary, officers are of the view that the site is Grey Belt as it does not strongly contribute to purposes (a), (b) or (c). It is also viewed as outlined above, that there is a demonstrable unmet need for residential development in view of the fact that TRDC is unable to demonstrate a five year housing supply and that the site is located in a sustainable edge of settlement location in accordance with Paragraph 155 of the NPPF. Furthermore, it is noted that the site meets the Golden Rules set out in Paragraph 156 and 157 of the NPPF. It is also emphasised that regard must be had to paragraph 158 of the NPPF, which states that 'a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission'. As such, it is considered that the development represents an appropriate form of development and consequently is acceptable in accordance with the provisions of the NPPF and in accordance with Policy CP11 of the Core Strategy (adopted October 2011).

## 7.2 Housing Mix

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

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

- 7.2.2 The applicant is proposing the following housing mix:

	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom	Total
Market Housing	-	22 dwellings (23%)	29 dwellings (30%)	45 dwellings (47%)	96 dwellings

Affordable Home Ownership	20 dwellings (49%)	7 dwellings (17%)	12 dwellings (29%)	2 dwellings (5%)	41 dwellings
Social/Affordable Rented Housing	26 dwellings (47%)	19 dwellings (35%)	10 dwellings (18%)	-	55 dwellings

- 7.2.3 The proposed development would not be in accordance with the recommended mix for Three Rivers. In terms of market housing, the site would deliver close to the recommended mix for two bedroom units, however, there would be an under supply of three bedroom units and an oversupply of 4+ bedroom units. With regard to affordable housing provision, the development would deliver more smaller units, and less larger sized units. Consequently, the applicant has been asked to justify the proposed mix. In response, the applicant has advised that the scheme has been designed to maximise the efficient use of the site, taking into consideration its sustainable location. The increase in density on the site has resulted in the mix including a greater number of smaller units overall. The applicant notes that the District is in significant need of housing, given that it is unable to demonstrate a five year land housing supply. Consequently, the applicant sets out that the District is in need of all types of homes.
- 7.2.4 Officers acknowledge that the proposed development would fail to be in accordance with the recommended mix of housing, and notes the number of smaller units that would be provided, particularly in relation to social rented/affordable rented units. It is considered that the overall need for housing must be afforded significant weight in the decision making process, and overall the scheme would deliver a comprehensive mix of housing. Furthermore, it is noted that for social rented/affordable rented dwellings, 35% of the units would be two bedroom which would be in accordance with the recommended mix, with a further 18% of the social rented/affordable rented units being provided as 3 bedroom units. This provision would therefore respond to the need for family sized housing for this particular tenure. It is noted that the Housing Officer is supportive of the scheme and notes in their comments that the revised mix offers a reasonable spread of unit sizes across the affordable tenures and is acceptable from a housing perspective.
- 7.2.5 In summary, significant weight is afforded to the overall need for housing, and it is considered that failure to provide the recommended mix of housing would not result in significant harm to justify refusal, taking into consideration the comprehensive mix of dwelling sizes offered across the different tenures.
- 7.3 Affordable Housing.
- 7.3.1 Core Strategy Policy CP4 states that in order to increase the provision of affordable homes in the district and meet local housing need, the council will seek an overall provision of around 45% of all new housing as affordable housing, incorporating a mix of tenures. All new development resulting in a net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. As a guide, 70% of affordable housing would be social rented and 30% intermediate
- 7.3.2 For a major planning application such as this, it would be expected that all affordable housing is provided on site. This is reflected in Policy CP4 and the Affordable Housing SPD.
- 7.3.3 On 24 May 2021 the Government published a Written Ministerial Statement to set out plans for the delivery of First Homes. Following this, TRDC set out a Policy Position Statement on First Homes. First Homes are a specific kind of discounted market sale housing which must be discounted by a minimum of 30% against the market value, sold to a person meeting First Homes criteria and have a restriction to ensure this. Given the First Homes guidance, TRDC have been requiring 25% of affordable housing to be First Homes, 70% to be social rented and 5% to be intermediate. However, within paragraph 6 of the NPPF (2024), reference to the Written Ministerial Statement on Affordable Homes (24th May 2021), which contained policy on First Homes, has been removed and the prescriptive requirement that

10% of the total number of homes to be available for affordable home ownership as set out in former paragraph 66 has been deleted.

7.3.4 At the time of the preliminary report, the applicant proposed a total of 96 of the 192 units for affordable housing which represented 50% of the total housing. The affordable housing consisted of 63% Affordable Rent, 26% First Homes, and 11% Shared Ownership. At the time, the Housing Officer advised that they welcomed the applicant's commitment to deliver 50% affordable housing which would be considered a significant contribution given the ongoing challenges in meeting affordable need across the district. However, the Housing Officer's comments noted that in the first instance, social rented housing should be provided. The development did not include any provision for social rented housing, and as such officers have sought justification from the applicant in relation to their intended tenure split. At the time of the September Planning Committee, members expressed significant concern that no social housing provision was being provided and that the development would therefore fail to respond to a significant need within the district.

7.3.5 Following the September Committee, the applicant has revised the proposed tenure mix. It is still proposed that 96 of the 192 would be for affordable housing, representing 50% of the total housing proposed. The applicant has however now sought to provide social rented housing on site, with a total of 40 units (41%) proposed for social rent. The remaining mix consists of 15 units for affordable rent (16%), 22 units for shared ownership (23%) and 19 units for first homes (20%) being proposed as affordable rent. The split between rented and intermediate therefore equates to 57% rented housing and 43% intermediate. The applicant has provided the table below within their updated submissions:

Bed	1 Bed Flats	2 Bed Flats	2 Bed Houses	3 Bed	4 Bed	5 Bed	TOTAL NO.	TOTAL %	TOTAL %AH Split	TOTAL % AH Rent vs. Social	TOTAL AH % Rented vs. Intermediate
Market	-	9	13	29	38	7	96	50%	-	-	
Affordable Rent	6	-	-	9	-	-	15	50%	16%	27%	57%
Social Rent	20	19	-	1	-	-	40		41%	73%	
Shared Ownership	2	1	5	12	2	-	22		23%	-	43%
First Homes	18	1	-	-	-	-	19		20%	-	
<b>TOTAL</b>							<b>192</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	

7.3.6 It is acknowledged that the proposed development would not be compliant with Policy CP4 of the Core Strategy. Whilst officers acknowledge that the development would not be fully compliant with planning policy, it is emphasised that there is a pressing need for affordable housing within the district and this must be afforded significant weight in the decision making process. In this case, the development would still deliver 50% affordable housing (exceeding the 45% required by Policy CP4). The introduction of 40 social rented units is welcomed, and it is noted that 19 of those would be two bedroom units. The Housing Officer has advised that they welcome the increase in 3 bedroom affordable rent homes as this helps to better meet the local need for larger family accommodation. The Housing Officer notes that there would be no 2 bedroom houses within the affordable rent tenure, however, there remains a good provision of 2 bed accommodation overall through the 19 two bedroom flats (for social rent). In addition, the units for affordable rent would be capped at SW Herts LHA level to ensure that they remain affordable for those in housing need. It is also noted that the provision of shared ownership and first homes on the site offer further options for affordable home ownership.

7.3.7 The submitted Planning Statement sets out the affordable dwellings would be 'appropriately distributed throughout the site as illustrated on the accompanying tenure plan' and no objection is raised in this regard.

7.3.8 In summary, whilst the proposed development would provide 50% affordable housing provision, the tenure split would not deliver the 70% vs 30% split required by Policy CP4 of the Core Strategy. However, as already set out, officers consider that the pressing need for affordable housing within the district must be given significant weight in the decision making process. Of the 96 dwellings, 55 dwellings would be for social rent/affordable rent (57%) and therefore respond to a need within the district. On balance, it is therefore considered that the proposed split is acceptable and no objections are raised in this regard.

#### 7.4 Impact on the character and appearance of the locality/landscape

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

7.4.2 In terms of new residential development, Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that the Council will protect the character and residential amenity of existing areas of housing from forms of new residential development which are inappropriate for the area. Policy DM7 of the Development Management Policies LDD is also relevant and sets out that the *Council will require proposals to make a positive contribution to the surrounding landscape. Proposals that would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission.*

7.4.3 It is noted that the character of the site would be significantly altered and urbanised through the development of 192 residential dwellings and associated alterations. A Landscape and Visual Impact Assessment accompanied the application and details that the site is both physically and visually well contained to the south, east and west and partly to the north. The assessment notes that the *'physical landscape changes in terms of character will generally be focussed at a localised level only due to the containment of the site from the existing mature vegetation, limiting the overall influence of landscape character in terms of the immediate/local landscape context of the site'*. In addition, the Assessment notes that views of the site and likely direct views are restricted to a limited area. With regard to the impacts on landscape character, the assessment concludes that the effect on the landscape character at a local level would be 'moderate adverse' at completion (year 1) reducing to minor to moderate adverse at Year 15. Officers consider that whilst there would be some alteration to the landscape, the site is viewed as a natural extension to the adjacent development, particularly given it occupies an edge of settlement location and is viewed to be a well contained site visually. As such, the proposed development is considered acceptable in this regard.

7.4.4 In terms of layout, the site would be accessed via Woodside Road, with the development consisting of three areas reflecting the existing field structure of the site. The proposed public open space would be located to the north of the site and act as a focal point for the development, with the existing Veteran Oak Tree retained in this space, again, acting as a key feature of the scheme. Likewise, a formalised War Memorial would be sited in this location.

7.4.5 The submitted layout plan indicates that the built form would be positioned away from the highway boundaries with existing vegetation and greenery being retained at the site boundaries. The positioning of the drainage basins to the south east and ecology enhancement area to the north would further enhance landscaping to these boundaries. In

addition, an indicative drainage basin is proposed at the northern boundary of the site adjacent to High Elms Lane. Further pockets of greenery are also located throughout the site which would help to soften the built form. The areas of greenery would enhance the visual appearance of the development and would help embed it into its setting.

- 7.4.6 In terms of built form, a mix of dwellings are proposed including terraces, semi-detached, and detached dwellings. In addition, maisonettes, flats over garages and larger flatted blocks are proposed. The dwellings would be two storey and two storey with accommodation in the roof form, with a range of designs proposed. The submitted elevations suggest a maximum height of 9.45m where accommodation in the roof is proposed. The heights of the residential dwellings at two storey with accommodation in the roof space is viewed to be in keeping with the surrounding locality. Some of the dwellings would be served by single/double detached garages. There is a mix of dwellings within the vicinity and therefore the mix of dwelling types is not objected to.
- 7.4.7 The flatted blocks would be located away from the site boundaries and would have flat roof forms, a maximum of 10.1m in height (Plots 19-24, 25-30, 69-76, 93-98, 186-192). The building heights plan provided indicates that the highest buildings would be located away from the site boundaries which would minimise their prominence when viewed from the adjoining highways including High Elms Lane, Woodside Road and Fraser Crescent. The maximum three storey height and the siting of the blocks would not result in significant adverse harm.
- 7.4.8 A range of external materials are proposed. Officers expressed some concern regarding the external finishes of some of the flatted blocks (Plots 75-83, 150-158, Plots 176-185) as a range of external finishes are proposed to the buildings including extensive areas of dark cladding at the upper levels. Officers have suggested that the external materials are simplified and softened to minimise the prominence of the buildings, particularly where they occupy corner plots. In response, amended plans have been received which have removed the dark cladding and replaced this with brick. The removal of the dark cladding is welcomed and softens the appearance of the larger blocks. The applicant has also advised that the 'x brick' pattern indicated is found on other house types on the scheme. It is considered that the detail indicated on the elevations add interest in the building such that they would not have a bland appearance. A materials plan has been submitted which provides an overview of the materials which are considered to be acceptable. However, it is considered that full details including the submission of samples can be secured via a condition.
- 7.4.9 As set out above, a range of dwellings are proposed with plot sizes varying. Officers note that some of the dwellings do not maintain a minimum of 1m to the boundary as set out in Appendix 2 of the Development Management Policies LDD in relation to development in higher density areas. However, the dwellings immediately to the south of Fraser Crescent appear as a more densely built-up area of the site. Furthermore, future occupiers would be aware of the closer spacing to the site boundaries and the relationship with adjacent neighbouring dwellings. It is not considered that the siting of the dwellings would result in demonstrable harm and no objection is raised in this regard.
- 7.4.10 In summary, whilst it is acknowledged that the development would be urbanising relative to the existing situation, given its edge of settlement location, it is not considered that the proposed development would result in harm to the character of the area or wider landscape to justify refusal on this ground. The development is considered acceptable and in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policies DM1, DM7 and Appendix 2 of the Development Management Policies LDD (2013).

## 7.5 Impact on Heritage Assets

- 7.5.1 Paragraph 208 of the NPPF advises the following with regard to Heritage Assets:

*"Local planning authorities should identify and assess the particular significance of any*

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

7.5.2 In addition, Paragraphs 212 and 213 of the NPPF state:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

*"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."*

7.5.3 Paragraph 215 of the NPPF advises that:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..."*

7.5.4 Paragraph 216 of the NPPF relates to Non Designated Heritage Assets and states the following:

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

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

7.5.6 Policy DM3 of the Development Management Policies LDD (adopted July 2013) refers to the historic built environment and notes that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.

7.5.7 There are no designated heritage assets within the application site, however, the Conservation Officer notes two Listed Buildings in close proximity which are identified as Grade II Garston (High Elms) Manor (List Entry 117003) and Grade II Listed Icehouse northwest of Garston Manor (List Entry 1100917). Garston Manor is a Country house constructed in 1813. The Conservation Officer notes that the application site did form part of the agricultural landholding of Garston Manor during the nineteenth century. However, this was part of the wider setting rather than the immediate setting of the building. There has been development to the north east of Garston Manor in place of former agricultural buildings which has reduced the link between the site and the manor. The Conservation Officer has confirmed that the site does not currently contribute to the setting of the significance of the Manor. In addition, the Conservation Officer notes the tree belt between the two which means visual impacts would be limited. As such, it is not considered that the proposed development would result in harm to the designated Heritage Asset.

- 7.5.8 The Conservation Officer also notes the presence of three Second World War pillboxes, two recorded at the site's north western end (6670 and 66731) and one at the south eastern end (6627) which are non-designated heritage assets. Paragraph 216 of the NPPF states that *'the effect of an application on the significance of a non -designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'*. The submitted Heritage Statement sets out that Pillboxes 6670 and 66731 are anticipated to have already been largely or completely removed. The Conservation Officer requested further information in relation to their surviving fabric and condition. In response, a further Heritage Note which has been assessed by the Conservation Officer who notes that the findings of this report are accepted. The Conservation Officer notes that if there are any below ground remains of the pill boxes, these would be of a lower-level interest and would not fall under the remit of the Conservation Officer, however, this may be of interest to Herts Archaeology. Following these comments, Herts Archaeology were consulted and have advised that it is not recommended that any archaeological investigation be undertaken relating specifically to the pillboxes.
- 7.5.9 The third Pillbox (6627) is still intact and is proposed to be retained. The Conservation Officer has advised that the residential development itself is set far enough away from the pill box such that it would not be detrimental to its setting and has noted that it is within an area of informal open space which provides an appropriate setting close to the original field boundary. However, the comments received also note that the location of the 'foul pumping station' close to the pillbox does not appear to be a complementary use or an enhancement of the setting of the pillbox which is a further consideration. In response to these comments, the applicant has advised that the location of the pumping station has been suggested from a drainage perspective as it is at the lowest part of the site. The applicant has noted that the potential for heritage impacts is considered to be low given the majority of the pumping station is underground with the above ground element being 1.75m in height and being a small area of the compound. In addition, the applicant notes that appropriate landscaping is proposed in the form of planting around the pumping station. The Conservation Officer has been consulted in relation to this justification and notes that whilst the pumping station would not be complementary to the pill box, the hedgerow and other planting would provide a good level of screening, thus allowing most of the significance of the pill box to be retained. The Conservation Officer considers that there would therefore be a low level of less than substantial harm though alterations to the setting of the pill box, although in the wider context of the housing development, this would already be altered. These comments are noted and it is acknowledged that the setting of the pill box would be altered. However regard must be had to paragraph 216 of the NPPF which states the following:
- 'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.*
- 7.5.10 It is therefore considered that the low level height of the pumping station and the planting and greenery proposed around the pumping station, that its setting would not be so significantly altered to result in harm and as such no objections are raised in this regard. The Heritage Assessment does recommend a Conservation Management Plan should be provided to set out how the Pillbox can be managed and conserved at the site during and after development and a condition shall be attached requiring this to be submitted prior to the commencement of development. The Conservation Officer also notes the presence of the existing informal war memorial associated with the Halifax III Bomber which crashed at the site in 1945. The submitted Heritage Strategy has highlighted opportunities to provide a more permanent memorial, and information boards in relation to the history of the site. The Conservation Officer has confirmed that this approach is supported. The Conservation Officer notes that a plan showing the Heritage Route, War Memorial and information boards should be submitted via a condition.

7.5.11 In summary, the Conservation Officer has advised that the development would not impact on the setting of nearby designated heritage assets including Grade II Garston (High Elms) Manor (List Entry 117003) and Grade II Listed Icehouse northwest of Garston Manor (List Entry 1100917). The development would retain pillbox (6627) which is intact, and the Conservation Officer has noted that the nearby foul pumping station is not a complementary use and would result in a low level of less than substantial harm to the setting of this non designated heritage asset. As set out above, officers acknowledge the setting of the pillbox would be altered, however, for the reasons already set out, officers do not consider this would result in harm. In addition, the development includes the provision of a formalised war memorial and this is considered to be a positive feature of the development and is welcomed. In summary, subject to conditions, the development is considered to be acceptable and in accordance with Policy CP12 of the Core Strategy (2011) and Policy DM3 of the Development Management Policies LDD (2013).

## 7.6 Impact on amenity of neighbours

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

7.6.2 Policy CP12 of the Core Strategy advises that development proposals should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Appendix 2 of the Development Management Policies LDD states that *'oversized, unattractive, and poorly sited development can result in loss of light and outlook for neighbours and detract from the character and appearance of the streetscene'*.

7.6.3 The scheme has been designed such that the built form would be set in from the site boundaries, maintaining a buffer of green space around the edges of the development site. With regard to the residential neighbours located on nearby Fraser Crescent to the south of the site, the block plan indicates that the built form would be located a minimum distance of approximately 18.5m from the site boundary. Taking into account this distance, the vegetation and the highway of Fraser Crescent, it is not considered that the development would be unduly overbearing and furthermore, it is not considered that there would be a negative impact in terms of overlooking due to the distance between properties as outlined.

7.6.4 Likewise, it is not considered that there would be any impact to the neighbours located on The Shires, located to the east of the site on High Elms Lane. Again, the proposed built form is located a significant distance from the boundary with these neighbours, with the Ecology Enhancement Area and green space being located alongside the boundary. The plans indicate a distance of approximately 56m between the boundary of the site and the rear boundary of proposed plot 164. This distance is ample to prevent any overbearing impact from the development and to prevent harm in terms of overlooking.

7.6.5 The site boundaries wrap around Orchard Cottage, which is a detached two storey residential dwelling. Concerns have been raised by this neighbour in relation to the impact of the development in terms of loss of privacy, with objections noting that windows should not directly face towards Orchard Cottage. The nearest dwellings would be located to the north west of this neighbour and would be located on Plots 12 and 13. The relationship would not be back- to -back, with the front elevation of the dwelling on Plot 13 facing towards the rear boundary of Orchard Cottage. Whilst the neighbour has raised objections to any windows facing towards their property, the front elevation of plot 13 would include ground floor kitchen and living room windows and first floor bedroom windows. However, the plans indicate that plot 13 is not sited directly facing Orchard Cottage itself, with these windows having outlook towards the rearmost part of the amenity area to the rear of the outbuildings and as such, it is not considered that significant demonstrable harm would occur to justify

refusal. With regard to Plot 12, the flank elevation would face towards Orchard Cottage and would include a ground floor flank bay window. However, given this would be set in from the boundary with this neighbour and the existing screening which would be retained, it is not considered that there would be significant adverse harm. At first floor level, a bay window is proposed, however, this would serve an ensuite bathroom which would be considered as a non-habitable room and thus would not cause any significant harm in terms of overlooking. As such, given the siting of these proposed dwellings, it is not considered that there would be significant adverse harm to justify refusal.

7.6.6 This neighbour has also raised concern in relation to noise and disturbance. Currently, there is an existing Public Right of Way which passes through the site adjacent to Orchard Cottage and therefore, there is already some activity passing through the site. However, there would be an intensification of use of the site as a result of residential development, particularly given the current agricultural use. In response to these concerns, the main vehicular routes around the site would not be positioned directly next to Orchard Cottage which would mitigate harm in relation to traffic movements on the site. With regard to open space, the site plan demonstrates that the main public open space would be centred around the Veteran Oak Tree, which is located to the south of Orchard Cottage, some 30m away from the flank elevation of this dwelling. Full details of the open space have not been provided including details of the siting of any seating areas or lighting in this location. Full details of its design and layout could be conditioned as part of any planning permission. The block plan also indicates that the 'play on the way' equipment would not be located adjacent to this neighbour which further limits the possibility of children playing directly next to the boundaries with this neighbour. As such, whilst it is acknowledged that there would be an intensification of use as a result of the change to a residential development, officers do not consider that this would result in significant harm to justify refusal.

7.6.7 The development must also be considered in relation to those residential neighbours known as High Elms, which are a group of existing dwellings fronting Woodside Road. The proposed development would not follow the existing building line of these dwellings and would be set back from the Woodside Road. The flank elevation of the dwelling on Plot 64 would face towards the rear elevation of the dwellings fronting Woodside Road. However, a distance of approximately 29m would be retained which is considered ample to minimise any overbearing impact or loss of light.

7.6.8 In summary, Officers are of the view that the development would be acceptable in relation to the impact on nearby residential dwellings and appropriate conditions could be added to a permission in order to safeguard the residential amenities of neighbouring dwellings.

## 7.7 Quality of accommodation for future occupiers

7.7.1 Amenity space standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013) and require 63sqm for 2 bed dwellings, 84sqm for 3 bed dwellings and 105sqm for 4 bed dwellings. For flats, 21sqm is required for a 1 bedroom flat with an additional 10sqm for any further bedrooms. Space can be allocated specifically to each flat or communally.

7.7.2 Considering firstly the proposed dwelling houses, all would benefit from a private rear amenity space. Of the 113 proposed dwelling houses 46 would have policy compliant amenity space provision. This therefore means that 67 of the dwellings would not have a policy compliant amenity space, with shortfalls ranging from 2 square metres to 49 square metres. Whilst it is therefore acknowledged that some dwelling houses would fall short of the standard, it is emphasised that the above amenity space standards are guidance. The submitted details including a garden size plan which demonstrates that all dwelling houses would have a usable rear garden which would assist in the day-to-day enjoyment of the dwellinghouses. In addition, the Planning Statement notes whilst there is a shortfall, the development itself would provide significant green infrastructure. Indeed, the submitted layout plan indicates a public open space and the provision of play on the way equipment.

Furthermore, the site is within walking distance of Leavesden Country Park which provides high quality public open space in addition to children's parks including the Moore Road Play Area which is located adjacent to the site.

7.7.3 Turning to the flats, it is noted that the proposed flats would all benefit from a private balcony/terrace, however, the five 'flat over garages' would not benefit from any amenity space. The maisonettes would benefit from private amenity spaces of the compliant standard with the exception of the maisonettes located on Plots 175-176 which would have an amenity space of 22 square metres rather than the 42 square metres. Whilst the shortfall is acknowledged, it is considered that the majority of the flatted units would benefit from a small area of private external space. In addition, they would have access to the public open space located centrally as well as noting again the location of the site in close proximity to Leavesden Country Park. Consequently, whilst the shortfall in amenity space for some of the residential dwellings and flats is acknowledged, officers consider that the location of the site is within walking distance of high quality public open space including Leavesden Country Park which would provide ample recreational opportunities for future occupiers of the site. In addition, the site is located adjacent to Moor Road Play Area, and the site itself would provide further useable public open space. It is therefore considered that the shortfall in amenity space would not provide reason to justify refusal of the application.

7.7.4 With regard to privacy, Appendix 2 of the Development Management Policies LDD provides further guidance and sets out that distances between buildings should be sufficient as to prevent overlooking. As an indicative figure, Appendix 2 advises that 28m should be achieved between faces of single or two storey buildings backing onto each other. The submitted garden plan accompanying the application illustrates that a minimum of 20m would be retained between some properties on 'The Street', with 22m being illustrated between the faces of plots 139 and 147. As such, the development would not be in accordance with the guidance in Appendix 2 in this regard. Whilst the shortfall is acknowledged, it is considered that the location of the site as being located in an edge of settlement location does provide an opportunity to provide a denser form of development. The minimum distances outlined on the block plan would still ensure that a sufficient distance between properties are maintained, and furthermore, future buyers would be aware of the relationship between properties. Furthermore, the plan indicates that the development would be set in from the current site boundaries, thus ensuring a greater distance is achieved between the proposed residential units and those existing on Fraser Crescent. As such, it is not considered that significant harm would occur to future occupiers and officers consider the relationship between dwellings are acceptable.

## 7.8 Transport and Highways considerations.

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

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

7.8.2 Paragraph 116 states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

- 7.8.3 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.
- 7.8.4 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:
- i) *It provides a safe and adequate means of access*
  - j) *It is appropriate in scale to the existing infrastructure...*
  - k) *It is integrated with the wider network of transport routes...*
  - l) *It makes adequate provision for all users...*
  - m) *It includes where appropriate, provision for public transport either within the scheme or through contributions*
  - n) *The impact of the proposal on transport has been fully assessed...*
  - o) *The proposal is accompanied by a draft Green Travel Plan*
- 7.8.5 At the time of the original submission, the applicant proposed a number of highways works. This would include the provision of a new vehicular access to serve the development via Woodside Road. In addition, it was proposed that the development would include a new pedestrian link from the development into Fraser Crescent and an uncontrolled pedestrian crossing at the interface of Public Right of Way Footpath 61-64 to improve connectivity to Leavesden Country Park.
- 7.8.6 In addition, the original application also included enhancement works to the existing pedestrian crossing on High Elms Lane to support the connection from Fraser Crescent to the combined footway/cycle way to Parmiters School. The original comments from Herts Highways raised some concerns regarding the existing pedestrian crossing on High Elms Lane, noting the lack of tactile paving, along with the fact that the majority of High Elms Lane is narrow, unlit and has mixed traffic and therefore is not safe for pedestrians, cyclists and school goers. The applicant and Herts Highways have had further discussion and identified that adjustments to the proposals for High Elms Lane would be beneficial. The proposed improvements include the installation of tactile paving, introduction of white lining to visually narrow the carriageway at the pedestrian crossing and upgrades to lighting provision. In addition, it is proposed to trim the hedges along specified sections to either side of the crossing to enhance visibility and safety. The Highways Officer considers these measures to be satisfactory.
- 7.8.7 In addition, at the Horseshoe Lane/Orchard Avenue Junction, the application has detailed the provision of dropped kerbs and tactile paving. Tactile paving is also proposed along Orchard Avenue to facilitate safer pedestrian crossing at the junction with Horseshoe Lane. This is considered to be appropriate by the Highways Officer.
- 7.8.8 **National Highways (NH):** NH is interested in whether the proposals would have impact on the safe and efficient operation of the strategic road network. In this case, the M25 J21/21A and M1 J6. NH note that although M1 J6 is closest to the site, M25 J21A is known to experience severe congestion during peak hours and further traffic added to this may present a safety concern for the strategic road network.
- 7.8.9 NH provided an initial holding objection requesting further information from the applicant including a justification for the trip rate split within Table 5.1 the Transport Assessment. In addition, further information was requested in relation to junction turning movements for the M25 J21A and the M1 J6. In response, the applicant provided further information and National Highways were re-consulted and advised that their previous concerns remained. In particular, further justification was required for the proposed trip generation methodology. NH advised that whilst they agreed that the residential trip rates for the proposed development could be calculated based on the vehicle movements surveyed at the adjacent

Fraser Crescent development, they had concerns regarding the accuracy and reliability of the data collected from a single day. Consequently, NH offered two options to the applicant, either to resurvey Fraser Crescent over a full seven day period or to conduct a comparative assessment using the TRICS database, in line with best practice guidance to ensure robust and reliable trip rates.

- 7.8.10 In line with this guidance, the applicant provided a revised trip generation assessment using the TRICS 8 database. This information was reviewed by NH who noted that they were satisfied with the information provided. The proposed trip generation for the site, based on trip rate information from TRICS, indicates that the proposed 128 residential dwellings could result in approximately 99 two-way trips during the AM peak hour (08:00–09:00) and 94 two-way trips during the PM peak hour (17:00–18:00). In addition, the applicant has also mapped the vehicle trips from the proposed development to the Strategic Road Network with particular emphasis on the M1 Junction 6 and M25 Junction 21A. The expected trips are outlined in greater detail in the NH consultee response at paragraph 9.15.6. Based on the submitted information, NH consider that the proposed development would not have an unacceptable impact on highway safety or a severe residual cumulative impact on the strategic road network as defined by the NPPF. Consequently the proposed development is acceptable in this regard and no objection is raised.
- 7.8.11 **Hertfordshire County Council as Local Highway Authority:** Herts Highways raised an initial objection to the proposed development setting out that further information is required as set out in the original consultee response. In response to the concerns raised, the applicant has provided further information which has been subject to re-consultation with Herts Highways. Herts Highways have confirmed that they raise no objection to the proposed development.
- 7.8.12 It is noted that at the time of the September committee, members raised some concerns in relation to the timing of the traffic survey and whether it was undertaken during half term. In response, the applicant has advised that the original survey was undertaken in term time and this has been confirmed as acceptable by Herts Highways. The original survey was undertaken on the 24 October 2024, and the October half term was between 28 October-1 November. In addition, further automated traffic counts including speeds in relation to the new access position to check visibility were undertaken for a seven day period from 25 February. The February half term was between 17-21 February. The applicant has provided the table below (taken from the Hertfordshire County Council website) indicating the term dates for 2024-2025:

How we set term dates
Last school year (2024-25)
Start of term: 2 September 2024
Half term holiday: 28 October 2024 – 1 November 2024
Christmas holiday: 23 December 2024 – 3 January 2025
Half term holiday: 17 February 2025 – 21 February 2025
Easter holiday: 7 April 2025 – 21 April 2025
Half term holiday: 26 May 2025 – 30 May 2025
Summer holiday: 24 July 2025 – 2 September 2025
<a href="#">Printable version of school term dates 2024-25 (PDF 64KB)</a>

- 7.8.13 *Vehicular access:* The proposed development would be served by a new priority junction on the southern side of Woodside Road which was found to be acceptable in principle at the time of the original application. However, the Highways Officer requested that the site access junction be designed as a 'Copenhagen Style' crossing to prioritise pedestrian safety and convenience. This arrangement incorporates a continuous footway, allowing pedestrians to cross the junction without the need to step down on to a carriageway. The applicant has altered the arrangement to a 'Copenhagen Style' crossing as requested by Herts Highways. Any works within the highway boundary will be secured via a S278 agreement. As such, no objections are raised in relation to the proposed access arrangements.
- 7.8.14 *Internal Layout:* Herts Highways requested detailed drawings to be provided which illustrated adequate footways to an acceptable standard at a minimum width of 2m. The Highways Officer advises that the additional Technical Note confirms that footways would be at a minimum width of 2m and therefore would be in accordance with the requirements of the original consultee comments. The Highways Officer has also confirmed that the visibility within the development is acceptable. With regard to road profiles, and detailed design, the Highways Officer has advised that this would be matter for a S38 agreement.
- 7.8.15 *Refuse and Emergency Access.* The original consultee response from Herts Highways highlighted that the swept path should not overrun any private entry points or parking spaces, specifically observed near Plot 166. A drawing illustrating a Copenhagen crossing for site access has been submitted and the design accommodates the swept path of a large refuse vehicle. This has been confirmed as acceptable by Herts Highways. In addition, the applicant has submitted a revised swept path analysis for refuse vehicles specifically updated in the vicinity of plot 166 to address the previously identified concerns. The Highways Officer has raised no objection. The comments received also note swept path analysis for fire appliances indicates that the vehicle can access within 45 meters. As such, it is considered that this is acceptable and no objections are raised.
- 7.8.16 *Trip Generation:* The Transport Assessment presented a trip generation and distribution analysis based on a development scenario of up to 200 residential dwellings. Vehicular trip rates were derived using Manual Classified Count (MCC) data collected at the Woodside Road / Moore Road roundabout, informed by observed movements from the adjacent Fraser Crescent development. The Highways Officer notes that this approach was pre-agreed with Herts Highways and provides an appropriate local context for estimating trip rates. Trip rates were calculated from observed data and applied to the proposed 200 unit development:
- AM Peak (08:00–09:00): 109 vehicle trips (67 arrivals, 42 departures)  
PM Peak (17:00–18:00): 103 vehicle trips (59 arrivals, 44 departures)
- 7.8.17 The Highways Officer notes the TRICS v7.11.3 database was used to estimate multi-modal trips and the full detail is provided in the consultee response section. However, in total 156 multi modal trips are estimated in the AM Peak period and 147 in the PM Peak period. The Highways Officer has raised no objection in relation to the information provided on trip rate and no objections have been raised in relation to this element.
- 7.8.18 *Trip Distribution:* The Highways Officer originally highlighted that the Transport Assessment solely focused on vehicular journey-to-work data and did not account for other key trip purposes. The absence of National Travel Survey (NTS) data limits the understanding of travel for education, shopping, healthcare, and leisure—factors essential to assessing overall transport impacts. Similarly, there is no consideration of active travel trip distribution, particularly walking and cycling routes to nearby facilities such as schools and local amenities. In response the applicant has submitted details pertaining to the Journey Purpose of Trips (NTS) for modes other than private vehicle. The additional information provided sets out that non car trips from the development can be accommodated within the

existing highway network. The Highways Officer has confirmed that they are in agreement subject to the suggested planning obligations which shall be outlined below.

- 7.8.19 *Junction Assessment:* The TA evaluates the future traffic impact of a proposed residential development of up to 200 dwellings. The study considers three junctions:

Woodside Road / Moore Road Roundabout  
Woodside Road / Horseshoe Lane / High Road / College Road Double Mini Roundabout  
Woodside Road / Site Access Priority Junction

- 7.8.20 A detailed junction modelling review was also carried out by Herts Highways and a number of discrepancies were identified which are outlined fully in the consultee response section. However, the Highways Officer concludes that despite the issues with modelling, they are satisfied that the proposals can follow a vision led approach to supporting sustainable trips based on the proposed mitigations. Consequently, no objections are raised in this regard.
- 7.8.21 Travel Plan: An interim Travel Plan has been included which Herts Highways have reviewed and confirm that it is acceptable. As set out in the above response, HCC Strand 1 contributions are required to enable the site to be non-car dominant, support sustainable travel and follow a Vision-led approach. To achieve this, a total of £1,310,592 plus SPONS indexation is requested to fund bus stop and service improvements alongside active travel schemes in the vicinity of the area and crossing improvements.
- 7.8.22 Active Travel England: Active Travel England have been consulted and have raised no objection.
- 7.8.23 Summary: In summary, National Highways have withdrawn their objections and have concluded that the proposed development would not have an unacceptable impact on highway safety or a severe residual cumulative impact on the strategic road network as defined by the NPPF. In addition, Herts Highways have withdrawn their objections and do not consider that the development would have a significant impact on the highway network subject to conditions, including the submission of a construction management plan. This would be required for all phases of construction. Measures would also be required to protect users of the local road network from hazards arising from undue damage caused by large numbers of HGVs associated with the construction of the development. The development is therefore considered acceptable and in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and the NPPF.

## 7.9 Vehicle Parking

- 7.9.1 Development Management Policy DM13 requires development to make provision for parking in accordance with the parking standards and zone-based reductions set out in Appendix 5.
- 7.9.2 Parking requirements are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013). The requirements are 1.75 spaces (1 assigned) for 1 bedroom dwellings; 2 spaces (1 assigned) for 2 bedroom dwellings; 2.25 spaces (2 assigned) for 3 bedroom dwellings; and 3 spaces (3 assigned spaces within curtilage) for dwellings with 4 or more dwellings. Reference to dwellings includes all dwellings, ie. both houses and flats.
- 7.9.3 The application proposes 46 x 1 bedroom dwellings, 48 x 2 bedroom dwellings, 51 x 3 bedroom dwellings and 47 x 4+ bedroom dwellings. The calculations are set out below:

$46 \times 1.75 = 80.5$  (46 assigned)

$48 \times 2 = 96$  (48 assigned)

$51 \times 2.25 = 114.75$  (102 assigned)

47 x 3 = 141 spaces (141 assigned)

- 7.9.4 This would result in a total requirement for 432 car parking spaces to serve the development of which 337 should be assigned. The submitted Planning Statement details that there would be 363 allocated car parking spaces (including garages) to serve the development in addition to 38 visitor spaces. This would therefore equate to a total of 401 spaces. As such, the development would result in a maximum shortfall of 31 car parking spaces.
- 7.9.5 Whilst the shortfall in car parking is acknowledged, it is noted that the development would provide 363 allocated car parking spaces, therefore in excess of the 337 assigned spaces required by Appendix 5. In addition, the information presented by the applicant indicates that all of the residential units would have at least one off street car parking space. The plans indicate that the proposed car parking spaces (on driveways and shared courts) would measure 2.4m x 4.8m which is sufficient to accommodate a vehicle. The submitted Planning Statement advises that the garages are sized at 6m x 3m internally which would meet HCC Standards. In addition, the submitted car parking strategy plan indicates that 8 car parking spaces would be M4 (3) compliant and therefore suitable for disabled people. These spaces are marked on the parking strategy plan. Whilst the overall shortfall is acknowledged, it is emphasised that the site is located in a sustainable edge of settlement location. The comments received from the Highways Officer note the location of the site, setting out that the Orchard Avenue bus stops are the closest to the site and are located an approximately 750m (7 minute walk) from the proposed southern access. This bus stop is served by route no.20 providing connections to Abbots Langley, Holywell, Warners End and Hemel Hempstead. In addition, two bus stops are located along Horseshoe Lane with the Highways Officer noting that these are located approximately 800m from the site with the walking distance of 5-10 minutes considered reasonable. Officers also note that the site is withing a six minute walk (0.3miles) of shops and services including Tesco Express located on Katharine Place. As such, the site is with reasonable distance to local services and bus links. As such, it is not considered that the shortfall would result in significant demonstrable harm. As 65 of the allocated spaces are located in garages, it is considered appropriate to attach a condition removing permitted development rights in relation to garage conversions to ensure that the garages remain available for vehicle parking.
- 7.9.6 The Planning Statement specifies that all homes will be provided with an Electric Vehicle Charging Point and dedicated cycle storage. The comments from Herts Highways set out that the plan does show cycle parking spaces and advise that clarity is required regarding the type and capacity of each storage location. The Highways Officer has recommended that the applicant provide detailed drawings of the cycle storage facilities, including the type of stands proposed and their spacing, to ensure compliance with best practice including LTN1/20 for secure and accessible cycle parking. This can be secured via condition.
- 7.9.7 In summary, whilst the shortfall is acknowledged, taking into account that the development provides in excess of the assigned spaces required by Appendix 5, the sustainable edge of settlement location, the provision of secure cycle parking for each unit and the provision of EV charging points which would enhance the site's support for sustainable transport modes, it is not considered that the shortfall in car parking would result in harm. The development is acceptable and in accordance with Policy DM13 and Appendix 5 of the Development Management Policies LDD (2013).
- 7.10 Refuse and Recycling
- 7.10.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity

- ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
- iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.10.2 Herts County Council have advised that they would expect a Site Waste Management Plan to be provided. This must be implemented throughout the duration of the project, from initial site preparation works to final completion. As a minimum it should include a description of the types of waste expected to arise on site and the waste management actions for each type of waste. This can be secured as a pre-commencement condition.

7.10.3 With regard to access for refuse vehicles, the initial comments from Herts Highways note that it is necessary for the developer to demonstrate that the refuse vehicle can safely access the site from both directions and exit in either direction to ensure full operational flexibility. In addition, the initial comments from Herts Highways note that swept path should not overrun any private entry points or parking spaces, specifically observed near plot 166. In response, the applicant has provided updated information. The access arrangements have been amended to a 'Copenhagen Style' arrangement and the Highways Officer has confirmed that the design of the crossing accommodates the swept path of a large refuse vehicle. In addition, the applicant has submitted a revised swept path analysis for refuse vehicles specifically in relation to plot 166 and no further concerns are raised.

7.10.4 With regard to the location of refuse and recycling bins, for dwellings, these would be per household and stored within the curtilage of the dwelling. The applicant has advised that for the flatted blocks, in some cases, attached bin stores are proposed, and in other cases, the bin storage would be located in the adjacent 'Flat over garages' at ground floor level. It is considered that a refuse and recycling scheme can be secured via a condition and that details can be provided prior to occupation. As such, no objections are raised in this regard and the development is considered acceptable and in accordance with Policy DM10 of the Development Management Policies LDD (2013).

## 7.11 Trees and Landscaping

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

7.11.2 The application is accompanied by a Tree Constraints Plan and Tree Protection Plan. The Landscape Officer has advised that the scheme is sensitive to the existing protected and unprotected trees on site and therefore has raised no objection in this regard. The Landscape Officer sets out that Glyphosate and other herbicides should not be used on site, in the interest of preserving the local ecology.

7.11.3 It is noted that detailed planting plans accompany the application, and the Landscape Officer has confirmed that no objections are raised in respect of the proposed planting. However, a full hard and soft landscaping scheme can be reserved via a condition.

7.11.4 In summary, subject to conditions, the development is considered acceptable and in accordance with Policy DM6 of the Development Management Policies LDD (2013).

## 7.12 Wildlife and Biodiversity

- 7.12.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.12.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of applications in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the DMLDD. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications that may be affected prior to determination of a planning application.
- 7.12.3 The Ecology Officer notes that a number of the existing Oak Trees on site are described as Veterans (numbers 43, 5, 12 and 24-26). These would be classified as irreplaceable habitats and should be retained in full. The Tree Constraints report includes Natural England's recommended 15x stem diameter buffer around these trees. In addition, the BNG Report sets out the layout was modified to ensure that all veteran trees and their root protection areas are retained. The Ecology Officer notes that this must be fully complied with.
- 7.12.4 With regard to bats, the Ecology Officer notes that the submitted information shows that at least 9 different species of bats were recorded using the site, with the common pipistrelles mainly observed. The use is likely facilitated by current low lighting levels across the site. The Ecology Officer notes that measures are outlined in the Bat Survey and Mitigation Strategy and these should form part of sensitive lighting strategy for the site. Officers note that in the event, the development is found to be acceptable then this could be secured via a condition. The Ecology Officer also notes that a Construction Environmental Management Plan (CEMP) should also be secured via a condition and this should include a method statement informed by Sections 5.5-5.8 of the Bat Survey and Mitigation Strategy. In addition, the Ecology Officer notes that Tree 23 would be removed (which has features to support bats), and following its removal, a report should be submitted which details that all the actions within the method statement have been complied with and completed. This can be secured via a condition.
- 7.12.5 The Ecology Officer notes that no further surveys were recommended for breeding birds, great crested newts or reptiles and there is no reason to dispute these findings. However, the mitigation suggested in the separate species surveys as well as standard mitigation to protect breeding birds, terrestrial mammals and reptiles are included within the CEMP.
- 7.12.6 In addition, the Ecology Officer sets out that the Ecological Report includes recommendations for species enhancements and that these are considered necessary to be compliant with the provisions of the NPPF. In the event of an approval, the Ecology Officer has suggested a condition to secure these enhancements.
- 7.12.7 In summary, the Ecology Officer has raised no objections in relation to protected species. Consequently, subject to suggested conditions, the development is considered to be acceptable and in accordance with Policy DM6 of the Development Management Policies LDD (2013).
- 7.13 Mandatory Biodiversity Net gain.
- 7.13.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

- 7.13.2 The original comments received from Herts Ecology noted that there was insufficient information submitted to assess the value of existing habitats. The Ecology Officer noted that the ecological appraisal made an assessment that the fields were other neutral grasslands, which was consistent with Herts Ecological Mapping. However, the Ecology Officer set out that this cannot be relied upon without further supporting ground surveys. The Ecological Appraisal sets out that further surveys at a suitable time of year would be required to confirm the grassland type recommending a UK Habs and Botany Update Survey. As such, the Ecology Officer considered that based on the original information, there was insufficient information to assess the value of existing habitats and to support the biodiversity matrix. In response, further information was provided confirming that a botanical survey was undertaken on 28<sup>th</sup> June 2024 which is within the optimal survey period. The Ecological Officer has confirmed that this information is sufficient and that the baseline information is robust and can be relied upon to inform the BNG Assessment.
- 7.13.3 A baseline habitat map and statutory matrix accompany the application. The metric shows that an overall net gain in excess of 10% has been achieved which would be delivered on site. The net gain would be achieved by delivering an onsite net gain of +2.40 habitat units (a 14.2% increase) and +3.43 hedgerow units (37.67% increase). Consequently, the proposed development would be in accordance with Schedule 7A of the Town and Country Planning Act 1990.
- 7.13.4 The Ecology Officer has advised that the on-site enhancements should be considered as significant. Officers consider that the net gain on site can be secured via a condition, and that a S106 Agreement would be required to secure a monitoring fee over the 30 year period. The Ecology Officer has also advised that the means by which the proposed Significant Onsite Enhancement will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP). The HMMP should incorporate the management of the retained habitats including veteran trees and should also incorporate and be consistent with any enhancements of existing habitat or habitat creation advised for protected species. Officers have calculated the monitoring fee to be £7510.
- 7.13.5 In summary, officers consider that the development would secure a significant biodiversity net gain and would therefore be acceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 in this regard.

#### 7.14 Flood Risk and Drainage

- 7.14.1 Policy CP1 of the Core Strategy (adopted October 2011) requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 of the Development Management Policies LDD (adopted July 2013) refers to Flood Risk and Water Resources, and states that development will only be permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.
- 7.14.2 The LLFA note that deep bore soakaways are proposed at the site. The updated National SuDS Standards that deep bore infiltration is no longer considered to follow a SuDS approach and can only be deemed acceptable by exception. The LLFA have reviewed the application and advise that there are no alternative solutions for discharging surface water from the site and therefore in this case deep bore soakaways can be used. However, the LLFA raised an initial objection to the development in the absence of an acceptable Flood Risk assessment or/and Drainage Strategy. As such further information was requested by the LLFA as set out in the original consultee response. In response, further information was submitted by the applicant and has been assessed by the LLFA. The LLFA have confirmed that they raise no objection to the scheme subject to a number of conditions. The suggested conditions include the submission of details and a method statement for interim and temporary drainage measures during the construction phase, submission of construction

drawings of the surface water drainage network and associated sustainable drainage components and details of a maintenance and management scheme.

- 7.14.3 Thames Water (TW) have advised that they have identified an inability of the existing Sewerage Treatment Works Infrastructure to accommodate the needs for the development proposal. As such, TW require a condition be attached to any planning permission that does not allow the occupation of the development until all sewerage works required to accommodate the additional flows from the development has been completed or a phasing plan agreed.
- 7.14.4 In summary, subject to the conditions suggested by both the LLFA and Thames Water, the development is considered to be acceptable and in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

#### 7.15 Contamination – Land, Water and Air

- 7.15.1 Policy DM9 of the Development Management Policies LDD (adopted July 2013) states that the Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land, and there will be no adverse impact on the quality of local ground water or surface water quality.
- 7.15.2 The Environment Agency (EA) raised initial objections to the proposed development. The EA noted that the site is located within an Inner Source Protection Zone (SPZ1) associated with a number of potable abstractions between the site and the Affinity Water public Water abstraction at Bricket Wood. The EA set out that the application did not demonstrate that the risks of pollution to controlled waters were acceptable and could be managed, contrary to Policy DM9 of the Development Management Policies LDD. It was requested that a Preliminary Risk Assessment was provided for assessment. In addition, the EA raised objections as they considered that the risks to groundwater resulting from the drainage strategy were unacceptable. The EA set out that the applicant had not supplied adequate information to demonstrate that the risks posed to groundwater could be satisfactorily managed. In response, the applicant provided further information including a Phase 1 Preliminary Risk Assessment and a Hydrogeological Risk Assessment which have been assessed by the Environment Agency. The Environment Agency have confirmed that their objections have now been removed, however, a number of conditions are required. The suggested conditions include the submission of a remediation strategy in relation to contamination and a detailed scheme in relation to ground water monitoring.
- 7.15.3 The Environmental Health Officer has also been consulted in relation to the development and has advised that the standard conditions in respect of contamination should be added in the event that an application is considered acceptable. An Air Quality Report accompanies the application and the Environmental Health Officer states that they agree with the conclusions of the report and considers that the development is unlikely to lead to an exceedance of the Air Quality Objectives. The Environmental Health Officer has however noted that a Dust Management Report could be required via a condition were the application to be deemed acceptable.
- 7.15.4 In summary, subject to the suggested conditions set out by the Environment Agency and Environmental Health Officer, the proposed development is considered to be acceptable and in accordance with Policy DM9 of the Development Management Policies LDD (2013).

#### 7.16 Pollution - Light

- 7.16.1 Policy DM9 of the Development Management Policies LDD (adopted July 2013) sets out that development proposals which include external lighting should ensure that proposed lighting schemes are the minimum required for public safety and security, that there is no

unacceptable impact on neighbouring or nearby properties or the surrounding countryside or wildlife.

- 7.16.2 Details have not been provided in respect of lighting. However, it is considered reasonable to add a condition requiring full details of lighting to be provided prior to the first occupation of the development. Subject to this condition, the development would be acceptable and in accordance with Policy DM9 of the Development Management Policies LDD (2013).

7.17 Pollution - Noise and Vibration.

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

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

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

- 7.17.3 A Noise Impact Assessment has been submitted with the application (WSP: UK00382220.1469). The Environmental Health Officer has reviewed the information and notes that the assessments baseline monitoring and predictive modelling identify that the site is subject to road traffic noise from Woodside Road, High Elms Lane, and distant motorways (M1/M25). The ProPG Initial Site Risk is categorised as Medium along the north-eastern boundary and Low-Medium elsewhere.

- 7.17.4 The Environmental Health Officer notes that the report demonstrates that with appropriate mitigation outlined within section 8—including targeted acoustic fencing, enhanced glazing/ventilation specifications, and good acoustic design—internal and external noise levels can be brought within the criteria of BS 8233:2014, WHO Guidelines, and ProPG. The Environmental Health Officer also confirms that the garden areas will meet the relevant guidelines. As such, a condition has been suggested for the noise mitigation measures to be implemented in full prior to first occupation of the development.

- 7.17.5 The Environmental Health Officer has noted that further information would be required in relation to noise during construction phase, however, notes that that a condition could be added for a further noise assessment to be submitted in relation to the construction phase.

- 7.17.6 In summary, the Environmental Health Officer has raised no objections subject to the suggested conditions above. The development is therefore considered acceptable and in accordance with Policy CP12 of the Core Strategy (adopted October 2013) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

7.18 Sustainability

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

- 7.18.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.
- 7.18.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.
- 7.18.4 An Energy Statement accompanies the application and sets out that the development is expected to achieve a 56% improvement over the Target Emission Rate for Part L 2021 which would therefore be in accordance with Policy DM4 of the Development Management Policies LDD. This will be achieved by measures including the provision of highly insulated building fabric, triple glazed windows, ASHP, Solar PV to apartments and low energy lighting. Full details of the siting of the solar PV and ASHP of their siting and appearance can be reserved via a condition.
- 7.18.5 In summary, subject to conditions requiring the development to be undertaken in accordance with the submitted Energy Statement and requiring full details of the siting and appearance of the ASHP and solar panels to be submitted, the development is considered to be acceptable and in accordance with Policy DM4 of the Development Management Policies LDD (adopted July 2013).

## 7.19 Crime

- 7.19.1 Policy CP1 of the Core Strategy (adopted October 2011) advises that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to, for example, promote buildings and public spaces that reduce opportunities for crime and anti-social behaviour. Policy CP12 also requires that development proposals design out opportunities for crime and anti-social behaviour through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places.
- 7.19.2 Herts Constabulary have raised no objection, noting that it is the intention to build the development to the police minimum security standard Secured by Design as detailed in the Design and Access statement (6.139 page 83). The development is therefore viewed to be in accordance with Policy CP1 of the Core Strategy (adopted October 2011) in this regard.

## 7.20 Infrastructure Contributions.

- 7.20.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) Charging Schedule sets out that the charge per sqm of residential development in this area is £180 (plus indexation).
- 7.20.2 In order to make the proposals acceptable, a number of Heads of Term are required to be secured vis a S106 Agreement. These are set out in the relevant sections of the analysis above, however, are summarised in the table below:

<b>Authority</b>	<b>Reason</b>	<b>Amount</b>
HCC Highways	<p>Evaluation and Support fee supporting implementation, processing and monitoring of the full travel plan.</p> <p>To fund bus stop and service improvements to support connections to schools, employment opportunities, key local facilities and amenities to Watford, London Fringe and surround areas. Contributions will also be used for enhanced local pedestrian/cycle crossings alongside active travel schemes in the vicinity of the area that help connect to key local facilities and transport hubs.</p>	<p>£1,200 per annum (overall £6000 and index linked RPI March 2014).</p> <p>£1,310,592 plus SPONS Indexation.</p>
HCC Waste	Increasing capacity at Waterdale Transfer Station and/or provision serving the development.	£20,264 index linked to BCIS IQ2024 and associated monitoring fee.
HCC Education	Secondary Education – towards the delivery of a new secondary school at Carpenders Park and/or other provision serving the development.	£1,462,385 which includes land costs of £30,288, index linked to BCIS 1Q2024).
HCC Education	SEND Contribution - towards new Severe Learning Difficulty (SLD) special school places and/or provision serving the development.	£276,896 index linked to BCIS 1Q2024.
HCC Monitoring fees.	HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement	Each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024).
TRDC	BNG Monitoring (30 years)	£7,510
TRDC	Affordable Housing	50% Affordable housing split including 40 social rented dwellings and 15 affordable rented dwellings. Provision also made for first homes and shared ownership.
TRDC	Affordable Housing - Monitoring	£651.67

7.20.3 The applicant is aware of the above contributions and a policy compliant S106 agreement will be progressed.

7.21 **Planning Balances:** Issues for consideration.

- 7.21.1 **Very special circumstances:** As set out in the analysis above, officers considered that the site is Grey Belt in accordance with paragraph 155 of the NPPF. As such, it is considered that the development is an appropriate form of development in the Green Belt. However, if members consider that the site is not located within the Grey Belt and therefore is inappropriate development, then regard must be had to paragraph 153 of the NPPF which states the following:

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

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

- 7.21.3 If members agree the site is Grey Belt, but identify that there is other harm as a result of the development, then regard must be had to the tilted balance. In respect of the tilted balance, the Council can only demonstrate a 1.7 year housing land supply. As a result, the policies that are most important for determining the application are deemed to be 'out of date' and the tilted balance at paragraph 11 of the NPPF applies:

- 7.21.4 For decision-taking this means:

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

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or  
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

- 7.21.5 The following material planning considerations would need to be considered. Officers have noted the weight they consider should be attached to each consideration, either Significant, Moderate or Limited.

- 7.21.6 **The need for Housing:** The Council is unable to demonstrate a five year land housing supply and is only able to demonstrate a 1.7 year housing land supply. As such, there is a significant need for housing within the district. The scheme would deliver 192 residential dwellings and therefore would contribute to the housing supply. The significant need for housing in the District has been afforded significant weight in recent appeals. For example, in allowing the appeal for the erection of 83 new dwellings and 9 dwellings at Church Lane in Sarratt (22/0601/OUT and 22/0602/OUT), the Inspector made the following comments in respect of the need for housing:

*94. The current five year housing supply situation is pressing and acute. The very great need for housing is persistently going unmet. The existing development plan is simply not delivering anywhere near the requisite amount of housing of all types. The Council accepts that the need cannot be purely met within the existing settlement boundaries and that significant Green Belt land will need to be built on to meet this unmet need. These circumstances mean inevitable adverse consequences for the openness of the Green Belt, its purposes and in terms of landscape and visual effects. I consider a plan led approach to development is certainly desirable, but in this instance, there seems little prospect of a timely plan led remedy. The overwhelming deficiency in the five year housing supply needs*

*to be addressed as a matter of urgency rather than waiting for the adoption of a new local plan.....*

*100. However, the Council cannot demonstrate a five year supply of housing, and so the most important development policies are deemed out of date. It is quite clear that the strict application of these policies, especially 'place-shaping' or spatial policies such as Policy PSP4, as well as Policy CP4 on affordable housing, is not leading to sufficient housing of all types being provided in accordance with the Framework, and are restricting development. The overwhelming lack of supply diminishes the weight that can be attached to any conflict with these policies. The demonstration of very special circumstances amounts to powerful material considerations justifying departing from the development plan.*

*101. The severe housing shortfall attracts very substantial weight in favour of granting permissions for the proposals, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. I am satisfied that none of the reasons put forward for opposing these proposals establishes that the harm would significantly and demonstrably outweigh the benefits. Therefore, notwithstanding any conflict with development plan policies, it follows that both appeals should succeed, subject to conditions. I deal with the conditions below.*

- 7.21.7 Furthermore, in determining an appeal for Alpine Press, Station Road, Kings Langley for 36 flats (LPA ref. 22/2025/FUL), the Inspector found that there would be harm to the character of the area but considered that significant weight should be afforded to the need for housing stating:

*18. The proposed development would cause harm to the street scene resulting in conflict with the development plan as a whole. However, I give moderate weight to this conflict as set out above.*

*18. The Council is not currently able to demonstrate a five-year supply of deliverable housing sites with its Housing Supply Update (2022) identifying that the Council had a supply of 1.9 years, and a Housing Delivery Test figure (2022) of 46%. The plan-led system is embedded in planning law, with the Framework placing great emphasis on the engagement of communities in shaping development plans. This is intended to provide certainty. However, it also means that to meet community requirements for homes, jobs and other facilities, development plans must be up to date. In situations such as this, where future housing needs are not being met, the Framework sets out that the policies which are most important for determining the application, in this case Policy CP 12 of the CS and Policy DM1 and Appendix 2 of the DMP, are out of date. Specifically, this means that the presumption in favour of sustainable development set out in paragraph 11d) of the Framework is engaged.*

*19. The government places considerable importance on making effective use of land to boost the supply of housing, including specifically on previously developed land and in locations with good access to services and facilities, such as the appeal site, which is immediately adjacent to the railway station.*

*20. Cumulatively, these benefits would significantly and demonstrably outweigh the modest adverse impacts on the street scene. Therefore, the presumption in favour of sustainable development applies and paragraph 11 d) indicates that permission should be granted. There are no other material considerations to override this finding.*

- 7.21.8 As such it is considered by officers that the need for housing within Three Rivers should be afforded **significant weight** in the decision-making process.

- 7.21.9 The need for Affordable Housing: In addition, the proposed development would also deliver 50% affordable housing. There is a pressing need for affordable housing within the District. Whilst it is acknowledged that this would not be at a policy compliant tenure split, it is considered that the proposal would still deliver a range of housing types across all tenures, with the Housing Officer being supportive of the proposal.
- 7.21.10 As such it is considered by officers that the need for affordable housing within Three Rivers should be afforded **significant weight** in the decision-making process.
- 7.21.11 Compliance with the 'Golden Rules': It is also emphasised that the development would comply with the 'Golden Rules'. Paragraph 158 of the NPPF sets out that 'a development which complies with the Golden Rules should be given **significant weight** in favour of the grant of permission'.
- 7.21.12 New public open space and war memorial: The applicant has set out that the proposal will provide a significant amount of public open space. The Planning Statement sets out that the proposal will provide over 2.5ha of new green space, 2.06ha will be public open space whilst 0.49 will be an ecological enhancement area. The proposal will also include several pieces of 'play on the way' features which will be for the benefit of the whole community. In addition, the scheme includes the provision of a formalised war memorial to replace the informal arrangement which is currently located near to High Elms Lane. The applicant has set out that this has been provided in response to consultation with the Local Community.
- 7.21.13 The benefits of the above are acknowledged and are viewed positively by officers. It is considered that these benefits should be afforded **moderate weight** in the decision making process.
- 7.21.14 Local Highway Improvements: It is noted that the application includes a number of improvements/enhancement works to local pedestrian routes/infrastructure. The works would include a new link from the development into Fraser Crescent, improvement works to the crossing on High Elms Lane, the provision of a new uncontrolled pedestrian crossing. In addition, the further works are proposed to Horseshoe Lane/Orchard Avenue Junction including the provision of dropped kerbs and tactile paving. Tactile paving is also proposed along Orchard Avenue to facilitate safer pedestrian crossing at the junction with Horseshoe Lane. These enhancement works are viewed positively, however, officers consider that they would be afforded **limited weight** in the decision making process.
- 7.21.15 Economic Benefits: The applicant has advised that the development would result in the creation of 100 jobs during the construction period. The applicant sets out that the local economy will be boosted by £29.2 million in GVA during the construction period. There will be opportunities for the local workforce including through the provision of apprenticeships. After occupation, new residents will support the vitality of the economy by £22.7 million per annum from the development's resident population in employment and £6.1 million per annum in additional local household expenditure from the new residents. Officers acknowledge that the development would generate economic benefits both short term during the construction phase and during the lifetime of the scheme as it would create investment locally. It is officers view that this should be afforded **moderate weight**.
- 7.21.16 It is officers view that all the above considerations amount to very special circumstances which would outweigh any harm identified to the Green Belt. Likewise, as highlighted above, in the event that members consider the site Grey Belt and agree compliance with para 155, but identify harmful impacts, the adverse impacts would need to demonstrably outweigh the material considerations as per paragraph 11 of the NPPF.

## **8 Recommendation**

- 8.1 Delegate to the Head of Regulatory Services and following completion of a S106 Agreement (securing the Heads of Term set out at 7.20 above including affordable housing provision,

contributions to highways improvement and monitoring of the travel plan, contributions to infrastructure including education and waste infrastructure and a monitoring fee in relation to BNG) that **Planning Permission is granted** subject to the following conditions:

**C1 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

**C2 In accordance with plans (TRDC Planning)**

The development hereby permitted shall be carried out in accordance with the following approved plans:

<i>Design</i>	
Site Location Plan	P23-2574_DE_04_D_08
Site Layout Plan (including Schedule of Accommodation)	P23-2574_DE_04_N_01
Tenure Plan	P23-2574_DE_04_D_11
Materials Plan	P23-2574_DE_04_C_07
Building Heights Plan	P23-2574_DE_04_A_12
<i>Housetype Pack</i>	
EMT21 Floorplans and Elevations	P23-2574_DE_010_A_02
EMT21 Floorplans and Elevations	P23-2574_DE_010_A_03
EMT22 Floorplans and Elevations	P23-2574_DE_010_A_04
EMA22 Floorplans and Elevations	P23-2574_DE_010_A_05
EMAP22 Floorplans and Elevations	P23-2574_DE_010_A_033
EMA33 Floorplans and Elevations	P23-2574_DE_010_A_06
EMA34 Floorplans and Elevations	P23-2574_DE_010_A_07
EMA34 Floorplans and Elevations	P23-2574_DE_010_A_08
EMT31 Floorplans and Elevations	P23-2574_DE_010_A_09
EMT31 Floorplans and Elevations	P23-2574_DE_010_A_010
EMT31 Floorplans and Elevations	P23-2574_DE_010_A_011
EMT32 Floorplans and Elevations	P23-2574_DE_010_A_012
EMB31 Floorplans and Elevations	P23-2574_DE_010_A_013
EMT41 Floorplans and Elevations	P23-2574_DE_010_A_014
EMB41 Floorplans and Elevations	P23-2574_DE_010_A_015
EMG42 Floorplans and Elevations	P23-2574_DE_010_A_016
EMG42 Floorplans and Elevations	P23-2574_DE_010_A_017
EMA46 Floorplans and Elevations	P23-2574_DE_010_A_018
EMA46 Floorplans and Elevations	P23-2574_DE_010_A_019
EMA48 Floorplans and Elevations	P23-2574_DE_010_A_020
EMT43 Floorplans and Elevations	P23-2574_DE_010_A_021
EMT45 Floorplans and Elevations	P23-2574_DE_010_A_022
EMG44 Floorplans and Elevations	P23-2574_DE_010_A_023
EMB51 Floorplans	P23-2574_DE_010_A_024

EMB51 Elevations	P23-2574_DE_010_A_025
EMB51 Elevations	P23-2574_DE_010_A_026
1B2P Maisonette Floorplans and Elevations	P23-2574_DE_010_B_027
1B2P Maisonette Floorplans and Elevations	P23-2574_DE_010_B_028
1B2P Maisonette Floorplans and Elevations	P23-2574_DE_010_B_029
EMT21 Floorplans and Elevations	P23-2574_DE_010_A_030
EMT21 Floorplans and Elevations	P23-2574_DE_010_A_031
EMAP22 Floorplans and Elevations	P23-2574_DE_010_A_032
EMAP32 Floorplans and Elevations	P23-2574_DE_010_A_034
EMAP32 Floorplans and Elevations	P23-2574_DE_010_A_035
EMAP32 Floorplans and Elevations	P23-2574_DE_010_A_036
EMB31 Floorplans and Elevations	P23-2574_DE_010_A_040
EMAP41 Floorplans and Elevations	P23-2574_DE_010_A_037
Single Garage, Garden Shed & Bin Store Floorplans and Elevations	P23-2574_DE_010_A_038
Double Garage Floorplans and Elevations	P23-2574_DE_010_A_039
EMFP11 Floorplans and Elevations	P23-2574_DE_010_A_40
EMFP23 Floorplans and Elevations	P23-2574_DE_010_C_41
EMF25 Floorplans and Elevations	P23-2574_DE_010_C_42
<i>Access</i>	
Proposed Site Access Plan	794-PLN-TRP-00018-DR-006 Rev C
<i>Environment</i>	
Detailed Planting Plan - Public Open Space	P19-1064_EN_0011_1
Detailed Planting Plan - Public Open Space	P19-1064_EN_0011_A_2 POS
Detailed Planting Plan - Public Open Space	P19-1064_EN_0011_-_3 POS
Detailed Planting Plan - Public Open Space	P19-1064_EN_0011_-_4 POS
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_1 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_2 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_3 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_4 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_5 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_6 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_7 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_8 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_9 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_10 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0012_-_11 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0013_-_1 PLOT
Detailed Planting Plan - On Plot	P19-1064_EN_0013_-_1 PLOT-2
Detailed Planting Plan - On Plot	P19-1064_EN_0013_-_1 PLOT-3
Tree Protection Plan	2314-KC-XX-YTREE-TPP01Rev0
Tree Survey and Impact Assessment	2314-KC-XX-YTREE_TreeSurvey-and-ImpactAssessment-RevA

Reason: For the avoidance of doubt, in the proper interests of planning, the character of the area and residential amenity; in accordance with Policies PSP2, CP1, CP3, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM11, DM13 and

Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

C3 Construction Management Plan (HCC Highways)

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

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

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: This is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies CP10 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C4 Dust Management Plan (TRDC EH)

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

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

C5 Site Waste Management Plan (HCC)

No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste. The development shall be carried out in accordance with the approved SWMP.

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

C6 Interim drainage (LLFA)

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

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

C7 Surface water drainage – further details (LLFA, EA and Affinity Water)

Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Flood Risk Assessment including Preliminary Drainage Strategy, 24-047-002 Rev A, dated May 2015) and Drawings(Surface Water Drainage, 24-047-001, dated October 2024) and Technical Note (24-047-TN-002) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: This is a pre-commencement condition to ensure that the development achieves a high standard of sustainability and to comply with the requirements of the NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C8 Maintenance and Management – Sustainable Drainage (LLFA)

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

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

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

C9 Surface water management (LLFA)

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

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C10 Verification - SUDS (LLFA)

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 8. Necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C11 In accordance with FRA (LLFA)

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Flood Risk Assessment including Preliminary Drainage Strategy, 24-047-002 Rev A, dated May 2015) and Technical Note (24-047-TN-002), this includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C12 Groundwater Monitoring (Environment Agency)

The development hereby permitted may not commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall, where necessary, be supported by:

- detailed sampling and analytical schedules;
- a programme for future maintenance and decommissioning;
- a schedule for submission of interim and final monitoring reports;
- a contingency action plan including the list of potential mitigation measures that will be implemented, should unexpectedly changes in groundwater quality be noted as a result of decommissioning or redevelopment works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: 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 Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C13 Intrusive ground investigation and risk assessment (Affinity Water)

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:

- An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The

remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

- A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.

- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

- 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: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This condition is required to prevent impact to water quality in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

#### C14 Investigative Boreholes - Environment Agency.

The development hereby permitted may not commence until such time as 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 shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

The scheme will need to include the following:

- Decommissioning Plan to include intended programme/schedule of works and detailed method statement;
- Borehole Retention Plan to include location, security, and protection measures;
- Verification report for the decommissioned boreholes to include records of:
  - o the reason for abandonment;
  - o groundwater level prior to decommissioning;
  - o any removal of casing or attempts to remove the casing;
  - o the depth, position, and nature of backfill materials;
  - o problems encountered during decommissioning.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution in line with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C15 Piling Scheme – (Environment Agency)

The piling/deep foundation design using penetrative methods hereby permitted by the Local Planning Authority may not commence until such time as a scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

a Foundation Works Risk Assessment;

a conceptual site model;

specification of the type, number, and depth of proposed piles;

a detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports;

a contingency action plan including the list of potential mitigation measures that will be implemented should unexpected changes in groundwater quality be noted as a result of decommissioning piling works;

timing/phasing arrangements.

The scheme shall thereafter be implemented and subsequently maintained, in accordance with the arrangements contained in the approved scheme.

Reason: To ensure that the proposed development does not harm groundwater resources in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C16 Remediation Strategy (Environment Agency and TRDC EH)

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:

1. an up-to-date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation. The preliminary risk assessment shall identify all previous use

- 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

2. a detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site;

3. a tiered risk assessment using the results of the site investigation referred to in (2);

4. an options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.

5. a remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, 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 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 Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C17 Verification Report (Environment Agency and TRDC EH)**

Prior to any part of the permitted development being occupied, 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: 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 and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C18 Unidentified contamination (Environment Agency, Affinity Water and EH)**

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 further investigation and 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: 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 Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C19 Offsite Highway Improvements (Herts Highways)**

A) Design Approval: Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on the submitted drawings have been submitted to and approved in writing by the Local Planning Authority.

Additionally, the drawings at the proposed access must resolve the Road Markings safety issue found in the HCC RSA S1 review (existing carriageway width and proposed centre line), and requires roads with a width of less than 5.5 metres should not be marked with a centreline.

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

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy CP10 of the Core Strategy (adopted October 2011).

**C20 Confidential Badger Mitigation Strategy (Herts Ecology)**

No development shall take place (including demolition, ground works, vegetation clearance) until a confidential mitigation strategy informed by the Confidential Report, 3069-3B by Ecological Planning & Research Ltd (EPR) dated 07 May 2025, has been submitted to and approved in writing by the Local Planning Authority.

The approved mitigation strategy shall be adhered to and implemented strictly in accordance with the approved details, unless varied by the terms of a Natural England Licence.

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

**C21 Construction Environmental Management Plan (Herts Ecology)**

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

1. A review of any ecological impacts and should be informed by the submitted ecological report (Bat Survey & Mitigation Strategy 07 May 2025.).
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'.
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period.
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

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

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

C22 Species Enhancement Plan (Herts Ecology)

Prior to the commencement of development, a Species Enhancement Plan for Protected and Priority Species shall be submitted to and approved in writing by the Local Planning authority. The Plan should be informed by section 5.16-5.20 including table 5.1 and 5.2 of the Bat Survey & Mitigation Strategy, 07 May 2025 by ERP and Taylor Wimpey's Environmental Strategy 2021.

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

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

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

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

C23 Biodiversity Net Gain Plan (Herts Ecology and Planning)

The Biodiversity Gain Plan shall be prepared in accordance with the Woodside Road, Abbots Langley Technical Note: Biodiversity Net Gain (3069-2a: EPR, 15 May 2025).

Reason: This is to ensure that the biodiversity and ecological information submitted with the planning application is realised through the Biodiversity Gain Plan, in the interests of local biodiversity and to ensure biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

C24 Habitat Monitoring and Management Plan (Herts Ecology and Planning).

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary.

- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP].
- (c) Description and evaluation of the features to be managed.
- (d) Ecological trends and constraints on site that might influence management.
- (e) 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;
- (f) 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.
- (g) the monitoring methodology and frequency (years 2, 5, 10, 15 and 30) in respect of the created or enhanced habitat to be submitted to the local planning authority has been submitted to, and approved in writing by, the local planning authority; and
- (h) Ongoing monitoring and remedial measures.

The created and/or enhanced habitat specified in the approved Habitat Management and Monitoring Plan shall be managed and maintained in accordance with the approved Habitat Monitoring and Management Plan for 30 years from the date of first occupation of the development

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

**C25 Habitat Management and Monitoring Implementation (TRDC)**

Notice in writing shall be given to the Local Planning Authority when the agreed Habit Management and Monitoring Plan (HMPP) as secured by this condition has been implemented.

Reason: This is to ensure that the Local Planning Authority have acknowledged when the habitat enhancement and creation works have been implemented to enable effective monitoring accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013)

**C26 Monitoring reports as agreed (Herts Ecology and TRDC).**

Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP (as secured by condition 25).

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

**C27 Tree T23 Removal (Herts Ecology)**

Following removal of Tree 23, (as identified in the Woodside Road, Bat Survey and Mitigation Strategy, ref 3069-4A. 07 May 2025) a report from an appropriately qualified ecologist confirming that all the actions within the appropriate non licensed method

statement have been complied with and completed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect and enhance ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C28 Arboricultural Method Statement (TRDC Landscape Officer)**

No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C29 Tree Protection (TRDC Landscape Officer)**

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme (2314-KC-XX-YTREE-TPP01REVO) before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

**C30 Tree replacement (TRDC Landscape Officer)**

Prior to the removal of T19 Scots Pine of G16/TPO354 (as identified in the Tree Survey and Impact Assessment, ref 2314-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevA, dated May 2025) details of a replacement tree to mitigate its loss shall be submitted to and approved in writing by the Local Planning Authority.

The planting of the replacement trees shall be carried out in accordance with the details approved by this condition before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

Immediately following its planting, if the new trees die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

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

**C31 Soft Landscaping Scheme (TRDC Planning and Landscape Officer)**

All soft landscaping works as shown on the following plans shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner:

P19-1064-EN-011\_-\_1POS, P19-1064\_EN\_0011\_A\_2 POS

P19-1064\_EN\_0011\_-\_3 POS, P19-1064\_EN\_0011\_-\_4 POS,

P19-1064\_EN\_0012\_-\_1 PLOT, P19-1064\_EN\_0012\_-\_10PLOT,

P19-1064\_EN\_0012\_-\_11PLOT, P19-1064\_EN\_0012\_-\_2 PLOT,

P19-1064\_EN\_0012\_-\_3 PLOT, P19-1064\_EN\_0012\_-\_4 PLOT,

P19-1064\_EN\_0012\_-\_5PLOT, P19-1064\_EN\_0012\_-\_6PLOT,

P19-1064\_EN\_0012\_-\_7PLOT, P19-1064\_EN\_0012\_-\_8PLOT

P19-1064\_EN\_0012\_-\_9PLOT, P19-1064\_EN\_0013\_-\_1 PLOT,

P19-1064\_EN\_0013\_-\_1 PLOT-2, P19-1064\_EN\_0013\_-\_1 PLOT-3

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

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

**C32 External Materials (TRDC Planning)**

Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials (including hard surfacing areas) shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the buildings being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013)

C33 Open space and war memorial (TRDC Planning and Conservation Officer).

Prior to any above ground building operations, a programme for the completion of the public open space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the open space including the provision of seating areas, play on the way equipment, the war memorial and associated heritage trail. In addition, details of arrangements for the future management and maintenance of the open space, war memorial and heritage trail throughout the lifetime of the development shall be provided.

The public open space, war memorial and heritage trail shall be provided in accordance with the agreed programme to co-ordinate with the occupation of the residential development, and shall thereafter be retained, kept open, managed and maintained to the satisfaction of the Local Planning Authority.

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

C34 External Lighting (TRDC EH and Herts Ecology).

Prior to the installation of any lighting on the site, full details and specification of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include heights of any lighting columns, spillage diagrams, and proposed hours of operations. The lighting shall therefore after be implemented only in accordance with the approved details.

Reason: To safeguard wildlife and ecology in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

C35 Sewerage (Thames Water)

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 Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

C36 EV Charging Points (TRDC Planning and Herts Highways)

Prior to the first occupation of the development, full details of Electrical Vehicle Charging points shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: This condition is required to ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

**C37 Parking retained (TRDC Planning)**

The parking spaces and turning spaces shall be constructed in accordance with the approved details. The parking spaces shown on P23-2574\_DE\_04\_A\_13 shall be provided before the first occupation of the dwelling to which they are assigned. The parking and turning spaces shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To ensure that adequate off-street parking and manoeuvring space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

**C38 Cycle Parking (Herts Highways)**

Prior to the first occupation of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be designed in line with Dft LTN1/20 standards and shall be fully implemented before the development is first occupied and therefore retained for this purpose.

Reason: To ensure the provision of cycle parking meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Three Rivers Development Management Policies LDD (adopted July 2013).

**C39 Air Source Heat Pumps (TRDC Planning and TRDC EH)**

Prior to the first occupation of the development, details including the siting and appearance of the proposed solar panels shall be submitted to and approved in writing by the Local Planning Authority. Details shall also be provided in relation to the siting and appearance of air source heat pumps including any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority including. The air source heat pumps shall be installed in accordance with the approved details and maintained thereafter.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and to protect residential amenity in accordance with Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

**C40 Energy Statement (TRDC Planning)**

Prior to the occupation of each dwelling, the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application shall be implemented for each dwelling and shall be retained as such thereafter.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

**C41 Noise mitigation measures (TRDC EH Officer)**

Prior to the first occupation of the development hereby permitted, the noise mitigation measures set out in Section 8 of the WSP Noise Impact Assessment (Project No. UK00382220.1469, May 2025) shall be fully implemented and shall be permanently retained thereafter.

Reason: To protect the residential amenities of future occupiers of the development in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

**C42 Boundary treatment (TRDC Planning)**

Prior to the first occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013)

**C43 Refuse and recycling scheme (TRDC Planning and Herts Highways).**

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

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

**C44 Garages retained (TRDC Planning)**

The garages serving the residential dwellings hereby permitted, shall be retained for the garaging of private cars. No alterations, either externally or internally shall be carried out to the garages and car ports such as to prevent their use for garaging private cars.

Reason: To ensure adequate parking provision is maintained in accordance with the requirements of Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013)

**C45 Removal of Permitted Development Rights (TRDC Planning)**

Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

**Part 1**

Class A - enlargement, improvement or other alteration to the dwelling

Class B - enlargement consisting of an addition to the roof

Class E - provision of any building or enclosure

Class F - any hard surface

**Part 2**

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site, neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

**C46 Fire Hydrants (HCC Fire and Rescue)**

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

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

C47 Travel Plan (Herts Highways)

Prior to the first occupation of any part of the development hereby permitted a detailed Travel Plan for the site, based upon the Hertfordshire Council document Hertfordshire's Travel Plan Guidance, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

Informatives

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

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

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

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

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

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

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

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

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

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

- 12 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development.

There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

- 13 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

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

deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

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

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

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

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

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

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

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

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

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

- 16 Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

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

- 17 Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety in our Construction Management template, a copy of which is in our Construction Management template, a copy of which is available on the County Council's website at available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.asp>

- 18 Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by [emailingtravelplans@hertfordshire.gov.uk](mailto:emailingtravelplans@hertfordshire.gov.uk)

- 19 The Public Right of Ways including the public footpath and bridleway should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would

be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047

- I10 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- I11 The LLFA recommend that a 3m easement is left around SuDS features for maintenance and access.
- I12 A licence from Natural England is required to deliver this development. It will be a criminal offence if works proceed without this licence. It will / may also be a criminal offence if the terms of conditions of the licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.

## 9 Appendix 1: Consultee Responses.

### 9.1 Abbots Langley Parish Council: [Objection]

Members have raised concerns about the potential increase in traffic volume, regardless of where the estate entrance is located. Any access point will significantly impact local traffic. The existing infrastructure on the lane is not adequate to support the proposed level of housing and must be thoroughly reviewed. Access from the A405 is already limited, and with current school traffic, the roads cannot accommodate the additional strain from a development of this scale. Members strongly feel further consultation is necessary, and that Hertfordshire County Council should carry out a more detailed assessment of the traffic and infrastructure implications.

### 9.2 Active Travel England: [No objection]

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

### 9.3 Affinity Water: [No objection]

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to our Pumping Station (BRIC). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

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

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

#### Condition 1

Prior to the commencement of the development, no works involving excavations (e.g. 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:

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

- A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

- A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.

- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

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

Contamination during construction:

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

Condition 2

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

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

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

Contamination through Surface Water Drainage:

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

Condition 3

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

- A 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.

#### 9.4 Environment Agency: [Objection]

##### 9.4.1 Initial comment:

Thank you for consulting us on this application. We have reviewed the information submitted and have two objections as the application does not demonstrate that the risks of pollution to controlled waters are acceptable or can be appropriately managed. We therefore recommend that planning permission is refused in line with paragraphs 187, 196, and 197 of the National Planning Policy Framework.

**Objection 1:** We object to this development, as its planning application does not demonstrate that the risks of pollution to controlled waters are acceptable or can be appropriately managed. We therefore recommend that planning permission is refused.

**Reason:** The site is located within an Inner Source Protection Zone (SPZ1) associated with a number of potable abstractions between the site and the Affinity Water public water abstraction at Bricket Wood. It is also underlain by the Chalk Principal aquifer at depth, with the Mid-Chilterns Chalk classified as "poor status" under the Water Framework Directive (WFD). As the planning application is not supported by an appropriate risk assessment, it does not meet the requirements set out in paragraphs 187 and 196 of the National Planning Policy Framework

**Overcoming this Objection:** The applicant should submit a Preliminary Risk Assessment which includes a desk study, conceptual model, and initial risk assessment. This information must demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.

Advice

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.

Objection 2: We object to the planning application, as submitted, because the risks to groundwater resulting from the drainage strategy of the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed with the current plans. We recommend that planning permission should be refused on this basis in line with paragraph 187 of the National Planning Policy Framework

Reason: The development proposes to discharge surface water via deep borehole soakaways directly into the Chalk Principal aquifer. The site is particularly sensitive because is located within an Inner Source Protection (SPZ1), and also the underlying MidChilterns Chalk groundwater waterbody is at "poor status" under the Water Framework Directive (WFD).

While we recognise the inadequate soakage results ascertained from the Kesgrave Catchment and note the infeasibility of a connection to a mains sewer, insufficient information regarding the design/construction and associated pollution prevention measures of the borehole soakaway has been provided. Position statement G1 in the Environment Agency's approach to groundwater protection demonstrates that we will take all necessary measures to prevent direct inputs to groundwater, and we have not been made aware of the target depth of the deep borehole soakaway. The borehole should be constructed to be as shallow as possible as to allow for as much contaminant attenuation in the unsaturated zone.

There is also a lack of information regarding the specifications of pollution prevention infrastructure, and what measures are in place in case a spill, fire, or any other unplanned infrequent event takes place which may cause anything other than water to enter the deep borehole soakaway – this should take the form of a penstock or similar.

Overcoming this Objection: The applicant should submit more information regarding their plans to deal with surface water at the site, specifically regarding the proposed deep borehole soakaway. The applicant must demonstrate that the proposed drainage strategy does not pose a risk to groundwater quality.

Advice: Please refer to section G in the Environment Agency's approach to groundwater protection for our views on deep borehole soakaways, the caveats and environmental permitting (EPR) implications that follow their installation, and our position on alternatives.

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. If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations

9.4.2 Officer comment: The applicant contacted the Environment Agency directly to request they refer to the Hydrogeological Risk Assessment within the FRA. In response, the Environment Agency have confirmed that they still raise an objection to the scheme with their comments set out below.

9.4.3 Environment Agency 2<sup>nd</sup> comment: [Objection]

Following our last response we have now reviewed the hydraulic risk assessment. However we maintain our objections to this development on both counts as set out below, as this planning application does not demonstrate that the risks of pollution to controlled waters are acceptable or can be appropriately managed. We therefore recommend that planning permission is refused in line with paragraphs 187, 196, and 197 of the National Planning Policy Framework.

Objection 1: We object to this development, as its planning application does not demonstrate that the risks of pollution to controlled waters are acceptable or can be appropriately managed. We therefore recommend that planning permission is refused

Reason: The site is located within an Inner Source Protection Zone (SPZ1) associated with a number of potable abstractions between the site and the Affinity Water public water abstraction at Bricket Wood. It is also underlain by the Chalk Principal aquifer at depth, with the Mid-Chilterns Chalk classified as “poor status” under the Water Framework Directive (WFD). As the planning application is not supported by an appropriate risk assessment, it does not meet the requirements set out in paragraphs 187 and 196 of the National Planning Policy Framework.

Overcoming this Objection: The applicant should submit a Preliminary Risk Assessment which includes a desk study, conceptual model, and initial risk assessment. This information must demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures. We note many references to a ground investigation and therefore presumably a preliminary risk assessment with other supporting documents, though they do not appear as standalone documents to review on the planning portal for this application. As such, they are not available for us to review.

#### Advice

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.

Objection 2 : We object to the planning application, as submitted, because the risks to groundwater resulting from the drainage strategy of the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed with the current plans. We recommend that planning permission should be refused on this basis in line with paragraph 187 of the National Planning Policy Framework.

Reason: The development proposes to discharge surface water via deep borehole soakaways directly into the Chalk Principal aquifer. The site is particularly sensitive because

is located within an Inner Source Protection (SPZ1), and also the underlying MidChilterns Chalk groundwater waterbody is at "poor status" under the Water Framework Directive (WFD).

We have now been provided appendices from the Flood Risk Assessment including Preliminary Drainage Strategy by Charles & Associates (ref.: 24-047-002 Rev A). Within, it would appear that the soakage testing referenced in section 2.1.5 of said document's Technical Note (ref.: 24-047-001) – found in Appendix B – are falling head tests measured within boreholes drilled 15m below ground level, most of which is Chalk. This is not representative of the potential infiltration rates of the superficial Kesgrave Catchment Secondary A aquifer and therefore does not rule out shallow infiltration as a suitable means of surface water discharge at this site, despite our previous interpretation of the limited documentation. As such, this needs to be assessed in line with BRE 365, since deep borehole soakaways should only be used as a last resort in line with position statement G9 the Environment Agency's approach to groundwater protection; so far, the applicant has failed to demonstrate that any of the six bullet points listed have been satisfied.

Additionally, Appendix E of the Hydrogeological Risk Assessment by RSK (ref.: 1923825 R01 (00)), found in Appendix I of the aforementioned supporting document utilises our Groundwater Infiltration Worksheet, which is designed for treated effluent discharges to ground sewage treatment plants, for example. As such, the hydraulic loading is being understated as the drainage field has been input as 4m<sup>2</sup>, which is not representative of a deep borehole soakaway surface area, considering that the diameters have been proposed as 300mm. Additionally, the concentrations of the PAHs are above Drinking Water Standards, and the model assumes contaminants will be treated prior to release into the environment. There is also no apparent consideration of seasonal variation in groundwater depth and as such the thickness of the unsaturated zone is assumed to be subject to change. Overall, this is not an appropriate method to justify deep borehole soakaway usage. This is exacerbated by the lack of discussion within this report regarding the ability (or potential lack thereof) of the Kesgrave Catchment deposits to provide adequate soakage for shallow infiltration. As mentioned, soakage testing within these gravels should be carried out in order to prove they are not conducive for infiltration via shallow soakaways.

There is still also a lack of information regarding the specifications of pollution prevention infrastructure, and what measures are in place in case a spill, fire, or any other unplanned infrequent event takes place which may cause anything other than water to enter the deep borehole soakaways. This should take the form of a penstock or similar. Finally, the locations of the deep borehole soakaways are not clear on Drawing No. 24-047-001 Rev E, it would appear the indicators have been omitted.

Advice: Please refer to section G of the Environment Agency's approach to groundwater protection for information on drainage solutions. Please be aware that the proposed drainage scheme as presented may be subject to Environmental Permit Regulations and we recommend getting in touch with the National Permitting Service.

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. If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

- 9.4.4 Officer comment: Further information was submitted by the applicant and the Environment Agency were re-consulted.
- 9.4.5 Environment Agency 3<sup>rd</sup> comment: [No objection]

Thank you for consulting us again on the above planning application on 21/10/2025.

As part of the consultation, we have reviewed the following submitted documents:

- Phase 1 Desk Study / Preliminary Risk Assessment prepared by RSK, dated October 2025 (ref.: 1923825-R02 (00));
- Hydrogeological Risk Assessment prepared by RSK, dated October 2025 (ref.: 1923825 R01(01)).

Upon review of the submitted documentation, we are content that our concerns that caused our objections to be raised have been suitably addressed. And we are now in a position to remove our objection and have requested seven conditions below.

These conditions have been requested as the proposed development could potentially contain sources of contamination. Potential contaminants could be mobilised and impact on controlled waters, specifically groundwater in the underlying Kesgrave Catchment Secondary A aquifer and the deeper Chalk Principal aquifer, as a result of the proposed redevelopment of the site. The site is located within an Inner Source Protection Zone (SPZ1) associated with an Affinity Water public water abstraction approximately 3km east of the site (Bricket Wood).

We note a recommendation within the submitted Phase 1 Desk Study / Preliminary Risk Assessment by PRA (ref.: 1923825-R02 (00)) to conducting an intrusive site investigation primarily for geotechnical purposes; we recommend incorporating further geo-environmental testing within the scope of these works, as alluded to in said report. Also with regard to geotechnical matters, we are currently unaware of the foundation techniques to be used at the site, and as such we have included a piling condition as a precaution.

In terms of the drainage, we do not typically accept hydrogeological risk assessments that use CIRIA SuDS Manual parameters. As per 1.18 in the National standards for sustainable drainage systems (SuDS) - GOV.UK, "The use of deepbore infiltration features is not considered to follow a 'SuDS Approach' and shall be by exception and an agreement in principle with the relevant risk management authority provided to the approving body." Additionally, Q6 in the SuDS Manual frequently asked questions explains that borehole soakaways are considered a sitespecific solution and thus need bespoke risk assessment before consent. However, given the input, construction, and proposed pollution prevention measures outlined in the submitted Hydrogeological Risk Assessment by RSK (ref.: 1923825 R01(01)), the use of deep borehole soakaways is deemed acceptable and the risks associated manageable.

Please note that without these following seven 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.

#### 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 LPA. This strategy will include the following components:

1. an up-to-date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation;
2. a detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site;
3. a tiered risk assessment using the results of the site investigation referred to in (2);

4. an options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. a remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, 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 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 paragraph 187 of the National Planning Policy Framework.

To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the National Planning Policy Framework, and to prevent deterioration of a water quality element to a lower status class in the Mid-Chilterns Chalk under the Water Framework Directive.

Advice: The submitted Phase 1 Desk Study / Preliminary Risk Assessment by PRA (ref.: 1923825-R02 (00)) will satisfy (1). A site investigation will need to be carried out to satisfy (2) and (3), and potentially enable (4) and (5).

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 – Previously Unidentified 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 LPA) shall be carried out until further investigation and 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: 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 paragraph 187 of the National Planning Policy Framework.

#### Condition 3 – Long-term Monitoring

The development hereby permitted may not commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall, where necessary, be supported by:

- detailed sampling and analytical schedules;
- a programme for future maintenance and decommissioning;
- a schedule for submission of interim and final monitoring reports;

- a contingency action plan including the list of potential mitigation measures that will be implemented, should unexpectedly changes in groundwater quality be noted as a result of decommissioning or redevelopment works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: 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 paragraph 187 of the National Planning Policy Framework.

#### Condition 4 – Investigative Boreholes

The development hereby permitted may not commence until such time as 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 LPA. 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 shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

The scheme will need to include the following:

- Decommissioning Plan to include intended programme/schedule of works and detailed method statement;
- Borehole Retention Plan to include location, security, and protection measures;
- Verification report for the decommissioned boreholes to include records of:
  - o the reason for abandonment;
  - o groundwater level prior to decommissioning;
  - o any removal of casing or attempts to remove the casing;
  - o the depth, position, and nature of backfill materials;
  - o problems encountered during decommissioning.

Reason: 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.

Advice: 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)).

You should keep an accurate record of the abandonment details for future reference, including:

- the reasons for abandonment (for example water quality problems);
- measurement of groundwater level prior to backfilling;
- the depth and position of each layer of backfilling and sealing materials;
- the type and quantity of backfilling and sealing materials used;
- any changes made to the borehole/well during the abandonment (for example casing removal);
- any problems encountered during the abandonment procedure.

## Condition 5 – Verification Report

Prior to any part of the permitted development being occupied, 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: 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.

To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the National Planning Policy Framework.

To prevent deterioration of a water quality element to a lower status class in the Mid-Chilterns Chalk under the Water Framework Directive.

## Condition 6 – Piling Scheme to be Agreed

The piling/deep foundation design using penetrative methods hereby permitted by the Local Planning Authority may not commence until such time as a scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- a Foundation Works Risk Assessment;
- a conceptual site model;
- specification of the type, number, and depth of proposed piles;
- a detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports;
- a contingency action plan including the list of potential mitigation measures that will be implemented should unexpected changes in groundwater quality be noted as a result of decommissioning piling works;
- timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework and the Environment Agency's approach to groundwater protection.

### Advice

Piling has the potential to create preferential pathways, aiding the vertical migration of contaminants towards sensitive groundwater aquifers. Please refer to Piling and

Penetrative Ground Improvement Methods on Land Affected by Contamination:  
Guidance on Pollution Prevention.

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

Within SPZ1, due to the close proximity of potable abstractions, we recommend that weekly monitoring for in-situ groundwater quality parameters, including conductivity and turbidity, should be incorporated into the groundwater monitoring plan as these provide valuable on-site data that can enable rapid decision making with respect to mitigations if required. Monitoring wells installed to support a piling risk assessment should be installed to at least 5m deeper than the deepest piled foundation toe depth to capture any impacts from the proposed groundworks during and post construction.

#### Condition 7 – Drainage Scheme to be Agreed

The development hereby permitted may not commence until such time as an updated surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the proposed method of managing surface water drainage does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework.

Advice: We accept the conclusions and the justifications of utilising deep borehole soakaways as a means of surface water drainage presented in the submitted Hydrogeological Risk Assessment by RSK (ref.: 1923825 R01(01)). This document should be submitted separately as a standalone document, with its findings integrated into a final drainage strategy to be implemented as presented.

#### 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.

Permitting Advice: 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 Service 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.

Final comments: Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

#### 9.5 HCC Water Officer: [No objection]

Please be aware that Hertfordshire Fire and Rescue Service (HFRS) will be seeking a condition for the Provision of Fire Hydrants, at no cost to ourselves.

#### 9.6 Herts Archaeology: [No objection]

Having a look into this, we do not recommend any archaeology be undertaken relating specifically to the pillboxes.

#### 9.7 Herts Constabulary: [No objection]

I am content that it is the intention to build the development to the police minimum security standard Secured by Design as detailed in the Design and Access statement (6.139 page 83). However, I would like the opportunity to discuss this with the client if this application is granted.

#### 9.8 Herts Growth and Infrastructure: [No objection]

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 192 units we would seek financial contributions towards the following projects:

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	9	9
3	41	10
4+	45	2
Total	95	21

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	26	20
2	11	19
3	0	0
4+	0	0
Total	37	39

Trajectory						
Year	2025	2026	2027	2028	2029	2030
Units	0	64	64	64	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 (£1,503,130 (which includes land costs of £30,288) 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 (£276,896 index linked to BCIS 1Q2024)

Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£20,549 index linked to BCIS 1Q2024)

Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): “fairly and reasonably relates in scale and kind to the development”.

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.

9.8.1 Officer comment: Further comments were received from Herts Growth and Infrastructure due to a discrepancy which was queried by officers.

9.8.2 Herts Growth and Infrastructure Unit Second Comment: [No objection]

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 192 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	6	9
3	41	10
4+	45	2
Total	92	21

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	26	20
2	14	19
3	0	0
4+	0	0
Total	40	39

Trajectory						
Year	2025	2026	2027	2028	2029	2030
Units	0	64	64	64	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 Carpender's Park and/or provision serving the development (£1,498,808(which includes land costs of £29,670) 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 (£273,056 index linked to BCIS 1Q2024).

Waste Service: Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£20,557 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.

9.8.3 Officer note: Following changes to the tenure mix, Herts Growth and Infrastructure made the following comments:

9.8.4 Herts Growth and Infrastructure 3<sup>rd</sup> Comment: [No objection]

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 192 dwellings we would seek financial contributions towards the following projects:

<b>HOUSES</b>		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	18	0
3	41	10
4+	47	0
<b>Total</b>	<b>106</b>	<b>10</b>

<b>FLATS</b>		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	20	26
2	11	19
3	0	0
4+	0	0
<b>Total</b>	<b>31</b>	<b>45</b>

<b>Trajectory</b>						
Year	2025	2026	2027	2028	2029	2030
Units	0	0	64	64	64	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 (£1,462,385 (which includes land costs of £30,288) 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 (£276,896 index linked to BCIS 1Q2024)

Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£20,264 index linked to BCIS 1Q2024)

Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and

thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): “fairly and reasonably relates in scale and kind to the development”.

OUTLINE ONLY: Outline applications will require the ability for an applicant to recalculate contributions at the point of a reserved matters application and as such a calculation Table will be provided as part of the S106 drafting process. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to amend the dwelling mix at a later stage and the financial contribution to be calculated accordingly.

Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

#### Justification

The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021 and is available via the following link: [Planning obligations and developer infrastructure contributions | Hertfordshire County Council](#) In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.” Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states

“No payment of money or other consideration can be positively required when granting planning permission.”

The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development.

The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.

(iii) Fairly and reasonably related in scale and kind to the development. The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).

#### PLEASE NOTE THE FOLLOWING:

Consult the Hertfordshire Fire and Rescue Service Water Officer directly at [water@hertfordshire.gov.uk](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

9.9 Herts Ecology: [No objection]

9.9.1 Initial comments: [Objection]

**Summary of Advice:**

Advise- Insufficient information to determine application.

The planning officer should either:

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

**Habitats:**

Insufficient information to assess the value of the existing Habitats.

**BNG:**

Insufficient to advise on the accuracy of the submitted metric.

Proposed BNG is significant enhancement, secure with an S106.

**Conditions:** Lighting, CEMP, Compliance report (tree removal), Species Enhancement Plan. securing use of the approved base line.

Location: The site is located within the Ecology Consultation Zone.

**Habitats**

Surveys: Field visit 10th April 2024, the survey was completed outside of the optimal botanical survey season (May-August inclusive).

Grasslands– Notwithstanding the above limitation the ecological appraisal made a preliminary assessment that the fields were other neutral grassland, this assessment is consistent with Herts Ecological network mapping. The latter however is reliant on remote sensing and cannot be relied on without supporting ground surveys. The Ecological Appraisal also stated the grassland are used for horse grazing and sufficiently altered and impacted by this to make them unsuitability for species of reptile. I note the accompanying biodiversity metric assesses the grasslands as modified grassland. The Ecological appraisal states that “further survey at a suitable time of year are required to confirm the grassland type” and recommends a UK Habs & Botany update survey carried out May-August. Consequently, in the absence of further botanical survey work, I can not advise the LPA has sufficient information to be able to assess the value of the existing habitats. Furthermore, the information is insufficient to support the assessments within the biodiversity metric.

Veteran trees, A number of oak trees are described as veterans in the tree reports (number 43,5,12 and 24 to 26,). These are classified as irreplaceable habitats and should be retained in full. The Tree constraints report includes Natural England's recommended- 15 x stem diameter buffer around these trees. The BNG report states that Layout was modified to ensure all veteran trees, and their root protection zones are retained. This must be fully complied with.

**Protected Species:**

Bats: Ground level visual tree assessment (GLVA) – identified 7 trees with features suitable to support individual bats or very small numbers (PRF-I), and 21 trees with features suitable to support multiple bats (PRF-M). Survey limitations meant that the Lime tree 21 was

assessed as a precaution it was assessed as PRF-M. The Pillbox as having a low roosting potential for bats.

At least 9 different species of bat were recorded bat using the Site, with most observations being of common pipistrelles. . the woodland, central treeline and southern treeline were identified as important features for commuting and foraging bats. This use is likely facilitated by the current low lighting levels are across the Site. Un licenced measures to safeguard against negative impacts on the foraging and commuting behaviour of bats from lighting are outlined in the Bat Survey & Mitigation Strategy, 07 May 2025. These should form part of a sensitive lighting plan, and I advise are secured by Condition such as the following:

*A lighting design strategy for bats shall be submitted to and approved in writing by the LPA. This should be informed by section 5.14-5.15 of the Bat Survey & Mitigation Strategy, 07 May 2025 by ERP. It should accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be shown in suitable contour plans and charts and accord with best practice (Guidance Note 08/23: Bats and artificial lighting in the UK. ILP, (BCT & ILP, 2023.). No external lighting should be allowed to exceed these limits, unless agreed with by the LPA, either during (if important for long-term construction projects) or post-development.*

The pill box is being retained, and tree loss is limited with all trees listed with PRFs being retained except Tree 23. This has a PRF-I suitability (potential to support a single or low numbers of bats). Consequently, I advise that a method statement detailing non licensed methods statement informed by sections 5.5-5.8 of the Bat Survey & Mitigation Strategy, 07 May 2025. should form part of the CEMP (see below). I further advise that a compliance report is secured by condition such as the following or similar.

*“Following removal of Tree 23, a report from an appropriately qualified ecologist confirming that all the actions within the appropriate non licensed method statement have been complied with and completed shall be submitted to and approved in writing by the LPA.”*

Other protected species: Further surveys were not recommended for breeding birds, great crested newts or reptiles. I have no reason to dispute this. I advise that the mitigation suggested in the separate species surveys as well as standard mitigation to protect, breeding birds, terrestrial mammals and reptiles are included within a CEMP.

Protected species mitigation- General: In order to ensure that protected species are suitably safe guarded and that any permission granted for this application is consistent with the principles relating to the mitigation hierarchy embed within the NPPF. I advise a Condition requiring a Construction Environmental Management Plan (Ecology). This should include the mitigation/ compensation measures outlined in the supporting ecology reports as well as standard mitigation to protect, breeding birds, terrestrial mammals and reptiles.

“No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Bat Survey & Mitigation Strategy 07 May 2025.).
2. Risk assessment of potentially damaging construction activities.
3. Identification of ‘biodiversity protection zones’
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. *The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).*

6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

*Reason: To ensure sensible working practices which protect ecology on and adjacent to this site.*

Enhancements: The Ecological report includes recommendations for species enhancements I advise the installation of these will allow the application to be policy compliant with section 187d of the NPPF and Local policy-. I advise these are secured by the following Condition or similar

*Prior to the commencement of development, a Species Enhancement Plan for Protected and Priority Species shall be submitted to and approved in writing by the Local Planning authority. The Plan should be informed by section 5.16- 5.20 including table 5.1 and 5.2 of the Bat Survey & Mitigation Strategy, 07 May 2025 by ERP. and Taylor Wimpey's Environmental Strategy 2021*

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

- a) Purpose and conservation objectives for the proposed enhancement measures
  - b) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
  - c) Detailed designs to achieve stated objectives.
  - d) Materials and construction to ensure long lifespan of the feature/measure
  - e) Proposed Locations shown by suitable maps and plans and where appropriate the elevations of the features or measures to be installed or undertaken.
  - f) When the features or measures will be installed within the construction, occupation, or phase of the development,
  - g) Persons responsible for implementing the enhancement measures
  - h) Details of initial aftercare and long-term maintenance (where relevant)
- Thereafter, the biodiversity enhancement measures shall be carried out and maintained for their designed purpose in accordance with the approved details including timescales and shall be retained as such thereafter.*

#### Biodiversity net gain (BNG)

#### BNG- Pre Determination

Minimum BNG information pre- determination:

Mandatory BNG Baseline supporting information insufficient to advise on the accuracy of the submitted metric.

Information		Further comments	
1.	Survey information	Insufficient information to assess distinctiveness	See below
1.	Survey information	Insufficient information to	See below

## asses Habitat Condition

1 & 2 see habitat comments above. In order to overcome this objection and ensure that the LPA can be confident in the UK habitat assessment the results of the UKHabs & Botany update survey should be provided. This should be in a report form including sufficient detail to allow scrutiny of the assessed habitat types against their UK habitat definition. In particular, given the initial survey results and the remote sensing data, sufficient evidence should be submitted to demonstrate how the grassland meets or fails to meet the following 4 criteria for other neutral grassland listed in the UK habitats definition.

- cover of broadleaved herbs and sedges,
- the number of species per meter squared,
- the number of grass species present that are indicative of agricultural intensification,
- the % cover of rye-grass sufficient to justify the modified grassland assessment.

This information should be defined by the results of 1m<sup>2</sup> quadrat studies. In addition, the methodology for assessing habitat condition should be provided. This should be supported by condition sheets. Survey data and quadrat data should be included in the appendix. Veteran trees are appropriately recorded as irreplaceable habitats within the baseline.

Net gain: A Metric showing an overall net gain greater than 10% that meets the trading rules has been submitted. This proposes to be achieved by delivering an onsite net gain of +2.59 habitat units resulting in a 15.51% increase and +3.43 hedgerow units delivering a net gain of 37.67%. **However, the acceptance of these values is dependent on the provision of acceptable survey information.**

### **BNG- Determination**

**Until sufficient information has been submitted to allow scrutiny of the accuracy of the base line habitats the application should not be determined.**

Significant Onsite Enhancement: The proposed BNG includes areas of medium distinctiveness habitats. As a result, I advise that the On-Site enhancements should be considered Significant Enhancement and in this case is secured by aS106, or a conservation covenant, for at least 30 years after the development is complete. I advise that account is taken in any such agreement of the cost to the LPA of reviewing any required monitoring reports, this should reflect the medium site size and moderate difficulty of creating and managing the habitats.

Habitat Management and Maintenance Plan (HMMP): I advise the means by which the proposed Significant Onsite Enhancement will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP). The approved HMMP should be secured as part of the S106. I would also advise that this includes the use of the HMMP Template published by Natural England. The HMMP should also include the management of the retained habitats including the veteran trees. The HMMP should also incorporate and be consistent with any enhancements of existing habitat or habitat creation advised for protected species.

The Biodiversity Net Gain Plan should be prepared in accordance with the base line of the approved metric quoting its completion date and version number. and I advise this element is secured by Condition.

### **BNG-Post Determination**

Biodiversity Gain Plan: I advise this is completed using the government template.

In order the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- completed metric tool calculation
- pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale)
- a compensation plan if the development affects irreplaceable habitats
- biodiversity net gain register reference numbers if they're using off-site units
- proof of purchase if they're buying statutory biodiversity credits
- a description of how they will manage and monitor significant on-site gains (for example, With a habitat management and monitoring plan) and how this has been secured.

9.9.2 Officer comment: Further information was submitted by the applicant and Herts Ecology were re-consulted

9.9.3 Herts Ecology Second Comment: [No objection]

Summary of Advice	
Application can be determined with conditions and informatives listed.	<b>BNG:</b> <ul style="list-style-type: none"><li>• Sufficient BNG information for determination.</li><li>• Proposed BNG is significant enhancement, secure with an S106.</li></ul> <b>Conditions:</b> Lighting, CEMP, Compliance report (tree removal), Species Enhancement Plan. Securing use of the approved base line.

Comments and recommended Conditions and Informatives:

Revised comments regarding Habitats and BNG.

Location: The site is located within the Ecology Consultation Zone  
Habitats

Surveys: Further details have now been provided confirming that a further botanical survey in addition to the survey of the 10th of April 2024 was carried out on the 28 June 2024 which is within the optimal survey period. ed.

Grasslands—Previously, although the likely presence of other survey data was indicated, the only information provided was from the initial April Survey. This was indicative of the modified grassland assessment made as was its use as a Horse paddock, however, the limitations of the data and the presence of contrary information, all be it also with its own limitations, meant I was unable to advise that the LPA could be confident in the base line assessment. The results of the 28 June 2024 survey as they relate to grasslands have now been provided. This includes both comprehensive species and frequency information as well as a systematic comparison against the UK habitat definitions for other neutral and modified grassland. Condition assessment methodology and information has also been provided

The assessment of the grasslands present in PG1-7 is not an easy fit, but this probably reflects the short comings of the UK habs system in reference to rank habitats rather than the survey, though I note frequency information is not provided.

Overall, I consider the base line information now provided to be robust and assess that it can be relied on to inform the BNG assessment.

Biodiversity net gain (BNG)

### BNG- Pre Determination

Minimum BNG information pre- determination: A base line habitat map and statutory metric sufficient to meet the minimum requirements for BNG predetermination have been submitted

The metric calculation tool (Mandatory Metric) V3 - revised 05/08/25 shows base line values of 16.89 Habitat Units and 9.11 Hedgerow units. I have no reason to doubt these values.

Net gain: A Metric showing an overall net gain greater than 10% that meets the trading rules has been submitted. This proposes to be achieved by delivering an onsite net gain of +2.40 habitat units resulting in a 14.20 % increase and +3.43 hedgerow units delivering a net gain of 37.67%.

### BNG- Determination

Metric Version: The Biodiversity Net Gain Plan should be prepared in accordance with the base line within the updated metric V3 - revised 05/08/25 unless amended with the agreement of the LPA. I advise this element is secured by a Condition listing the Completion date and Iteration number.

Significant Onsite Enhancement: The proposed BNG includes areas of medium distinctiveness habitats. As a result, I advise that the On-Site enhancements should be considered Significant Enhancement and in this case is secured by aS106, or a conservation covenant, for at least 30 years after the development is complete. I advise that account is taken in any such agreement of the cost to the LPA of reviewing any required monitoring reports, this should reflect the medium site size and moderate difficulty of creating and managing the habitats.

Habitat Management and Maintenance Plan (HMMP): I advise the means by which the proposed Significant Onsite Enhancement will be created and enhanced (the capital works) and then managed for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP). The approved HMMP should be secured as part of the S106. I would also advise that this includes the use of the HMMP Template published by Natural England. The HMMP should also include the management of the retained habitats including the veteran trees. The HMMP should also incorporate and be consistent with any enhancements of existing habitat or habitat creation advised for protected species.

### BNG-Post Determination

Biodiversity Gain Plan: I advise this is completed using the government template.

In order the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- completed metric tool calculation
- pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale)
- a compensation plan if the development affects irreplaceable habitats
- biodiversity net gain register reference numbers if they're using off-site units
- proof of purchase if they're buying statutory biodiversity credits
- a description of how they will manage and monitor significant on-site gains (for example, With a habitat management and monitoring plan) and how this has been secured.

#### 9.10.1 Initial comments: [Objection]

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

- Undertake an audit of the suitability of the existing footways/ shared use paths, cycle routes and pedestrian crossing facilities.
- Undertake an audit of the existing bus stop facilities and infrastructure in the vicinity of the proposed development. Assess likely proposed development trips and propose any necessary mitigation prior to planning determination.
- A detailed review of the most recent five-year collision data should be undertaken to identify any emerging patterns or risks and suggest necessary mitigations.
- The site access junction be designed to a 'Copenhagen Style' arrangement to prioritise pedestrian safety and convenience. It is necessary to demonstrate that the site access junction is compliant with the LTP4 (i.e. promoting sustainable travel over car based).
- Detailed design drawings for the site access junction, and all the pedestrian/cycle accesses, and any off-site highway works be submitted for further review.
- The Highway Authority recommends providing forward visibility in accordance with the HCC Place and Movement Design Guide for P2/M1 streets.
- It is required for submit detailed drawings including road profiles demonstrating alignment with HCC Place and Design Guidance.
- It is recommended that the applicant provide detailed drawings of the cycle storage facilities, including the type of stands proposed and their spacing, to ensure compliance with best practice including LTN1/20 for secure and accessible cycle parking.
- It is recommended that future analysis be supported with updated Census or NOMIS data to assess trip purpose and modal split, particularly for walking, cycling, and public transport, to ensure alignment with local active travel and sustainable transport policies.
- A standard condition will be required to provide electric vehicle charging points for each residential dwelling.
- It is also required to submit the TRICS output for further review.
- It is recommended to apply the growth rate from 2024 to 2030 using NTM datasets for all roads during both peak scenarios and share the assumptions used to derive the applied growth rate.
- Trip distribution be considered for each trip purpose, with particular focus on trips made by active modes.
- An updated Travel Plan is required.
- A construction Management Plan should be submitted.

Site Description: The site is located to the east of Abbots Langley in Hertfordshire and comprised of greenfield land. It is bound to the west by Woodside Road, to the north by High Elms Lane, and to the east and south by existing homes – including the Fraser Crescent 'High Elms' residential development to the south.

The site is located an approximate 10-minute cycle from Garston Railway Station, with a majority of the route between the site and station via off-road, shared-use paths. It also lies approximately 1.5km southwest of the M25 / M1 Junction 21 and 1.1km west of the M1 Junction 6.

High Elms Lane is a 30mph single carriageway road that forms the northern boundary of the site. It connects Woodside Road to the northwest with A405 to the southeast.

Woodside Road forms the western boundary of the site and the northern and southern arms of the existing site access roundabout. The road runs as a single carriageway with intermittent street lighting and is subject to the National Speed Limit.

History: The applicant in the Planning Statement highlights that an EIA screening opinion dated 27<sup>th</sup> February 2025 confirmed that the proposal is not an EIA development.

There is no other relevant planning history in respect of the site.

## Analysis

The following documentation has been submitted in support of this application:

- Transport Assessment (TA) (Ref. 794-PLN-TRP-00018-03) – dated 07/05/2025
- Design and Access Statement (Ref. P23-2574\_G002A) – June 2025
- Planning Statement (Ref. P19-1064\_R003v1) – May 2025
- Framework Travel Plan (Ref. 794-PLN-TRP-00018-04) – May 2025
- Refuse strategy plan- (DWG. P23-2574\_DE\_04\_A\_14) – April 2025
- Location Plan (DWG. P23-2574\_DE\_04\_D\_08) – July 2025
- Block Plan (DWG. P23-2574\_DE\_04\_K\_01) – July 2025
- Application Form

Policy Review: The applicant has submitted a Transport Assessment, and it reviews the policies including:

- National Policy Planning Framework (NPPF, December 2024);
- Planning Practice Guidance (PPG) 'Travel Plans, Transport Assessments and Statements' (2014);
- Hertfordshire Local Transport Plan (LTP4, 2018);
- Three Rivers Local Development Framework Core Strategy (2011);
- Three Rivers New Local Plan Consultation Document; and
- Three Rivers Development Management Policies Local Development Document (2013).

The Highway Authority would recommend reviewing the latest version of these policy documents. In addition, it is also recommended to review the following policies.

- HCC's Place and Movement Design Guide.
- Speed Management Strategy (2020)
- Cycle Infrastructure Design – Local Transport Note 1/20 (2020) and
- Inclusive Mobility (2021).

Reviewing LTN1/20 and Inclusive Mobility (2021) will ensure adequate inclusive accessibility to local facilities including public transport, shops and schools by active travel modes, in accordance with the Government's Gear Change policy agenda and the requirements of the Disability Discrimination Act (2005).

## **Accessibility and Inclusive Mobility**

### Walking and cycling

The TA provides description of existing walking and wheeling infrastructure, demonstrating connections between the site and nearby schools, the town centre, bus stops, and a rail station.

The TA notes the presence of a 2.5m wide shared-use path along the northern side of High Elms Lane, offering a segregated route for pedestrians, cyclists, and wheelchair users. This facility provides a direct connection to Parmiter's School and links the proposed development to the existing Fraser Crescent High Elms residential area. Beyond Parmiter's School, the shared-use path continues as a footway towards St Michael's High School and the A405 corridor. Pedestrian connectivity is maintained via a subway at the A405/Horseshoe Lane junction, extending towards Garston Park and Garston Railway

Station, thereby offering a reasonably well-connected active travel network for future residents.

Footway provision along Woodside Road is also described, with widths ranging from approximately 1m to 2m as the route progresses south towards College Road. Pedestrian crossing infrastructure at key junctions, including uncontrolled crossings with tactile paving and a Zebra crossing near Horseshoe Lane, facilitate movement within the area and connect to footways leading towards the town centre.

The TA also identifies Public Rights of Way (PRoWs) in the vicinity of the site. PRoW 61 crosses the north-western edge of the site, providing links to PRoWs 60, 62, and 64. These connections facilitate onward access to Abbots Langley town centre and recreational areas, including Leavesden Country Park, which lies adjacent to the site's boundary. Figure 2.2 of the TS shows an extract from HCC's online 'Rights of Way Viewer', detailing the nearby PRoWs in proximity to the site.

The TA highlights that the environment near the site and around Abbots Langley is relatively flat, which – in conjunction with the available shared-use path to the north of the site along High Elms Lane – provides potential for cycling

The TA highlights that the local topography around the site and Abbots Langley is relatively flat and is generally favourable for cycling. The TA notes that the shared-use route extends approximately 500 metres from west of the site's northern boundary near Parmiter's School. The path is physically separated from vehicular traffic by a verge and vegetation ranging between 3 to 8 metres in width. It highlights that the path continues along the A405, offering near-continuous off-road access to Garston Railway Station, except for a short section along Codicote Drive, which is described as lightly trafficked. The route enables an approximate 10-minute cycle journey from the site to the station, indicating good potential for encouraging sustainable travel.

Table 2.1 of the TA highlights key facilities and amenities located within 2km of the proposed development. The table highlights facilities including schools, community, shopping/retail, health & leisure and public transport stops. The applicant highlights that the proposed development will significantly increase permeability between Horseshoe Lane, Woodside Road, and High Elms Lane through the inclusion of a safe and direct active travel route through the site. Figure 2.4 demonstrates the walking time from the site to locations within the local area.

The TA also highlights (Figure 2.5) that the site is within a 10–15-minute cycling distance to the local high street in Abbots Langley. It also notes that Garston Railway Station is located an approximate 10-minute cycle from the site, whilst Kings Langley Railway Station is located an approximate 15-minute cycle from the site.

The TA claims to have applied the ATE Checklist against ten qualitative criteria, rating them on a 'Pass', 'Concern', or 'Fail' basis.

The TA highlights that the site is well located in relation to key local amenities, including schools, healthcare services, a supermarket, and public transport connections—all within walking or cycling distance. It also notes that active travel has been integrated into the early master planning stages, including provision of a high-quality internal network and access to the off-site shared-use path along High Elms Lane. Appendix 4 presents the assessment details. The connectivity to the bus stops is highlighted as a concern

#### **Active Travel Improvement:**

The Transport Assessment outlines two key pedestrian crossing interventions developed in

consultation with Hertfordshire County Council (HCC) and local council members to enhance pedestrian connectivity between the proposed development and the surrounding active travel network.

#### Woodside Road – Leavesden Country Park Pedestrian Crossing

An uncontrolled pedestrian crossing is proposed at the interface of Public Right of Way (PRoW) Footpath 61 to 64 to improve connectivity into Leavesden Country Park. The scheme includes:

- Dropped kerbs
- Tactile paving
- A short footway extension on the northeast side of the Country Park
- Relocation of the “Welcome to Abbots Langley” sign to enhance pedestrian visibility

The proposed crossing aims to strengthen access to leisure walking routes and recreational amenities. Design details are referenced in Appendix 7.

#### High Elms Lane – Existing Pedestrian Crossing

The existing crossing on High Elms Lane is retained and enhanced to support the connection from Fraser Crescent to the combined footway/cycleway and Parmiter’s Secondary School. Key proposed improvements include:

- Vegetation clearance to improve pedestrian visibility to drivers, addressing observed intervisibility issues caused by overgrown hedges
- Road markings to narrow the visual carriageway width and guide vehicles towards the centre of the road, thereby improving awareness and calming traffic near the crossing

Enhancement drawings are included in Appendix 9.

The Highway Authority notes the lack of tactile paving.

The Highway Authority also notes that the majority of High Elms Lane is narrow, unlit, and has mixed traffic. This is not considered safe for pedestrians and cyclists, including school-goers.

To align with the objectives of the National Planning Policy Framework (NPPF) paragraph 109(e) and Hertfordshire’s Local Transport Plan 4 (LTP4) – particularly Policy 1 (Transport User Hierarchy), Policy 2 (Influencing Land Use Planning), and Policy 5 (Development Management) – the TA should identify and pursue opportunities to promote walking and cycling.

At a minimum, the Highway Authority expects the applicant to undertake the following route audits.

- Audit of the suitability of the footways and crossings on routes to local facilities on existing streets and design review of the proposed footways and crossings within the proposed development on new streets in accordance with Inclusive Mobility (2021) guidance. Assess likely proposed development trips and propose any necessary mitigation or design changes prior to planning determination. It is recommended to undertake route audit using Active Travel England’s (ATE) Route Selection Tool (RST) and improvement be suggested accordingly.

Audit of the suitability of the existing cycle routes to local schools and facilities on existing streets and design review of the proposed cycle routes within the proposed development on new streets in accordance with Cycle Infrastructure Design – Local Transport Note 1/20 (2020) guidance and the emerging LCWIP. Assess likely proposed development trips and propose any necessary mitigation or design changes prior to planning determination. It is recommended to undertake route audit using ATE RST and improvement be suggested accordingly.

## Public Transport

Bus: The TS highlights that Orchard Avenue bus stops are the closest public transport nodes to the site and are located an approximate 7-minute walk (450m) from the proposed southern access. These bus stops are supported with bus shelter, seating and Kassel kerbing. The eastbound bus stop has a bus layby.

The two stops are located along Horseshoe Lane to the east of the College Road / High Road / Woodside Road / Horseshoe Lane double mini roundabout junction. The furthest extents of the site will be within approximately 800m of these bus stops. The walking time to the nearest bus stops will range between circa 5 – 10 minutes and is considered reasonable to access existing bus service.

The TA notes that Orchard Avenue bus stops serve route no. 20, offering connections to Abbots Langley, Holywell, Warners End, and Hemel Hempstead. The service operates every 10–15 minutes on weekdays (05:51–22:58) and every 15 minutes on weekends.

The Highway Authority notes Leavesden bus stop located within 800m walking distance from the site southern pedestrian access. These bus stops are supported with bus shelter, seating, bus layby and flag & pole. The bus stops are served by services 20 and 320.

The Horseshoe Lane and the College Road lack the provision of pedestrian crossing near the bus stops.

No audit of the suitability of the existing bus stop facilities and infrastructure in the vicinity of the proposed development is provided, in accordance with Bus Infrastructure in Hertfordshire (2011) guidance, Inclusive Mobility (2021) guidance and the requirements of the Disability Discrimination Act (2005).

The Bus Service Improvement Plan for Hertfordshire County Council (2021) identifies opportunities to enhance public transport provision. These opportunities are not referenced in the TA, nor are any specific measures proposed to align the development with the plan's objectives.

The development presents an opportunity to improve bus stop infrastructure through planning obligations. These could include the provision of pedestrian crossings with tactile paving. The contribution towards sustainable transport improvements will be in accordance with Hertfordshire County Councils Planning Obligations Guidance – Toolkit for Hertfordshire – January 2008.

Rail: The Transport Statement highlights that the site lies approximately 3 km from both Garston and King's Langley railway stations. Garston Station is more accessible via existing active travel infrastructure, including a segregated shared-use path along High Elms Lane, making it a practical option for travel towards Watford Junction and St Albans Abbey, with services running every 20–30 minutes. King's Langley Station offers half-hourly services to London Euston and Milton Keynes, with a single weekday morning service to Birmingham.

Road Safety: A review has been undertaken of road traffic collision data involving personal injury for a five-year period on the local highway network in the vicinity of the site. The TS highlights that data was obtained from the CrashMap Pro for the period of 01 January 2018 to 31 December 2022. It is recommended that the applicant obtain the most recent five-year collision data from the local highway authority to ensure that the assessment reflects current conditions. A detailed review of the updated data should be undertaken to identify any emerging patterns or risks and suggest necessary mitigations.

## **Road Safety Audit**

The LHA are awaiting review commentary from HCC Road Safety team, regarding the Stage 1 Road Safety Audit.

It should be noted that the Stage 1 Road Safety Audit and Designer's Response may need to be revised if further off site active / sustainable travel measures are identified.

### **Vehicle Access**

It is proposed that the residential development is served via a new priority junction on the southern side of Woodside Road.

Figure 4.1 of the TA illustrates the vehicle access arrangements including a 6m wide access and 2m wide footways on both sides to connect to the existing Woodside Road southern footway.

The TA highlights that to ensure that visibility at the proposed access accords to the relevant design standard, an ATC traffic survey has been placed on Woodside Road in the vicinity of the proposed access arrangements to establish the 85th percentile speeds.

The speed survey has been undertaken in accordance with the advice contained in the DMRB CA 185 'Vehicle Speed measurement'. The weather conditions for the duration of the survey were dry.

The results of the speed survey are as follows based on the highest average 85th percentile speeds:

- Northbound = 33.1mph
- Southbound = 34.9mph

The TA further informs that the visibility requirements are 2.4m x 53.4m to the right and 2.4m x 49.4m to the left. In addition, road users waiting to turn right into the proposed access from Woodside Road can also see beyond the required stopping sight distance. This is considered acceptable.

The Highway Authority would also recommend that the site access junction be designed to a 'Copenhagen Style' arrangement to prioritise pedestrian safety and convenience. The access should feature a continuous footway that allows pedestrians to walk across the junction without having to step down onto the carriageway.

Any works within the highway boundary (including alterations to the footway) will need to be secured and approved via a s278 Agreement with HCC.

It should be noted that the Stage 1 Road Safety Audit and Designer's Response may need to be revised if further off site active / sustainable travel measures are identified.

### **Internal Layout**

Detailed drawings should be submitted to show adequate footways to an acceptable standard (at a minimum 2m width), dropped kerbs and tactile paving to enable safe and suitable access for pedestrians and mobility impaired users, in line with HCC Local Transport Plan Policy 1 and NPPF para 117 (a,b,c).

The applicant has submitted plans including Site Layout (DWG. P23-2574\_DE\_04\_J\_01), proposed internal layout (DWG. TRP-00018-DR-010 Rev. D) illustrating existing public footpaths and new footpaths, road layout, forward visibility at bends, visibility splay at accesses, parking arrangements, bins and cycle store.

The forward visibility at bends is designed to be 17 metres at 15 mph and visibility splays of 2.4 x 25 metres at 20 mph for all the accesses. The Highway Authority recommends

considering 20mph speed for both elements and providing forward visibility in accordance with the HCC Place and Movement Design Guide for P2/M1 streets.

The refuse strategy (DWG. P23-2574\_DE\_04\_A\_14) demonstrates that bin collection points are within 30 meters of all dwellings. Additionally, it illustrates that waste collection operatives do not need to cover distances greater than 25 meters.

It is required for submit detailed drawings including road profiles demonstrating alignment with HCC Place and Design Guidance.

### **Parking**

The TS states that the vehicle and cycle parking are provided in accordance with the TRDC vehicle and cycle parking standards.

The applicant has submitted a parking strategy plan (DWG. P23-2574\_DE-04-A-13). It highlights the provision of 401 car parking spaces. It highlights that 290 allocated parking spaces are M4(2) while 8 spaces are M4(3) compliant.

The plan also shows cycle parking spaces. However, the clarity is required regarding the type and capacity of each storage location.

It is recommended that the applicant provide detailed drawings of the cycle storage facilities, including the type of stands proposed and their spacing, to ensure compliance with best practice including LTN1/20 for secure and accessible cycle parking.

Hertfordshire County Council declared a climate emergency in 2019 and the HCC Local Transport Plan Policy 5 requires all new developments to provide EV infrastructure. The DfT's Decarbonising Transport (2021) states that in 2030 the sale of new petrol and diesel cars will cease. The NPPF paragraph 112 (e) also requires sites to enable charging. Therefore, each dwelling must be served by at least one active EV charging unit. It is recommended to submit an updated site plan demonstrating revised car parking spaces including EV spaces and any disabled parking spaces.

A standard condition will be required to provide electric vehicle charging points for each residential dwelling.

### **Servicing, Refuse and Emergency Access**

The applicant has also submitted swept path analysis for a 11.6m long refuse vehicle (DWG. TRP-00018-DR-008 Rev. D) and for a 7.9m long fire appliance (TRP-00018-DR-009 Rev. D).

The swept path analysis for refuse vehicles demonstrates that access to the site junction is achievable when approaching from the north, with the vehicle able to exit southbound.

However, it is necessary to demonstrate that the refuse vehicle can safely access the site from both directions and exit in either direction to ensure full operational flexibility.

The swept path analysis for refuse vehicles illustrates that they can reach within 25 meters of storage points. The swept path should not overrun any private entry points or parking spaces, specifically observed near plot 166.

The swept path analysis for fire appliances indicates that the vehicle can access within 45 meters from the single-family houses and the entrance for flats/maisonettes.

The Highway Authority recommends re-assessing the swept path analysis on the revised site access junction arrangements to Copenhagen Style.

### **Trip Generation**

The TA presents a trip generation and distribution analysis based on a robust development scenario of up to 200 residential dwellings. Vehicular trip rates were derived using Manual Classified Count (MCC) data collected at the Woodside Road / Moore Road roundabout, informed by observed movements from the adjacent Fraser Crescent development. This approach was pre-agreed with Hertfordshire County Council (HCC) and provides an appropriate local context for estimating trip rates.

Trip rates per dwelling were calculated from observed data and applied to the proposed 200-unit development.

- AM Peak (08:00–09:00): 109 vehicle trips (67 arrivals, 42 departures)
- PM Peak (17:00–18:00): 103 vehicle trips (59 arrivals, 44 departures)

The TRICS v7.11.3 database was used to estimate multi-modal trips, including walking, cycling, and public transport. Table 5.2 from the statement indicates:

- Car Trips: 109 (AM), 103 (PM), representing 70% mode share
- Walking/Wheeling: 36 (AM), 34 (PM), representing 23%
- Cycling: 4 (AM), 3 (PM), representing 2%
- Public Transport (Bus and Rail): 5 (AM), 4 (PM), representing 2.5%
- Taxis, Motorcycles, and Rail collectively account for the remaining trips
- In total, 156 multimodal trips are estimated in the AM peak and 147 in the PM peak.

It is recommended that future analysis be supported with updated Census or NOMIS data to assess trip purpose and modal split, particularly for walking, cycling, and public transport, to ensure alignment with local active travel and sustainable transport policies.

It is also required to submit the TRICS output for further review.

### **Trip Distribution**

The Transport Statement outlines the proposed residential traffic distribution for the development based on 2011 Census journey-to-work data for the Three Rivers 002 MSOA. It reports that 47% of vehicular trips would be northbound via Woodside Road, while the remaining 53% would head southbound. Of the southbound trips, 46% are expected to use High Road and 7% College Road.

The Highway Authority would like to highlight that the assessment solely focuses on vehicular journey-to-work data and does not account for other key trip purposes. The absence of National Travel Survey (NTS) data limits the understanding of travel for education, shopping, healthcare, and leisure—factors essential to assessing overall transport impacts. Similarly, there is no consideration of active travel trip distribution, particularly walking and cycling routes to nearby facilities such as schools and local amenities.

This is essential to ensure appropriate pedestrian and cycle infrastructure, crossing points, and safe routes are provided or improved as necessary.

### **Junction Assessment**

The TA evaluates the future traffic impact of a proposed residential development of up to 200 dwellings. The study considers three junctions:

- Woodside Road / Moore Road Roundabout
- Woodside Road / Horseshoe Lane / High Road / College Road Double Mini Roundabout
- Woodside Road / Site Access Priority Junction

The TA highlights that the scope was agreed with Hertfordshire County Council (HCC) during pre-application discussions.

Forecast traffic growth was derived using DfT's TEMPRO v8.1 and the National Trip End Model (NTM) for Three Rivers 002 MSOA. Growth factors applied were:

- Morning Peak (2024–2029): 1.0379
- Evening Peak (2024–2029): 1.0346

Three future scenarios were modelled:

- 2024 Base: Observed weekday AM and PM peak
- 2030 Base: Projected traffic with TEMPRO growth
- 2030 Base + Proposed Development: Including development traffic (AM and PM peak)

Assessment was undertaken using Junctions 10 software to model flows, queue lengths, and RFCs (ratio of flow to capacity).

a) Woodside Road / Moore Road Roundabout

As per Table 6.1, this junction operates well within capacity under all scenarios:

- Max RFC observed: 0.40 in 2030 Base + Development (PM peak)
- Queues: No significant queuing noted across arms

b) Woodside Road / Horseshoe Lane / College Road Mini Roundabout

Table 6.2 shows this junction also operates within acceptable limits:

- Max RFC: 0.68 (Woodside Road arm in PM peak – 2030 Base + Development)
- Junction arms assessed as combined links (AB and CD), assumed to operate at high LoS (A)

c) Woodside Road / Site Access Priority Junction

Table 6.3 indicates this proposed junction also performs within capacity:

- Max RFC: 0.09 (AM and PM peak)
- Queues: < 0.2 PCUs

The Highway Authority notes that, whilst it has been stated that the impact on the highway network will be assessed five years post planning application, the growth rate has been applied from 2024 to 2029, rather than from 2024 to 2030. Clarification on this discrepancy would be appreciated.

Additionally, it is recommended to share the assumptions used to derive the applied growth rate. Our assessments using NTM datasets for all roads indicate a higher growth rate in both the AM and PM peak scenarios.

**Travel Plan**

HCC Travel Plan team has reviewed and commented upon the Framework Travel Plan. The comments are listed below:

This Travel Plan has been called a 'framework' Travel Plan when in fact it is an interim Travel Plan. The term 'framework' applies to sites with multiple land uses.

The Travel Plan states that the Orchard Ave bus stops, which are the nearest, are 450m away, but with the furthest extents of the site being 800m away – this is over the recommended accessibility criteria for bus services, which is likely to make bus use relatively unattractive. Route 320 calls at these stops as well as route which is mentioned.

Service frequency is not as frequent on the Abbey Line as is stated – frequency is more like every 45mins -1 hour (not every 20-30 mins as stated).

This Travel Plan will need amendment before we can approve, in particular in relation to: Travel Plan duration, provision of interim mode shift targets, and a commitment to annual monitoring.

Detailed comments are as follows:

#### Travel Plan Management

- Contact details of the Travel Plan Co-Ordinator and that of a secondary contact in case of personnel changes should be made available to HCC on appointment. Time allocated to role and frequency on site should be given once known.
- A residential Travel Plan is expected to be in place until 5 years post full occupation (subject to targets being met).
- We require a statement of management commitment from a suitable member of senior management - this demonstrates commitment to the robust implementation of the Travel Plan. This should be provided prior to occupation of the site.

#### Measures

- These are generally appropriate.
- We require provision of residential travel vouchers (see paragraph 4.14-4.15 p13 of our Travel Plan Guidance (see [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans)) to the value of £50 per flat, £100 per house (index-linked to RPI from May 2014). These ideally should be redeemable against multiple sustainable modes to maximise uptake. Vouchers towards bus services should be discussed with our Integrated Passenger Transport Unit.
- Promotion of our Intalink website for bus information (<https://www.intalink.org.uk/>), our cycling webpages (<https://www.hertfordshire.gov.uk/services/health-in-herts/keep-active/hertfordshire-cycling.aspx>), and Hertfordshire Health Walks (<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-management/hertfordshire-health-walks/hertfordshire-health-walks.aspx>) should be included.

#### Targets, monitoring and action plan

- TRICS data is provided as an indication of potential baseline mode split, but no interim mode shift targets are provided – we do require this. We are looking for a min 10-15% mode shift away from single occupancy vehicle use (percentage change) for a Travel Plan that is in place for 5 years.

Obviously measures and targets can be reviewed following data obtained at the baseline survey and be reflective of changing opportunities at the site and feedback from residents.

- Paragraph 7.4 appears to indicate annual monitoring, but other references appear to suggest alternate year only. We do require annual monitoring. This should take the form of traffic counts, ideally using TRICS SAM standard methodology, which should be supplemented by feedback from residents obtained through personalised travel planning or via the forum mentioned.

#### Fees

We require an Evaluation and Support Fee of £1200 per year (for the residential Travel Plan which should be in place until 5 years post full occupation) index linked to RPI from March 2014.

#### **Construction Traffic Management Plan**

HCC would require a full Construction Traffic Management Plan to ensure construction vehicles would not have a detrimental impact on the highway network. A condition would be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety.

A Construction Traffic Management Plan would be required for all phases of construction. Measures would also be required to protect users of the local road network from hazards

arising from undue damage caused by large numbers of HGVs associated with the construction of the development.

### **Contributions**

St Albans City and District Council has not got an adopted Community Infrastructure Levy (CIL) regime in place, and consequently all obligations will need to be secured through S106 Agreement. Contributions towards local transport schemes will be sought if appropriate, and specific mitigation measures will be required to be delivered or fully funded to make the impact of the development acceptable, in accordance with the NPPF.

For new residential developments, a contribution of £6,826 per dwelling plus SPONS indexation is required. Therefore, based on the proposed development of 192 dwellings the total developer contribution to active travel would be £1,310,592 plus SPONS indexation.

### **Conclusion**

In summary, HCC as the highway authority recommend refusal of the planning application, subject to receipt of additional details as identified herein

9.10.2 Officer comment: The applicant submitted further information and the following comments have been received from Herts Highways.

9.10.3 Herts Highways Second Comment: [No objection]

#### **ADDITIONAL INFORMATION/AMENDED**

Construction of 192no. dwellings (Use Class C3), public open space, landscaping, new vehicular access and pedestrian accesses and associated infrastructure

Recommendation: Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

#### **Condition 1: Cycle Parking.**

Prior to the first commencement of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be designed in line with DfT LTN1/20 standards and shall be fully implemented before the development is first occupied (or brought into use) and thereafter retained for this purpose.

Reason: To ensure the provision of cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

#### **Condition 2: Offsite Highway Improvements**

A) Design Approval: Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on the submitted drawings have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Additionally, the drawings at the proposed access must resolve the Road Markings safety issue found in the HCC RSA S1 review (existing carriageway width and proposed centre line), and requires roads with a width of less than 5.5 metres should not be marked with a centreline.

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

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018)

### Condition 3. Construction Management Plan

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

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

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

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

AN1) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN2) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via

the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/developmentmanagement/highways-development-management.aspx> or by telephoning 0300 1234047.

AN3) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4) Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by [emailingtravelplans@hertfordshire.gov.uk](mailto:emailingtravelplans@hertfordshire.gov.uk)

#### Planning Obligations & Agreements

##### S106 (Town & Country Planning Act 1990)

A Full Travel Plan will be required to be in place from first occupation until 5 years post full occupation. A £1,200 per annum (index linked RPI March 2014) Evaluation and Support Fee must be secured by Section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance.

Further details of the Travel Plan review can be found under the subsection 'Travel Plan' of this statutory consultee response and informative. HCC Strand 1 contributions are required to enable the site to be non-car dominant, support sustainable travel and follow a Vision-led approach. To archive this, a total of £1,310,592 plus SPONS indexation is requested to fund bus stop and service improvements to support connections to schools, employment opportunities and key local facilities and amenities to Watford, London fringe, and surround areas (further details in South West Growth & Transport Plan). Contribution will also be used for enhanced local ped/cycle crossings, alongside active travel schemes in the vicinity of the area that help connect to key local facilities and transport hubs.

##### S278 (Highways Act 1980)

A Section 278 agreement will be required between the applicant and HCC. Details of the S278 process is stated above in Informative AN2.

Further details of the offsite works have been detailed under the subsections 'Design Considerations' and 'Mitigation' of this statutory consultee response.

#### COMMENTS / ANALYSIS:

The Highway Authority's previous response dated 17th July found an number of issues.

The applicant has since submitted three technical notes in response:

- Technical note (794-PLN-TRP-00230-08) – 14 August 2025
- Personal injury accident data technical note (794-PLN-TRP-00230-07) 31 July 2025
- Technical response note in response to Herts Highways (794-PLN-TRP-00230-06) -30 July 2025.

## **Design Considerations**

### **Walking and cycling**

Previously, HCC in its response dated 17 July 2025, highlighted a few concerns regarding the existing pedestrian crossing at the High Elms Lane. The Highway Authority noted the lack of tactile paving along with the fact that the majority of High Elms Lane is narrow, unlit, and has mixed traffic and is therefore not considered safe for pedestrians and cyclists, including school-goers. As such, the Highway Authority recommended to undertake active travel route audits using ATE toolkits.

A virtual meeting was held between Hertfordshire County Council (HCC) and the applicant, during which it was discussed and agreed that a full detailed active travel audit would not be required. Instead, it was mutually agreed to focus on the consideration and delivery of targeted localised active travel improvements. The submitted Technical Note (ref. 794-PLN-TRP-00230-08) highlights that following the discussion with HCC, it was identified that adjustments to the proposals for the High Elms Lane crossing would be beneficial as well as some crossing enhancements to access the Horseshoe Lane bus stops.

The submitted drawings, referenced as 794-PLN-TRP-00230-DR-001 and 794-PLN-TRP-00230-DR-002, set out the proposed enhancements to the pedestrian crossings at High Elms Lane and at the Horseshoe Lane / Orchard Avenue junction respectively.

The proposed improvements for High Elms Lane, as illustrated in drawing 794-PLN-TRP-00230-DR-001, include the installation of tactile paving, the introduction of white lining to visually narrow the carriageway at the pedestrian crossing, and upgrades to lighting provision. In addition, it is proposed to trim hedges along specified sections on either side of the crossing, enhancing visibility and safety. These measures are considered satisfactory.

At the Horseshoe Lane / Orchard Avenue junction, the applicant has detailed the provision of dropped kerbs and tactile paving on Horseshoe Lane, alongside the removal of verge to enable the installation of tactile paving. Furthermore, tactile paving is proposed along Orchard Avenue to facilitate safer pedestrian crossing at the junction with Horseshoe Lane. These interventions are also deemed appropriate.

### **Public Transport**

**Bus:** The Highway Authority has previously observed that pedestrian crossing facilities are lacking on both Horseshoe Lane and College Road in the vicinity of the bus stops. Additionally, no assessment has been undertaken regarding the adequacy of the existing bus stop infrastructure and facilities near the proposed development site.

It was further recommended to review and consult the Hertfordshire County Council Bus Service Improvement Plan (2021), which outlines opportunities to enhance local public transport provision.

The applicant (Technical Note ref. 794-PLN-TRP-00230-06) highlights that the existing nearest bus stops on Horseshoe Lane are provided with bus border kerbs and shelters with seating. The College Road stops are also provided with shelters and seating.

It also highlights that the multi modal trip analysis provided in Table 5.2 of the TA predicts 4 total bus trips in the morning peak hour and 3 in the evening peak hour. The Highway Authority note this fails to follow a Vision-Led approach however are willing to take a pragmatic approach as per the paragraph below which will support public transport use and reduce the car dominance of the site.

The applicant asserts that the current bus stop facilities are sufficient to accommodate the projected increase in demand and, at present, does not propose any enhancements. However, the applicant notes that financial contributions totalling £1,310,582 may be directed towards Hertfordshire County Council's wider plans to improve bus stops or related services.

The Highway Authority additionally acknowledges the proposed pedestrian crossings on Horseshoe Lane and at the junction with Orchard Avenue (DWG. 794-PLN-TRP-00230-DR-001 and DWG.794-PLN-TRP-00230-DR-002 attached to the Technical Note 794-PLN-TRP-00230-08) and considers these measures satisfactory.

**Rail:** The Transport Assessment highlights that the site lies approximately 3 km from both Garston and King's Langley railway stations. Garston Station is more accessible via existing active travel infrastructure, including a segregated shared-use path along High Elms Lane, making it a practical option for travel towards Watford Junction and St Albans Abbey, with services running every 20–30 minutes. King's Langley Station offers half-hourly services to London Euston and Milton Keynes, with a single weekday morning service to Birmingham. This distance exceeds recommended distances to encourage public transport use so therefore contributions towards nearby schemes to create high quality active travel routes will be requested, as per the planning obligations subsection below.

**Road Safety:** Previously, the Highway Authority advised that the most recent five years of Personal Injury Collision (PIC) data should be sourced directly from Hertfordshire County Council (HCC) to ensure a comprehensive assessment.

The applicant has submitted a 'Personal injury accident data technical note' (ref. 794-PLN-TRP-00230-07). The Technical Note highlights that Personal Injury Accident (PIA) data has been obtained from HCC for the most recently available five-year period, covering 01 January 2020 to 31 December 2024. Data has been obtained on Woodside Road and Chequers Lane, and includes the junctions with High Elms Lane, Moore Road, and Horseshoe Lane / High Road / College Road.

The analysis revealed that a total of five accidents were recorded in the study area during the assessed period. Of these accidents, four resulted in slight injury and one resulted in serious injury. No accidents resulting in fatal injury were recorded in the study area during the assessed period.

The Technical Note notes that accidents recorded on the local highway network are attributable to factors unrelated to the design of the highway network and concludes that there are no existing road safety issues associated with the design of the local highway network in the study area surrounding the site.

#### **Road Safety Audit**

The Stage 1 Road Safety Audit Report submitted by the applicant has been reviewed by the HCC.

The RSA Recommendations must be implemented at the Detailed Design stage.

An outstanding issue that has been recommend to be resolved in the planning condition is:

Road markings- The reviewer has concerns regarding the combination of the existing carriageway width and the proposed provision of a centreline. As a general principle, roads with a width of less than 5.5 metres should not be marked with a centreline, as this can encourage inappropriate positioning and reduce available running width. This issue is particularly significant where the centreline would be overrun by larger turning vehicles at the proposed junction, potentially leading to driver confusion or conflict.

### **Vehicle Access**

It is proposed that the residential development is served via a new priority junction on the southern side of Woodside Road.

Figure 4.1 of the TA illustrated the vehicle access arrangements including a 6m wide access and 2m wide footways on both sides to connect to the existing Woodside Road southern footway.

The TA highlighted that to ensure that visibility at the proposed access accords to the relevant design standard, an ATC traffic survey has been placed on Woodside Road in the vicinity of the proposed access arrangements to establish the 85th percentile speeds.

The speed survey has been undertaken in accordance with the advice contained in the DMRB CA 185 'Vehicle Speed measurement'. The weather conditions for the duration of the survey were dry.

The results of the speed survey are as follows based on the highest average 85th percentile speeds:

- Northbound = 33.1mph
- Southbound = 34.9mph

Previously, HCC deemed the visibility splays of 2.4 metres by 53.4 metres to the right and 2.4 metres by 49.4 metres to the left to be acceptable. However, the Highway Authority recommended that the site access junction be designed as a 'Copenhagen Style' crossing to prioritise pedestrian safety and convenience. This arrangement incorporates a continuous footway, allowing pedestrians to cross the junction without the need to step down onto the carriageway.

A drawing illustrating a Copenhagen crossing for site access has been prepared. The applicant has submitted this drawing (ref. 794-PLN-TRP-00018-DR-006 Rev. B), attached to Technical Note (ref. 794-PLN-TRP-00230-06). The visibility splays remain the same. In addition, the design of the Copenhagen crossing accommodates the swept path of a large refuse vehicle (DWG. 794-PLN-TRP-00018-DR-007 Rev. C). This provision is considered acceptable by the Highway Authority.

Any works within the highway boundary (including alterations to the footway) will need to be secured and approved via a s278 Agreement with HCC.

### **Internal Layout**

Previously, the Highway Authority recommended to submit detailed drawings showing adequate footways to an acceptable standard (at a minimum 2m width), dropped kerbs and tactile paving to enable safe and suitable access for pedestrians and mobility impaired users, in line with HCC Local Transport Plan Policy 1 and NPPF para 117 (a,b,c).

The applicant had submitted the plans including Site Layout (DWG. P23-2574\_DE\_04\_J\_01), proposed internal layout (DWG. TRP-00018-DR-010 Rev. D) illustrating existing public footpaths and new footpaths, road layout, forward visibility at bends, visibility splay at accesses, parking arrangements, bins and cycle store.

Previously, The Highway Authority noted that the forward visibility at bends is designed to be 17 metres at 15 mph and visibility splays of 2.4 x 25 metres at 20 mph for all the accesses and recommended considering 20mph speed for both elements and providing forward visibility in accordance with the HCC Place and Movement Design Guide for P2/M1 streets.

The applicant, referencing paragraph 7.8.2 of Manual for Streets (MfS) within Technical Note 794-PLN-TRP-00230-06, has indicated that the proposed road bend is intended to act as a deterrent to excessive vehicle speeds. As a result, the forward visibility provided at this location is considered to offer a safe arrangement. Furthermore, additional supporting information has been supplied in Technical Note 794-PLN-TRP-00230-08, demonstrating that the bends are designed for a maximum speed of 11 mph. It is also argued that providing forward visibility in accordance with a 20mph design standard may inadvertently encourage higher speeds on the bends and would negatively impact the overall site layout. The Highway Authority has reviewed these provisions and considers them acceptable.

The Technical Note (794-PLN-TRP-00230-06) also confirms providing footways at a minimum of 2m.

The refuse strategy (DWG. P23-2574\_DE\_04\_A\_14) demonstrates that bin collection points are within 30 meters of all dwellings. Additionally, it illustrates that waste collection operatives do not need to cover distances greater than 25 meters.

The Highway Authority has also commented on the requirement to submit detailed drawings, including road profiles, to demonstrate compliance with HCC Place and Design Guidance.

The Technical Note (794-PLN-TRP-00230-06) highlights that the road profiles are a matter for s38 adoption design and are not necessary to demonstrate that a layout is acceptable for detailed planning consent. The site layout will be developed as part of the s38 detailed design process and will be provided in accordance with the HCC Place and Design Guidance

### **Parking**

The TA states that the vehicle and cycle parking are provided in accordance with the TRDC vehicle and cycle parking standards.

The submitted parking strategy plan (DWG. P23-2574\_DE-04-A-13) highlighted the provision of 401 car parking spaces with 290 allocated parking spaces are M4(2) while 8 spaces are M4(3) compliant. The plan also shows cycle parking spaces.

In its previous response, HCC enquired clarity regarding the type and capacity of each cycle storage location. It was also recommended that the applicant provide detailed drawings of the cycle storage facilities, including the type of stands proposed and their spacing, to ensure compliance with best practice including LTN1/20 for secure and accessible cycle parking.

It was also recommended to submit an updated site plan demonstrating revised car parking spaces including EV spaces and any disabled parking spaces.

The applicant has highlighted (ref. 794-PLN-TRP-00230-06) that the scheme has been designed to provide cycle parking in accordance with TRDC standards of at least 1 space

per unit for dwellings and 1 space per 2 units for flats, with storage to be provided within garages / sheds for dwellings and in cycle stores for the apartments. Initial drawings of cycle parking have been provided within the submitted house type pack. This will be updated to include details of stands and dimensions as per HCC's request following receipt of the design comments - this has yet to be received and therefore has been requested by way of condition.

### **Servicing, Refuse and Emergency Access**

Previously, HCC noted and highlighted that the swept path should not overrun any private entry points or parking spaces, specifically observed near plot 166.

The swept path analysis for fire appliances indicates that the vehicle can access within 45 meters from the single-family houses and the entrance for flats/maisonettes.

The Highway Authority also recommended re-assessing the swept path analysis on the revised site access junction arrangements to Copenhagen Style.

A drawing illustrating a Copenhagen crossing for site access has been prepared. The applicant has submitted this drawing (ref. 794-PLN-TRP-00018-DR-006 Rev. B), attached to Technical Note (ref. 794-PLN-TRP-00230-06). The visibility splays remain the same. In addition, the design of the Copenhagen crossing accommodates the swept path of a large refuse vehicle (DWG. 794-PLN-TRP-00018-DR-007 Rev. C). This provision is considered acceptable by the Highway Authority.

Additionally, the applicant has submitted a revised swept path analysis for refuse vehicles, specifically updated in the vicinity of plot 166 to address the previously identified concerns. The updated refuse swept path analysis is included in Appendix 3 (DWG. TRP-00018-DR-008 Rev. E).

### **Trip Generation**

The TA presented a trip generation and distribution analysis based on a development scenario of up to 200 residential dwellings. Vehicular trip rates were derived using Manual Classified Count (MCC) data collected at the Woodside Road / Moore Road roundabout, informed by observed movements from the adjacent Fraser Crescent development. The TA highlighted that this approach was pre-agreed with Hertfordshire County Council (HCC) and provides an appropriate local context for estimating trip rates.

Trip rates per dwelling were calculated from observed data and applied to the proposed 200-unit development.

- AM Peak (08:00–09:00): 109 vehicle trips (67 arrivals, 42 departures)
- PM Peak (17:00–18:00): 103 vehicle trips (59 arrivals, 44 departures)

The TRICS v7.11.3 database was used to estimate multi-modal trips. Table 5.2 from the TA indicated:

- Car Trips: 109 (AM), 103 (PM), representing 70% mode share
- Walking/Wheeling: 36 (AM), 34 (PM), representing 23%
- Cycling: 4 (AM), 3 (PM), representing 2%
- Public Transport (Bus and Rail): 5 (AM), 4 (PM), representing 2.5%
- Taxis, Motorcycles, and Rail collectively account for the remaining trips
- In total, 156 multimodal trips are estimated in the AM peak and 147 in the PM peak.

Previously, HCC recommended to update the trip generation analysis with the updated Census or NOMIS data to assess trip purpose and modal split, particularly for walking,

cycling, and public transport, to ensure alignment with local active travel and sustainable transport policies. It further asked to submit the TRICS output as well.

The applicant in his technical note (ref. 794-PLN-TRP-00230-06) has submitted details pertaining to the Journey Purpose of Trips (NTS) for modes other than private cars. This is acceptable.

The Highway Authority has observed variation in the modal split when compared with the data obtained from Nomis 'QS701EW - Method of travel to work' for Area E00121021.

The applicant has submitted TRICS output as a part of this submission.

### **Trip Distribution**

The Transport Assessment outlined proposed residential traffic distribution for the development based on 2011 Census journey-to-work data for the Three Rivers 002 MSOA. It reports that 47% of vehicular trips would be northbound via Woodside Road, while the remaining 53% would head southbound. Of the southbound trips, 46% are expected to use High Road and 7% College Road.

The Highway Authority highlighted that the assessment solely focuses on vehicular journey-to-work data and does not account for other key trip purposes. The absence of National Travel Survey (NTS) data limits the understanding of travel for education, shopping, healthcare, and leisure—factors essential to assessing overall transport impacts. Similarly, there is no consideration of active travel trip distribution, particularly walking and cycling routes to nearby facilities such as schools and local amenities

The applicant in technical note (ref. 794-PLN-TRP-00230-06) has submitted details pertaining to the Journey Purpose of Trips (NTS) for modes other than private cars.

The technical note states that non car trips from the development can be accommodated within the existing network. The Highway Authority would agree subject to the delivery of the mitigations outlined in the planning obligations subsection below, which will significantly improve the sustainable transport network and follow an NPPF vision led approach.

### **Junction Assessment**

The TA evaluates the future traffic impact of a proposed residential development of up to 200 dwellings. The study considers three junctions:

- Woodside Road / Moore Road Roundabout
- Woodside Road / Horseshoe Lane / High Road / College Road Double Mini Roundabout
- Woodside Road / Site Access Priority Junction

Highway Authority previously observed that the applied growth rate covered the period from 2024 to 2029, rather than the required timeframe from 2024 to 2030. Furthermore, the Highway Authority recommended that the assumptions underpinning the selected growth rate be clearly provided. It was also highlighted that a lower growth rate was adopted for both the AM and PM peak scenarios. Forecast traffic growth was derived using DfT's TEMPRO v8.1 and the National Trip End Model (NTM) for Three Rivers 002 MSOA. Growth factors applied are:

- Morning Peak (2024–2030): 1.0387
- Evening Peak (2024–2030): 1.0386

Three future scenarios were modelled:

- 2024 Base (Observed): weekday morning and evening peak hours;
- 2030 Base: weekday morning and evening peak hours; and
- 2030 Base + Proposed Development: weekday morning and evening peak hours.

Assessment was undertaken using Junctions 11 software to model flows, queue lengths, and RFCs (ratio of flow to capacity).

A detailed junction modelling review was carried out by HCC and the following discrepancies have been noted:

Existing Junction:

1. The model input data for OD matrices and Vehicle Mix matrices for existing junctions 2024 base do not match the traffic survey data for Thursday 24th October 2024, provided in Appendix 5 of the original TA (dated May 2025) for Junctions 1 and 2

The OD matrix includes only cars, ignoring other vehicle types. In general practice, all vehicle types observed in the traffic count survey (e.g., HGVs, LGVs, buses, motorcycles) must be included in the OD matrix 2. This ensures accurate modelling of junction capacity and saturation flows

Similarly, the vehicle mix matrix should reflect percentage composition of HGV vehicle type (e.g., HGVs as % of total traffic), not absolute counts. Given that the base year traffic flows are inaccurate, the modelling output does not accurately reflect current conditions. Consequently, projections for future year flows lack robustness, which may adversely impact the reliability of the modelling results.

2. Discrepancies in key parameters—such as flare length, distance to the next arm, and entry corner kerb line distance These variations may potentially affect the accuracy of the modelling results.

3. The applicant used a Direct Traffic Profile with a 90-minute time period and 15-minute segments but only provided a single OD matrix for all intervals. However, a Direct Traffic Profile requires time-segmented OD matrices to reflect realistic demand variation across the time segments to capture the real shape of traffic flow. Thus, the applicant is suggested to opt for a one-hour 'direct' traffic flow profile and provide OD matrices for each 15-minute interval.

Despite the above issues with modelling, the Highway Authority are satisfied the proposals can follow a Vision led approach to supporting sustainable trips based on the mitigations outlined in the planning obligations section below.

### **Travel Plan**

The applicant previously submitted a Framework Travel Plan, which was reviewed and commented upon by HCC Travel Plan team. An updated Interim Travel Plan has now been included as part of this submission. HCC Travel Plan team has reviewed the updated interim travel plan and considers the revised submission to be both suitable and acceptable.

#### **Planning Obligations**

A Full Travel Plan will be required to be in place from first occupation until 5 years post full occupation. A £1,200 per annum (index linked RPI March 2014) Evaluation and Support Fee must be secured by Section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance.

As set out in the above response, HCC Strand 1 contributions are required to enable the site to be non-car dominant, support sustainable travel and follow a Vision-led approach. To achieve this, a total of £1,310,592 plus SPONS indexation is requested to fund bus stop and service improvements (details in SWGTP+BSIP), alongside active travel schemes in the vicinity of the area and crossing improvements. This is fundamental to support sustainable and safe connections to employment, schools and local facilities.

### **Construction Traffic Management Plan**

HCC would require a full Construction Traffic Management Plan to ensure construction vehicles would not have a detrimental impact on the highway network. A condition would

be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety.

A Construction Traffic Management Plan would be required for all phases of construction. Measures would also be required to protect users of the local road network from hazards arising from undue damage caused by large numbers of HGVs associated with the construction of the development.

**Conclusion:** The Highway Authority have reviewed the development proposals and does not wish to raise an objection subject to the inclusion of planning conditions, informatives, obligations and agreements. To make the site acceptable in transport terms and mitigate its impact through a vision-led approach (as per NPPF 2024), all off-site works and S106 obligations must be provided

#### 9.11 Herts Minerals and Waste: [No objection]

**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. British Geological Survey (BGS) data also identifies potential superficial sand/gravel deposits at the site.

The Minerals Planning Authority identifies the entirety of the Sand and Gravel Belt together with the identified resource blocks, as Mineral Consultation Areas. Planning applications submitted to the District and Borough Councils for non-minerals development that fall within a Mineral Consultation Area (other than applications which meet the 'excluded development' criteria), may not be determined until the county council has been given the opportunity to comment on whether the proposal would unacceptably sterilise mineral resources.

In accordance with paragraph 225 of the NPPF (Dec 2024) development proposals in Mineral Safeguarding Areas that might constrain potential future use for mineral working should not normally be permitted.

After reviewing the application, the Minerals Planning Authority does not consider that the proposal would have the potential to unacceptably sterilise mineral resources. The boundary of the proposed development site is adjacent existing built development. When incorporating a buffer of 100m where the site meets existing built development, the potential workable deposit is reduced to an extent which would unlikely be viable to extract ahead of development.

Whilst prior extraction is not necessary, there may still be opportunities to utilise sand and gravel resources that are found during site preparation works, should any deposits be uncovered that are of a suitable quality.

Opportunistic extraction refers to cases where preparation of a site for built development, such as excavating the foundations and footings or landscaping works, may result in suitable material being uncovered that could be extracted and processed for use on site as part of the development.

The Minerals Planning Authority would like to encourage the opportunistic extraction and subsequent use of sand and gravel deposits within developments wherever possible. Opportunistic use of minerals will reduce the need to import sand and gravel to the site and make sustainable use of these valuable resources.

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

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

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

- *the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;*
- *new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;*
- *the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'*

The supporting documents to this application make no reference to the adopted Waste Core Strategy and Development Management Policies DPD (2012). The policies in the adopted DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition. Many of the policy requirements can be met through the imposition of planning conditions.

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

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP).

The 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 County of opportunity management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

**9.12 Lead Local Flood Authority (LLFA): [No objection]**

**9.12.1 Initial comment: [Objection]**

This is a full application which involves construction of 192 number of dwellings (Use class C3) with associated parking, landscaping, new vehicular access and associated infrastructure within a site area of 7.31 ha.

The LLFA notes that deep bore soakaways are proposed at the site. The updated National SuDS Standards state that deep-bore infiltration is no longer considered to follow a 'SuDS

Approach' and shall only be acceptable by exception. Upon review of the application, there are no alternative solutions for discharging surface water from the site and therefore deep-bore soakaways can be used.

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.

The main points of this are;

- 1) It has been noted that some drainage pipe invert levels and diameter in the drawing do not correspond with the calculation. Additionally, certain manhole cover levels also differ from the calculations. The applicant must provide accurate drawings that correspond to the calculations.

- 2)The block plan map (P23-2574\_DE\_04\_K\_01) shows a net developable area of 4.34 hectares, with 2.07 hectares for public open space and 0.49 hectares for ecology, from a total site of 7.31 hectares. Of this, the drainage pipe network is designed for 3.225 hectares. The applicant must submit a detailed map showing all areas, including impervious surfaces used in drainage calculations.

- 3)The report states a 10% increase in permeable area for potential urban creep, but this seems missing from the calculations. The calculation should factor in 10% urban creep.

- 4) Applicants should submit cross-section drawings for proposed swales.

- 5) 50% AEP rainfall event calculation should be submitted.

- 6) The FRA report states that overland flow paths for exceedance storm events will direct water toward open spaces and away from homes, but no details have been provided.

- 7) The applicant is required to submit a maintenance and management plan for the SuDS features, including details of the parties responsible for its maintenance.

- 8) The applicant must ensure that finished floor levels are set at a minimum of 150mm above the designated design flood levels, and this provision must be clearly accounted for in the development proposal.

- 9) 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.

- 10) The surface water drainage map used in the FRA and the block map submitted are not consistent. Applicants should ensure that all submitted maps are aligned and consistent with one another.

11)The water quality calculations should be recalculated.

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

9.12.2 Officer Comment: Further information was submitted by the applicant and the LLFA have been re-consulted.

9.12.3 LLFA Second Comment: [ No objection]

Thank you for your consultation on the above site, received on 12 August 2025. We have reviewed the application as submitted and wish to make the following comments. This is a full application which involves construction of 192 number of dwellings (Use class C3) with associated parking, landscaping, new vehicular access and associated infrastructure within a site area of 7.31 ha.

The LLFA has reviewed the submitted information and have no objection subject to conditions being attached to any consent if this application is approved, and the Applicant is in agreement with pre-commencement conditions. We suggest the following wording. If the following conditions are not included, the development would be contrary to NPPF and Local Plan policy and we would object until such time that the details below are submitted for review.

#### Condition 1

Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Flood Risk Assessment including Preliminary Drainage Strategy, 24-047-002 Rev A, dated May 2015) and Drawings (Surface Water Drainage, 24-047-001, dated October 2024) and Technical Note (24-047-TN-002) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

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

#### Condition 2

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

- i. a timetable for its implementation.
- ii. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

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

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

#### Condition 3

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Three Rivers District Council.

#### Condition 4

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

Reason: To prevent flooding and pollution offsite in accordance with the NPPF

#### Condition 5

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

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

#### Condition 6

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Flood Risk Assessment including Preliminary Drainage Strategy, 24-047-002 Rev A, dated May 2015) and Technical Note (24-047-TN-002), this includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Three Rivers District Council.

#### Informative

The LLFA wish to be re-consulted should any further amendments be made to this planning application, or, if you are aware of a specific issue which would effect flood risk or drainage at this location.

We recommend that a 3m easement is left around SuDS features for maintenance and access

#### 9.13 National Grid: [No objection]

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do: To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

*Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)*

*Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.*

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, 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 [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) or on 0800 688 588 quoting your reference at the top of this letter.

#### 9.14 National Highways: [No objection]

#### 9.14.1 Initial comments: [Holding Objection]

Referring to the consultation on a planning application dated 16 June 2025 referenced above, in the vicinity of the M25 J21/21A and M1 J6 that form part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

c) recommend that planning permission not be granted for a specified period (see reasons at Annex A)

Highways Act 1980 Section 175B is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete

#### Annex A National Highways' assessment of the proposed development

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

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the strategic road network, in this case the M25 J21/21A and M1 J6. Although M1 J6 is closest to the site, M25 J21A is known to experience severe congestion during the peak hours and further traffic added to this may present a safety concern for the SRN.

We have reviewed the Transport Assessment (TA) dated May 2025 and have outlined our comments below.

Proposal: The development proposal is for 192 residential dwellings. The proposed site will be accessed by a priority junction from Woodside Road with a pedestrian and cycle-only connection to the existing residential development, Fraser Crescent.

The design of the priority junction is illustrated at Figure 4.1 and the full design is provided in Appendix 7.

#### Trip generation

Residential trip generation has been calculated based on trip rates from surveyed vehicle movements at the existing Fraser Crescent development located to the south of the proposed development site. The surveyed vehicle movements were captured using MCC at the Woodside Road / Moore Road roundabout that provides the only point of vehicle access to the existing residential development.

Based on this approach, the anticipated trip generation is a total of 109 two-way vehicle movements in the AM peak hour (08:00-09:00) and 103 two-way vehicle movements in the PM peak hour (17:00 – 18:00) under a scenario of up to 200 dwellings. Generally, we would expect to see more vehicles departing the site in the AM peak, however, Table 5.1 shows more arrivals than departures. We have conducted an internal comparative analysis using

TRICS and have also found the opposite, i.e. more departing vehicles than arrivals in the AM peak. Please can a justification be provided for the trip rate split shown in Table 5.1? Multimodal trips have been calculated using TRICS. Table 5.2 of the TA shows the mode share breakdown for the site, including the likely multimodal trip generation for 200 dwellings across the morning and evening peak periods. It is anticipated that the vehicle trip generation outlined above will account for 70% of the mode share. Walking / wheeling is expected to account for 23% of the remaining mode share alongside cycling (2%), bus (2%) and taxi (1%). Motorcycle and rail travel make up the remaining 1% with 0.5% mode share each.

#### Vehicle Traffic Distribution

Census 2011 Journey to Work data was used to establish the residential traffic distribution from the existing site access along Woodside Road. It is estimated that 47% of vehicle trips will travel northbound along Woodside Road and 53% will travel southbound before splitting into High Road (46%) and College Road (7%).

Access to the SRN, via M1 J6 and M25 J21/21a, are available when travelling north and southbound from the proposed site access. The SRN can be accessed via Chequers Lane and North Orbital Road to the north, or via High Road and the A405 to the south.

Figures 9 and 10 of the traffic flow diagrams presented in Appendix 11 show the 2030 base and the proposed development vehicle trips for the AM and PM peak hours. Figure 9 suggests that 20 vehicles are expected to travel north along Woodside Road in the AM peak hour and 22 vehicles are expected to travel south. Similarly, Figure 10 suggest that 21 vehicles will travel north in the PM peak hour and 23 vehicles will travel south.

#### Traffic Impact

Section 6 of the TA sets out the anticipated future traffic impact but does not consider the potential impact of the proposed development on the nearby SRN junctions. As the M25 J21a and the M1 J6 are known to experience severe congestion during both peak periods, we are concerned that increasing traffic at these junctions may impact the safety and operation of the SRN. Therefore, to fully assess the traffic impact of the proposal on the SRN, we request that junction turning movements for the M25 J21a and the M1 J6 are provided for review.

#### Recommended Non-Approval

Given the above, it is currently not possible to determine whether the application would have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN (the tests set out in DfT Circular 01/2022 and MHCLG NPPF 2024 [particularly paras 115 to 118]). This response details the steps that need to be taken in order to resolve this issue.

In light of the above, National Highways currently recommends that planning permission not be granted (other than a refusal if the Council so wishes) for a period of three months from the date of this response to allow the applicant to resolve the outstanding matters.

This recommendation can be replaced, renewed, or reviewed during the three-month period, or at its end, dependent on progress made with regards to the outstanding matters.'

It is recommended that the application should not be approved until 7th October 2025.

Standing advice to the local planning authority: The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine

choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision led approach.

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

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

9.14.2 Officer Note: In response, the applicant provided further information and National Highways were re-consulted.

9.14.3 National Highways Second Comment: [Objection]

Thank you for re-consulting National Highways regarding this application.

We have reviewed the Technical Note provided by the applicant. Our previous response to the application highlighted concerns regarding the trip rates. In particular, we raised queries regarding the fact that Table 5.1 shows more arrivals than departures in the AM peak, which is contrary to what would be expected for a residential development and conflicts with the evidence which we can see in TRICS. We requested further justification regarding the trip generation methodology.

The applicant's justification in the Technical Note states that the methodology was agreed with Hertfordshire County Council (HCC). However, the methodology was not discussed or agreed with National Highways prior to submission of the planning application. We also note that HCC's response states that the approach "provides an appropriate local context for estimating trip rates" (our emphasis). I.e., it is appropriate for the local road network. National Highways' view is that further evidence is required to justify this approach before we can confirm that it is acceptable for the strategic road network.

Our previous NHPR response and the associated expiry date of 7 October 2025 still applies.

9.14.4 Officer comment: Further information has been provided by the applicant and was assessed by National Highways and the following comment received.

9.14.5 National Highways Third Comment: [Objection].

Thank you for your further consultation below in relation to the applicant's response to our most recent comments of 13 August.

We have reviewed the applicant's most recent submission, Technical Note (Ref: 794-794-PLN-TRP-00230-09) dated August 20, 2025, addressing the items previously raised by NH. This response is based on the Technical Note (TN) received.

Trip generation: As highlighted within our response, we are still sceptical of the trip generation data provided. While we agree with both the applicant and Hertfordshire County Council (HCC) that the residential trip rates for the proposed development can be calculated based on the surveyed vehicle movements at the adjacent site, specifically the Fraser Crescent development (i.e. Phase 1) we still have concerns regarding the accuracy and reliability of the data that was collected and submitted.

As we have stated in both our responses, based on the numerous residential trip rates provided in the past, the typical pattern of trip generation during the AM peak usually shows more departures than arrivals. However, in this case, the survey has reported the opposite.

This inconsistency raises significant questions regarding the accuracy and reliability of the survey data collected on that specific day, as mentioned in the submitted Transport Assessment (TA) as being Thursday, October 24, 2024.

Since the survey was conducted on just one day, it is challenging to determine whether the results accurately represent the anticipated trip generation for the proposed residential development (i.e., Phase 2).

We strongly recommend that the applicant undertake a resurvey of the existing Fraser Crescent Roundabout Junction with Woodside Road over a full seven-day period. This approach will yield a robust and comprehensive dataset of traffic flows, especially throughout the five-day workweek. By capturing traffic patterns across the entire week, we can effectively demonstrate the typical behaviour of this junction ensuring that any previous survey results are accurately contextualized and not overlooked as anomalies.

If the applicant's consultant chooses not to proceed with the proposed survey, NH strongly recommends conducting a comparative assessment using the TRICS database in line with best practice guidelines, to ensure robust and reliable trip rates. NH strongly advocates for the inclusion of TRICS sites to determine the mode share, as emphasised in the TA under Table 5.2. This clarification is essential to ensure a transparent and thorough site selection process.

Ultimately, NH will assess the acceptability of the scheme based on its impact on the operation and safety of the SRN. We note that the TA or the recently submitted TN's still lacks adequate evidence regarding the trip rates used. As a result, we cannot confirm whether the applicant has provided sufficient data on traffic generation and trip distribution/assignment.

For NH to evaluate the necessity of junction capacity analysis, this must be supported by appropriate and proportionate evidence.

We trust that you find these comments useful. As you are aware our current holding recommendation is in place until 7 October 2025, giving the applicant time to reply to our ongoing concerns with the above aspects in support of the application.

#### 9.14.6 National Highways Fourth Comment: [No objection]

Referring to the consultation on a planning application dated 16 June 2025 referenced above, in the vicinity of the M25 J21/21A and M1 J6 that form part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A)

Highways Act 1980 Section 175B is not relevant to this application.<sup>1</sup>

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority propose not to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete

The Local Planning Authority must also copy any consultation under the 2018 Direction to [PlanningSE@nationalhighways.co.uk](mailto:PlanningSE@nationalhighways.co.uk). This response and all comments outlined herein are made in respect of planning matters only in National Highways' position

as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

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

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "The Strategic Road Network and the Delivery of Sustainable Development" and the National Planning Policy Framework (NPPF). This response represents our formal recommendations with regards to planning application reference 25/0896/FUL.

As we stated in our previous responses dated June 27, 2025, August 13, 2025, and September 4, 2025, we have concerns regarding proposals that may impact the safe and efficient operation of the SRN, particularly at M25 Junctions 21 and 21A, as well as M1 Junction 6. Although M1 Junction 6 is the closest to the site, M25 Junction 21A experiences significant congestion during peak hours. An increase in traffic at this junction could pose a safety risk to the strategic road network.

Following our recent discussions with the applicant's consultant, it has become clear that additional information and clarification are essential. This information is crucial for us to thoroughly assess the potential impacts of the development on the SRN and make a well-informed decision.

We have reviewed the applicant's most recent submission, Technical Note (Ref: 794-794-PLN-TRP-00230-11) dated September 12, 2025, addressing the items previously raised by NH. This response is based on the Technical Note (TN) received.

#### Trip generation

As we noted in our previous responses, we remain sceptical about the trip generation data provided. While we agree with both the applicant and Hertfordshire County Council (HCC) that residential trip rates for the proposed development can be calculated based on the vehicle movements surveyed at the adjacent Fraser Crescent development (Phase 1), we have concerns regarding the accuracy and reliability of the data collected from a single survey day.

Therefore, we offered the applicant's consultant two options: either to resurvey the Fraser Crescent development over a full seven-day period, or to conduct a comparative assessment using the TRICS database, in line with best practice guidelines, to ensure robust and reliable trip rates. The consultant has opted to pursue the latter and has submitted a revised trip generation assessment using the TRICS 8 database, based on Land Use category '03 / Residential – A / Houses Privately Owned'.

National Highways has reviewed the TRICS output files provided in Appendix 2 of the applicant's consultant's TN and is satisfied with the selection of sites used for the assessment.

The proposed trip generation for the site, based on trip rate information from TRICS, indicates that the proposed 128 residential dwellings could result in approximately 99 two-way trips during the AM peak hour (08:00–09:00) and 94 two-way trips during the PM peak hour (17:00–18:00). The applicant's consultants have distributed these trips using data from the 2011 Census, specifically focusing on workplace destinations for residents within the Three Rivers 002 Middle Layer Super Output Area (MSOA). In line with previous requests, they have also mapped the vehicle trips from the proposed development to the SRN with particular emphasis on M1 Junction 6 and M25 Junction 21a.

Based on the level of vehicle activity presented within Figure 1 and Figure 2, the development is expected to generate a total of 46 and 43 vehicle trips at the M1 J6 in the morning and evening peak hours, respectively.

During the morning peak hour, 8 arrivals and 23 departures are expected to route via the M1 South, providing access towards Central London. This equates to one arrival approximately every 8 minutes and one departure approximately every 3 minutes. 21 arrivals and 9 departures are expected to route via the M1 South in the evening peak hour, equating to one arrival approximately every 3 minutes and one departure approximately every 7 minutes.

During the morning peak hour, 1 arrival and 3 departures are expected to route via the M1 North, providing access towards Luton and the north. This equates to one arrival approximately every 60 minutes and one departure approximately every 20 minutes. 3 arrivals and 1 departure are expected to route via the M1 North in the evening peak hour, equating to one arrival approximately every 20 minutes and one departure approximately every 60 minutes.

During the morning and evening peak hours, a total of 11 and 10 development vehicle trips are expected to route from the M1 Junction 6 towards the M25 Junction 21a (via A405 North Orbital Road).

It is considered that the proposed development will generate a minimal increase in vehicles per minute on each arm of the M1 Junction 6 in the morning and evening peak hours. No arm of the M1 Junction 6 is expected to increase by 30 vehicle trips in the morning and evening peak hours as a result of the proposed development.

Following on from this assessment, the proposed development vehicle trips for M25 Junction 21a during both the morning and evening peak hours have also been provided. These are illustrated in Figure 3 and Figure 4 of the applicant's consultant's TN.

As shown in Figure 3 and Figure 4, the development is expected to generate a total of 11 and 10 vehicle trips at M25 Junction 21a during the morning and evening peak hours, respectively.

During the morning peak hour, 2 arrivals and 6 departures are expected to route via the A405 North Orbital Road North, providing access toward St Albans. This equates to approximately one arrival every 30 minutes and one departure every 10 minutes. In the evening peak hour, 5 arrivals and 2 departures are expected to use this route, equating to one arrival every 12 minutes and one departure every 30 minutes.

Additionally, during the morning peak hour, 1 arrival and 2 departures are expected to route via the M25 East at Junction 21a, providing access toward Potters Bar and Essex. This equates to one arrival every 60 minutes and one departure every 30 minutes. In the evening peak hour, 2 arrivals and 1 departure are forecasted, equating to one arrival every 30 minutes and one departure every 60 minutes.

On the basis of the above National Highways considers the traffic impact of the development unlikely to result in an unacceptable impact on highway safety or a severe residual cumulative impact on the SRN, as defined by NPPF.

#### Offer No Objection – Reasons

We are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network (the tests set out in DfT Circular 01/2022, and MHCLG NPPF 2024 paragraphs 115-118) in this location and its vicinity.

#### Standing advice to the local planning authority

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

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

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

9.15 NHS England: No response received to date.

9.16 Sport England: [No objection]

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning\\_applications](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications)

If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 104 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional housing, then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in

accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

#### 9.17 Thames Water: [ No objection]

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." The developer can request information to support the discharge of this condition by visiting the Thames Water website at Development Planning Department (telephone 0203 577 9998) prior to the planning application approval. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: devcon.team@thameswater.co.uk) prior to the planning application approval.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't

materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure 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.

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

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-positionstatements>) 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

9.18 TRDC - Conservation Officer: [No objection]

9.18.1 Initial comment: [Objection] The application is for Construction of 192no. dwellings (Use Class C3), public open space,

landscaping, new vehicular access and pedestrian accesses and associated infrastructure.

The site contains a series of paddocks currently used for grazing, which are marked either by fences or trees / hedgerows. A Public Rights of Way (PRoW) (no. 61) runs through the

site from Woodside Road to High Elms Lane, connecting to PRow no. 64 to the west of Woodside Road.

There are no designated heritage assets within the site. Two listed buildings identified for assessment are Grade II listed Garston (High Elms) Manor (List Entry 1173003) and Grade II Listed Icehouse northwest of Garston Manor (List Entry 1100917). Garston Manor is a country house built in 1813 and was later extended and altered.

Three Second World War pillboxes, two recorded at the site's north-western end (6670 and 6671) and one at its south-eastern end (6627), are non-designated heritage assets.

The application site did form part of the agricultural landholding of Garston Manor during the nineteenth century. However, this was part of its wider setting rather than immediate setting. There has now been development with a modern housing estate to the north-east of Garston Manor in place of former agricultural buildings which has reduced the link between the Site and the Manor, and the Site does not currently contribute to the significance of the Manor. There is a tree belt between the two and so any intervisibility/visual impacts are likely to be very limited. On this basis, there is no harm identified to the two designated heritage assets. Landscaping and boundary treatments would be beneficial in providing screening between the two and this should be secured through a landscaping condition.

In relation to non-designated heritage assets, the submitted Heritage Assessment has identified that Pillboxes 6670 and 6671 are anticipated to have already been largely or completely removed (though elements may survive and are obscured by vegetation). The Heritage Assessment has recommended a recording condition should be applied to these prior to their complete removal. In NPPF terms, para 216 states that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The proposal will result in the complete loss of these pillboxes and as there has been no clear assessment of their current condition, their level of significance cannot be fully understood. The complete removal of the pillboxes is not supported at this stage as their degree of survival (and their significance) is unknown due to a lack of information.

The submission proposes to retain Pillbox 6627 which is still intact and located in the south-west corner of the site, within an area of informal open space which provides an appropriate setting close to the original field boundary. An informal war memorial is also situated within the red line, towards the northern end of the site adjacent to High Elms and Public Right of Way no.61. 2.4.

The Heritage Assessment recommends a Conservation Management Plan should be provided to set out how the pill box can be managed and conserved at the site during and after the development. A Heritage Strategy has also been submitted in relation to the Pillboxes and the informal war memorial associated with Halifax III Bomber, which crashed in the south-east field of the Site in 1945. The Heritage Strategy has highlighted opportunities to provide a more permanent plaque/memorial, information boards in relation to the history of the site, including the Pillboxes. This approach is supported in heritage terms. A plan showing the heritage route/memorial/boards should be submitted for approval. The proposed block plan shows the retained pillbox but does not show other elements of a proposed heritage trail such as the proposed war memorial. In addition, the location of the 'foul pumping station' close to the pillbox does not appear to be a complementary use or an enhancement of the setting of the pillbox which is a further consideration.

A Conservation Management Plan condition should be attached in relation to Pillbox 6627, the informal war memorial and associated considerations as discussed in the submitted Heritage Strategy.

Whilst the complete removal of Pillboxes 6670 and 6671 is not supported without further information on their surviving fabric and its condition, if it is considered acceptable in planning terms, a recording condition should be applied to be undertaken prior to their removal.

This response has been made with regard to Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework 2024, the relevant chapter is 16 'Conserving and enhancing the historic environment', in particular paragraphs 212, 215 and 216.

9.18.2 Officer comment: A further Technical Note relating to Heritage Assets has been submitted and the Conservation Officer has been re-consulted and the following comments received:

9.18.3 Conservation Officer (2<sup>nd</sup> Comment): [No objection]

In summary, I accept the findings of the report. If there are any below ground remains of the pill boxes, they would be of a lower level of interest and not covered under our remit.

It maybe something to consult the county archaeologist on as they would be able to state whether trial trenching for below ground remains would be necessary.

9.19 TRDC - Environmental Health Officer (Residential): [No objection]

I have reviewed the submitted Noise Impact Assessment undertaken by WSP, referenced Project No. UK00382220.1469. The assessments baseline monitoring and predictive modelling identify that the site is subject to road traffic noise from Woodside Road, High Elms Lane, and distant motorways (M1/M25). The ProPG Initial Site Risk is categorised as Medium along the north-eastern boundary and Low–Medium elsewhere.

The report would appear to demonstrate that with appropriate mitigation outlined within section 8—including targeted acoustic fencing, enhanced glazing/ventilation specifications, and good acoustic design—internal and external noise levels can be brought within the criteria of BS 8233:2014, WHO Guidelines, and ProPG. Garden areas will meet the 55 dB LAeq,16h guideline, and the overheating assessment confirms Approved Document O night-time limits can be achieved with partially open windows at worst-affected façades.

Whilst the noise assessment considers internal and external noise levels for this development, insufficient information has been provided an assessment on the impact of noise and dust pollution during the construction phase.

Based on the information available the following conditions are recommended.

1. Noise Mitigation

- Prior to the first occupation, the noise mitigation measures set out in Section 8 of the WSP Noise Impact Assessment (Project No. UK00382220.1469, May 2025) shall be fully implemented.

2.Dust Management Plan

- Prior to the commencement of development, a dust management plan shall be submitted and agreed, in writing, by the local planning authority. The dust management plan shall include best practicable means to be incorporated to minimise dust caused by earthworks and construction operations and to prevent the emission of dust from the site.

### 3.Noise Assessment – Construction Operations

•Prior to the commencement of development, a noise assessment covering noise from construction operations shall be submitted and agreed, in writing, by the local planning authority. Best practicable means shall be incorporated to minimise noise caused earthworks and construction operations.

#### 9.20 TRDC - Environmental Protection: [No objection].

Having looked at the vehicle tracking and allocated parking, it all looks fine but the rest of the kerbside would need no parking/yellow lines that are enforced by the parking shop otherwise we would not be able to service the collection points.

#### 9.21 TRDC - Housing Officer: [No objection]

Policy CP4 of the Adopted Core Strategy requires that 45% of new housing should be provided as Affordable Housing, unless it can be clearly demonstrated through financial evidence that this is not viable. As a guide, the tenure split should be approximately 70% rented (of which 70% should be social rent and 30% affordable rent) and 30% affordable home ownership (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: 19% 1-bed units, 45% 2-bed units, 30% 3-bed units, and 6% 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.

We are generally supportive of the proposed development and welcome the applicant's commitment to deliver 50% affordable housing. This is a significant contribution, particularly given the ongoing challenges in meeting affordable housing need across the district. In the first instance, social rented housing should be provided. However, if this is not viable, and Affordable Rent is agreed, then a lower percentage may be negotiated, with a maximum capped at local housing allowance rates.

9.21.1 Officer comment: Following the September Planning Committee, the applicant sought to make changes to the tenure split, including the introduction of 40 social rented units. The Housing Officer has been re-consulted and the following comments received:

#### 9.21.2 TRDC Housing Officer: [No objection]

I've reviewed the revised tenure and dwelling mix and welcome the increase in 3-bed affordable rent homes, which helps to better meet the local need for larger family accommodation.

I note that the amendment results in no 2-bed houses within the affordable rent tenure; however, there remains good provision of 2-bed accommodation overall through the 19 two-bedroom flats.

On balance, the revised mix offers a reasonable spread of unit sizes across the affordable tenures and is considered acceptable from a housing perspective.

9.21.3 Officer note: The Housing Officer has also confirmed that all affordable rented units should be capped at LHA level.

9.22 TRDC - Landscape Officer (TRDC): [ No objection]

This plan seems reasonably sensitive to the local protected and unprotected trees, so we would recommend approval subject to the following conditions:

The tree protection plan is implemented as per document 2314-KC-XX-YTREE-TPP01REV0.

T19 Scots Pine of G16/TPO354 is replaced in accordance with Section 206 (1)b of the Town and Country Planning Act 1990, as close as possible to the tree's original location.

Glyphosate and other herbicides are not used on site, in the interest of preserving the local ecology. Weeds should be removed manually.

I'd also like to request some more information regarding the "water retaining polymer" described in the bare root planting plan – what is this compound? I'd like to understand whether it is biodegradable, toxic or environmentally persistent.

9.23 TRDC - Leisure Officer (TRDC): [Comments]

After full consideration of all the documents and information relating to the above planning application, Leisure Development Officers would recommend the following, in the submission of the planning application to Three Rivers DC.

These comments are given to help the development achieve the aims of Three Rivers District Council's Local and Strategic plans and National Policy Framework sections detailed below:

- Achieving Sustainable Development
- Promoting Healthy Communities
- Health and Wellbeing
- Open space:

It is requested that the following condition is imposed which is based on:  
Officers' recommendation is that developers make a S106 contribution to the existing provisions already provided locally by Three Rivers District Council: Leavesden Country Park play area, Langley Lane play area and Leavesden Country Park.

Open Space

The figure of £324 has been calculated as the level of contribution per occupant.

Average cost for one occupant £324

Total dwellings = 192

Cost of provision £324 x = £169,776

46 1 bedroom flats = 46 occupants

30 2 bedroom flats = 60 occupants

18 2 bedroom houses = 36 occupants

51 3 bedroom houses = 204 occupants

40 4 bedroom houses = 160 occupants

7 5 bedroom houses = 28 occupants

Total occupants (estimated) = 534 occupants

- Play areas

New residential developments should have access to both LEAPs and NEAPs, within 5 minutes and 15 minutes walking time respectively. It is therefore appropriate to add the two figures together to obtain the financial contribution expected of £285.00 per occupant of the proposed development.

#### Calculation

•Total per occupant £285 x No of occupants 534  
Total for this development = £285 x 534 = £152,190

- 9.23.1 Officer comment: Officers have had regard to the comments from the Leisure Officer and consider that it would not be reasonable to seek contributions in relation to the proposed development. The application makes its own on site provision for public open space including the provision of a formalised war memorial and play on the way equipment. It would not be reasonable to seek further contributions in respect of existing play areas, particularly given that the development is CIL Liable. The proposed open space would not be transferred to the Council for management and therefore it would not be necessary or reasonable to seek the contributions required.

#### 9.24 TRDC – Planning Policy: [No objection]

The application relates to the development of 192 residential dwellings, associated community spaces, infrastructure 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 Abbots Langley) and is not previously developed land. The development would result in the net gain of 192 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 192 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:

	1-bed	2-bed	3-bed	4+ bed
<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 has previously been included in the Part 2 and Part 4 Regulation 18 consultations. From 11th June 2021 to 20th August 2021, residents, local communities, businesses and other interested stakeholders were consulted upon for “Part 2: Sites for Potential Allocation” in which the site was included as “CFS3: Land adjacent to Fraser Crescent and Woodside Road”. Similarly, the site was included in the Regulation 18 consultation “Part 4: Three Rivers’ Preferred Local Plan Lower Housing Growth Option – Protecting More Green Belt Land” was carried out from Friday 27th October 2023 to Sunday 10th December 2023. Given the site was included within Regulation 18 consultations only, this holds minimal weight in decision-making.

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

9.25 Watford Borough Council: No response received

9.26 WBC - Environmental Health Officer (Commercial): [No objection]

Based on the information available the standard full contaminated land condition is recommended on this and any subsequent applications for the site.

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

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

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

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

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>.

3. Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance

with the requirements of condition 1, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9.26.1 WBC-Environmental Health (Second comment): [No objection]

Regarding the report Project no. UK0038220 dated March 2025. We would agree with the conclusions that the development is unlikely to lead to an exceedance of the Air Quality Objectives and as such would not need to consider restriction on the site. Please note I have not reviewed the dust management aspects as this should be reviewed by the TRDC Environmental Health Team

9.26.2 Officer comment: TRDC Environmental Health Officer has advised that dust management plan should be provided via a condition.