

PLANNING COMMITTEE – 26 February 2026

25/1943/FUL - Demolition of existing building and construction of a new three storey building to provide community centre at ground floor level and 8 residential units to the two upper floors with associated landscaping, access, and parking alterations at BRITISH RED CROSS, COMMUNITY WAY, CROXLEY GREEN, HERTS, WD3 3HB

Parish: Croxley Green Parish Council

Ward: Dickinsons

Expiry of Statutory Period: 13.02.2026 (EOT Case Officer: Lauren Edwards agreed 02.03.2026)

Recommendation: That Planning Permission be approved subject to conditions

Reason for consideration by the Committee: The applicant is Three Rivers Homes Ltd, a joint venture between Three Rivers District Council and Watford Community Housing.

Development type: Minor Dwellings

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

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1 Relevant Planning History

1.1 No relevant planning history.

2 Description of Application Site

2.1 The application site is located on the corner of Barton Way and Community Way in Croxley Green. The site is currently occupied by a single storey flat roofed building that is currently in a community use. The building adjoins the Library to the south, the Library being sited on the corner of Barton Way and New Road. There is an existing car park to the west of the building, accessed from Community Way.

2.2 This part of Croxley Green is characterised by a mixture of residential, commercial and retail uses.

2.3 To the south of the site there are shops on New Road. Barton Way is characterised predominantly by pairs of semi-detached two storey dwellings. Community Way provides access to a public car park, there are also allotments to the north of Community Way. There are a number buildings (to the rear of properties in New Road) that have access directly onto Community Way including houses and flatted properties. Barton Way Recreation Ground is to the east of the site.

2.4 Development within the area is predominantly two-storeys in height, however, there are existing single storey buildings (including the application building) and three-storey buildings within the vicinity fronting New Road, including opposite the junction with Barton Way.

3 Description of Proposed Development

3.1 This application seeks planning permission for the demolition of existing building and construction of a new three storey building to provide a community centre at ground floor level and 8 residential units to the two upper floors with associated landscaping, access, and parking alterations.

- 3.2 The proposed residential units comprise of 2 x 1 bed flats and 6 x 2 bed flats with a community use retained at ground floor level. This would comprise of a community hall in an F2 use and also a Class E (g) (i) office use (which is intended to be occupied by Croxley Green Parish Council).
- 3.3 The proposed building would have a square footprint (17.7 x 17.7m). The building would be three storeys in height with two mono pitched roofs at stepped heights. It would have a maximum height of 12m. A single storey side projection is also proposed to the north which would house the refuse store. This element would face Community Way and would have a depth of 3.5m and width of 6.8m (in line with the western flank). It would have a mono pitched roof with a maximum height of 3.5m.
- 3.4 The proposal would provide 100% on site affordable housing in Affordable Rented tenure.
- 3.5 The building would be finished in white render and buff brickwork with green windows, fascias and rainwater goods to reflect the existing adjacent Library.
- 3.6 The entrance to the community use would front Barton Way with the access to the residential units via Community Way.
- 3.7 Parking for the residential units and landscaping would be provided to the north and east (fronting Barton Way and Community Way). Parking for the community use would be provided to the west (rear of the building) with a vehicle access barrier set back from Community Way. A total of 9 spaces are proposed to serve the residential units (1 per units plus 1 visitor) and 7 to serve the community use. Alterations are proposed to provide vehicle crossovers from Barton Way and Community Way.
- 3.8 A cycle store is proposed to the west of the building adjacent to Community Way and the entrance to the community use parking. This is intended to serve the residential development and would provide space for 10 cycles. To the rear (south) of the cycle store a further 4 visitor cycle spaces are proposed for the community use. The proposed cycle store would have a depth of 4m and a width of 2m. It would have a shallow mono pitched roof with a maximum height of 2.2m and would have a metal frame with timber sides.

4 Consultation

4.1 Statutory Consultation

4.1.1 Croxley Green Parish Council:

Croxley Green Parish Council notes the proposed application is out of accordance with the Croxley Green Neighbourhood Plan guidelines in terms of its scale and appearance on the street scene.

The compact ASHP's (Air Source Heat Pumps) and the Solar PV Panels are not shown on the drawings.

Officer comment: Officers have sought clarification and the Parish Council have confirmed that their comment above does express that 'the development would not be in accordance with the CGNP due to its scale and appearance within the streetscene'.

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

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:

COND1a): Highway Improvements - Design Approval

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on submitted drawing number 24005-OA-XX-XX-DR-A-17102 have been submitted to and approved in writing by the Local Planning Authority following consultation with the Highway Authority. The works shall include:

- Two new shared vehicle crossovers on Barton Way for residential parking, each at a maximum width of 7.2m, made up of six flat kerbs and 2 ramped kerbs to provide access for the 6 parking spaces;
- At least one full height kerb between the two new crossovers on Barton Way;
- An appropriate crossing pedestrian point on Barton Way to provide a safe, accessible and convenient crossing point between the site and the facilities on the opposite side of the road including the bus stop. The crossing point would need to be made up of pedestrian dropped kerbs, tactile / blister paving and a sufficient level of vehicular to pedestrian visibility;
- Pedestrian dropped kerbs and tactile/blister paving on either side of the mouth of the junction of Community Way with Barton Way.

COND1b): Highway Improvements - 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).

COND2): Construction Management Plan

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

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- d. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- e. Provision of sufficient on-site parking prior to commencement of construction activities;
- f. 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).

Informatives

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

AN1) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an

agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2) 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>

AN3) The Public Right of Way 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 overflows 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>

Comments

Context: The development site is located on the junction of Barton Way and Community Way and proposals would result in vehicles utilising both as access for the site. Community Way is a private access route with speed limit signs of 15mph throughout the road; Barton Way is an unclassified local access road subject to a 30mph speed limit and is considered highway maintainable at public expense. On Hertfordshire County Council's Place and Movement network, Barton Way is categorised as P2/M1 (e.g. Residential Street). No reportable highway collisions recorded within the immediate vicinity of the application site (5-year rolling). The County Council considers Barton Way to be a traffic sensitive road between the hours of 07:00 - 09:30 and 16:00 - 18:30, Monday to Friday.

The proposals consist of the demolition of the existing Red Cross building and the construction of a new Croxley Green Community Centre with 8 residential dwellings on the two floors above, as well as the improvement of the existing vehicular access and the implementation of three other accesses to be used for residential parking.

Considering the traffic sensitive nature of Barton Way as well as the Right of Way identified on Community Way (referenced below), a Construction Management Plan is required to ensure mitigation of any potential impact on the highway network during construction works. This has therefore been added as a condition (COND2).

Right of Way: Despite Community Way's private classification, public right of way Croxley Green 010 runs through a section of Community Way and extends beyond the road, running to the south of Croxley Tennis Club and opening into The Green. To ensure the Right of Way remains unobstructed at all times, an advisory note has been added to this application with information regarding what should happen if an unexpected obstruction occurs.

Access: The existing site allows access via a bellmouth to the west of the site approximately 30m from the junction with Barton Way. The proposed access layout (outlined in drawing number 24005-OA-XX-XX-DR-A-27102) shows an intention to relocate and widen this bellmouth to the east. The application's transport statement states that this improved access will be approximately 6m in width. This access point will serve as the access and parking area for those attending the community centre/library which is the ground floor and to the rear of the site respectively.

The proposals also include the implementation of three residential parking areas, comprising of three spaces each, which will form the parking provision for the residents of the proposed dwellings. Two of these areas will be accessed via Barton Way and the remaining area will be via Community Way.

There appears to be no indication on detailed plans how wide the proposed residential parking areas are. Hertfordshire County Council's Dropped Kerb Policy states that shared vehicle crossovers must be no wider than 6 flat kerbs and 2 ramped kerbs. Each kerb has a standard width of 0.9m. This means that the dropped kerbs must be no wider than 7.2m (including ramped/transition kerbs) in line with HCC policy.

For both the vehicular access points for residential parking the applicant will need to enter into a Section 278 agreement with the Highway Authority. This has been conditioned (Cond1a/b) and more information can be found in the advisory note section (AN1).

Parking: The application's Transport Statement notes that 11 residential parking bays are proposed across three bays. This does not appear to be reflected in drawing number 24005-OA-XX-XX-DR-A-27102 ('Proposed block plan'), which shows 9 parking spaces.

Additionally, the development application form states that 16 parking spaces will be provided, 7 of which are provided for community centre/library use, meaning 9 parking spaces will be provided for residents in line with the Proposed Block Plan drawing. This ambiguity notwithstanding, the Local Planning Authority acting also as the Parking Authority will be responsible for ensuring the levels of parking are acceptable in line with local standards.

Parking spaces have been provided with acceptable dimensions in line with Hertfordshire County Council design standards, outlined as 2.5m wide and 5m long in Hertfordshire's Place and Movement Planning and Design Guide. Each space has been provided with these dimensions.

Ten secure cycle parking spaces have been provided for residents of the dwellings and two Sheffield stands (noted as four parking spaces) for visitors.

Accessibility: The site is located in Croxley Green and benefits from a number of nearby public amenities including Barton Way play area, Croxley Green Library and Malvern Way School. A number of small retail stores line New Road. The nearest bus stops to the site are located on Barton Way and New Road (Dickinson Square) and are well within the normal desirable walking distance of 400m (outlined in Planning for Walking by the CIHT),

both provide services to nearby towns such as Hemel Hempstead. Croxley train station is a 400m (approx.) walk from the site and is a stop on the Metropolitan line.

Footways line both sides of Barton Way up towards the junction with Community Way and throughout the rest of the road. No dropped kerbs or any aspect of a pedestrian crossing point allows pedestrians to cross at the junction with Community Way, nor to cross to the other side of Barton Way in order to avoid this. To ensure occupants of the new dwellings can safely and sustainably walk around Croxley Green. we have conditioned the provision of a crossing points on Barton Way and the junction of Community Way.

Surface water flood risk to the highway: The applicant is reminded that surface water must not be allowed to flow or be discharged onto land considered highway maintainable at public expense.

Considering the extent of the development - some changes to the existing access and no changes to the levels of hardstanding within the site - as well as the private nature of the road abutting the access, the Highway Authority does not believe this development will result in an increase in the risk of a surface water flood occurring on the highway network. The application's Sustainability Statement notes that surface drainage will be considered as part of future planning stages.

The development site is also located outside of a flood risk zone and is marked as 'very low' for the possibility of surface water flooding according to the Government flood risk map.

Emergency vehicle access: The widening of the access on Community Way will improve the arrangement for emergency vehicle access as it will be easier for a fire tender with a width of 2.9m to enter the site. The Highway Authority is content that all parts of the building are within the 45m distance necessary for a fire tender to reach. In line with building regulations, a fire tender is not expected to reverse more than 20m and this will not be required in any scenario as the access road is approximately 27m in length.

The Highway Authority has identified no concerns related to emergency vehicle access.

However having considered the size of the development, the Highway Authority has asked Hertfordshire Fire & Rescue to provide any comments they have concerning emergency vehicle access.

Access for waste collection vehicles: A refuse store for both the Community Centre and the residential dwellings has been provided adjacent to residential parking spaces 7, 8 and 9 and does not require a refuse vehicle to enter the site. As a result, the Highway Authority does not believe this proposal affects existing access arrangements for kerbside collection.

Conclusion

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

4.1.3 Herts Fire and Rescue: [No objection]

HFRS have no issue re fire appliance access to the building as proposed.

4.1.4 TRDC Housing strategy team: [No objection]

Policy CP4 of the Adopted Core Strategy requires that 45% of new housing should be provided as Affordable Housing, unless it can be clearly demonstrated through financial evidence that this is not viable. As a guide, the tenure split should be approximately 70%

rented (of which 70% should be social rent and 30% affordable rent) and 30% affordable home ownership.

The Local Housing Market Assessment (2024) outlines the recommended proportions for housing mix in development proposals submitted to Three Rivers District Council. These proposals should generally aim for a mix of 19% 1-bed units, 39% 2-bed units, 30% 3-bed units, and 13% 4-bed units.

However, the identified need for affordable housing, based on the current housing register and the family composition of customers in temporary accommodation provided by the Council, suggests the following updated preferred mix: 20% 1-bed units, 45% 2-bed units, 30% 3-bed units, and 5% 4+ bed units. The primary need is for 2-bed, 4-person units, as there is a significant demand for family-sized accommodation to ensure families in temporary housing are offered permanent, suitable properties in a timely manner.

I can confirm that we would generally support this application, which proposes 100% affordable housing to be provided on site. While this exceeds the overall affordable housing requirement set out in Policy CP4, the proposal does not fully meet the policy's tenure requirements as it does not include any social rented housing.

The scheme would, however, deliver an entirely affordable development, including a number of family-sized homes, which are in identified short supply across the District. All rented units are proposed as affordable rent and it is confirmed that these rents will be capped at the applicable Local Housing Allowance. Given the significant need for family accommodation, the proposal is considered to make a positive contribution towards meeting local housing needs despite the absence of social rent provision.

4.1.5 Local Plan section: No response received.

4.1.6 HCC Footpath section: No response received.

4.1.7 Herts Ecology: No response received.

4.1.8 National Grid: No response received.

Public/Neighbour Consultation

4.1.9 Number consulted: 11

4.1.10 No of responses received: 71 objections.

4.1.11 Site Notice: 05.09.2025

Press Notice: 13.09.2025

4.1.12 Summary of Responses:

- Out of character
- Too high
- Loss of privacy/overlooking
- Noise and disruption
- Overbearing
- Parking issues
- Overdevelopment

- Community facility too small for the events
- Asset of community value only removed to facilitate demolition. Existing structure could be refurbished
- Housing prioritised over community use
- Damage from construction
- Request for replacement fencing.
- Conflict of uses-noise from community use impact flats. In turn meaning restrictions on hall impacting its viability
- Inclusion of swift bricks is pleasing however this should be secure by condition
- Bed sizes not shown clearly
- Contribution should be made to Croxley rail link

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

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

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

The Environment Act 2021.

6.2 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the National Planning Policy Framework was revised. 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 application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM4, DM6, DM8, DM9, DM10, DM11, DM12, DM13 and Appendices 2 and 5.

The Croxley Green Neighbourhood Plan Referendum Version (adopted December 2018). Relevant policies include: CA1, HO1 and HO2 are relevant.

6.4 Other

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

Affordable Housing SPD (June 2011).

7 Planning Analysis

7.1 Principle of development

7.1.1 Community Use:

Policy DM12 of the Development Management Policies LDD (adopted July 2013) relates to Community, Leisure and Cultural Facilities and advises that:

(a) Proposals for the redevelopment or change of use of any premises resulting in the loss of facilities or services that support the local community will only be permitted where the Council is satisfied that:

- i. The existing facility can be satisfactorily relocated within the development; or
- ii. The use concerned is not economically viable, could be provided by some other means, or it can be demonstrated that there is no longer a demand for the use; or
- iii. The premises or site cannot readily be used for, or converted to, any other community facility and:
- iv. The facility or service which will be lost will be adequately supplied or met by an easily accessible existing or new facility in an appropriate alternative location, served by sustainable modes of transport.

7.1.2 The Croxley Green Neighbourhood Plan at Aim 7 sets out:

The Parish Council will make every effort to secure the future of leisure, community, and health and education facilities and to support the enhancement of existing facilities and the provision of new facilities.

All buildings and facilities listed in Table LC1 (which includes the application site) , serve a vital role in the community of Croxley Green and subscribe to the sustainability objectives.

- 7.1.3 Aim 17 goes on to set out that The Parish Council will work with Herts CC and TRDC to increase and diversify the use of the Library to accommodate adult education and community activities, including more intensive use of the Red Cross building and improve the appearance of Community Way by tree and shrub planting.
- 7.1.4 It is understood that the future occupier would be Croxley Green Parish Council however for planning purposes the floorspace would be in an F2 use (Local community use – essential shops, meeting places, sport and recreation) with the office being in a Class E (g) (i) use (office to carry out administrative functions). The use would technically be mixed as the uses are not mutually dependent of each other (with the exception of the toilets). This would mean the community hall and kitchen facilities could be used independently of the day to day operations of the offices. Therefore whilst the Parish may have a degree of on going management responsibilities the community element would still be available for the public.
- 7.1.5 The site plan submitted indicates that the existing community use has a floor space of 320sqm. The proposed community floor area would result in a minor reduction to this with 264sqm proposed. The reduction in community use floorspace would be very minimal. The actual hall itself has a net reduction of only 20sqm.
- 7.1.6 Whilst the reduction in the hall size and the overall community floorspace is noted the existing building is ageing. The proposed building would be modern with upgraded facilities including accessible toilets and a new kitchen . The presence of the Parish Council Offices within the same building and close connection to the library would mean the site would function as a community hub with easy access for residents to a number of services in one place. Overall it is not considered that the reduction would prejudice the delivery of community services in the area or across the district as a whole.
- 7.1.7 The uses would be conditioned to ensure the community use is solely in F2 (b) ‘Halls or meeting places for the principal use of the local community’ and the office shall only be used in Class E (g) (i) ‘offices to carry out any operational or administrative functions’ to safeguard the on-going community use and prevent any change of use between or within the Use classes without the express consent of the LPA.

Residential units:

- 7.1.8 The application site is located in Croxley Green, identified as a Key Centre in the Core Strategy (adopted 2011). The proposal seeks approval for the demolition of the Red Cross building and its replacement with a three storey building comprising of 8 residential flats, with community space and car parking. The site has not been allocated as a housing site by the Site Allocations LDD (adopted November 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.
- 7.1.9 Policy CP2 of the Core Strategy states that applications for windfall sites will be considered on a case by case basis having regard to:
- i. The location of the proposed development, taking into account the Spatial Strategy
 - ii. The sustainability of the development and its contribution to meeting local housing needs
 - iii. Infrastructure requirements and the impact on the delivery of allocated housing sites
 - iv. Monitoring information relating to housing supply and the Three Rivers housing target
- 7.1.10 The Spatial Strategy identifies that amongst the Principal Town and other Key Centres, Croxley Green is one of the most sustainable locations in the District. The application site is located within the primary shopping frontage of Croxley Green with easily accessible links to public transport connections, amenities and schools. Policy CP2 states that development in the Key Centres should provide approximately 60% of the District’s housing requirements over the Plan period. The Spatial Strategy states that in Key Centres, new development will

be directed towards previously developed land and appropriate infilling opportunities within the urban areas. The site is situated in an urban location on previously developed land with the proposed development adding to the Council's acute need for housing delivery. The proposal therefore complies with Policy PSP2, the Three Rivers Spatial Strategy. Paragraph 125 of the NPPF also outlines that planning decisions should encourage benefits from urban land including mixed use schemes, should support development in under utilised buildings and support opportunities to use the airspace above commercial premises for new homes. The general principles of the proposed development would align also with aims of paragraph 125 of the NPPF. However this is subject to consideration against other material planning considerations as discussed below.

7.2 Impact on character of the streetscene

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

7.2.2 In terms of new residential development, Policy DM1 of the DMLDD advises that the Council will protect the character and residential amenity of existing areas of housing from forms of 'backland', 'infill' or other forms of new residential development which are inappropriate for the area. Development will only be supported where it can be demonstrated that the proposal will not result in:

- i. Tandem development;
- ii. Servicing by an awkward access drive which cannot easily be used by service vehicles;
- iii. The generation of excessive levels of traffic;
- iv. Loss of residential amenity;
- v. Layouts unable to maintain the particular character of the area in the vicinity of the application site in terms of plot size, plot depth, building footprint, plot frontage width, frontage building line, height, gaps between buildings and streetscape features (e.g. hedges, walls, grass verges etc.)

7.2.3 The Croxley Green Neighbourhood Plan outlines that new development should seek to conserve and, wherever possible, enhance the key elements of the character and appearance of the Character Areas described in Appendix B through careful design and massing of new buildings and the protection and enhancement of private gardens and open space without inhibiting innovative design.

7.2.4 To conserve the visual cohesion new development should pay respect to adjoining buildings and the uniqueness of the Character Areas without resorting to pastiche, and pay particular attention to:

- the layout and urban grain, especially in any proposed back-land development
- the building line, scale, eaves heights and ridge heights
- the dominating architectural scale, detail and use of external materials

7.2.5 This site is within Character area 3. The only specific reference to this part of the street is "The paved area adjacent to the Library needs more of an attraction such as a coffee kiosk if the square is to provide a community focus." As set out above the Croxley Green Neighbourhood Plan at Aim 7 sets out:

The Parish Council will make every effort to secure the future of leisure, community, and health and education facilities and to support the enhancement of existing facilities and the provision of new facilities.

All buildings and facilities listed in Table LC1 (which includes the application site) , serve a vital role in the community of Croxley Green and subscribe to the sustainability objectives.

- 7.2.6 Aim 17 goes on to set out that The Parish Council will work with Herts CC and TRDC to increase and diversify the use of the Library to accommodate adult education and community activities, including more intensive use of the Red Cross building and improve the appearance of Community Way by tree and shrub planting.
- 7.2.7 This part of the streetscene includes a mix of 2 and 3 storey buildings. It is noted that the proposed building would be taller than those in the very immediate locality however there are other 3 storey buildings within New Road such that a building of the height proposed would not appear incongruous. The application site occupies a prominent corner position and therefore creates an opportunity for the creation of a focal point.
- 7.2.8 The proposed building has a pitched roof with stepped roof sections which responds to the roof of the existing library building. Owing to its corner location the proposed building would be a prominent form of development however it would be sited within the site such that it would not appear unduly dominating from the adjacent streets. The proposed roof form also assists in alleviating some of the additional apparent bulk. As such it is considered that the height, positing and principles of the massing of the building would be appropriate for this site. The design also positively responds to the architectural features of surrounding buildings. The proposed bin store would appear as a subservient addition to the building and would not appear incongruous in its form.
- 7.2.9 The general approach to materials with the combination of brick work, render and colour fenestration detailing would positively respond to the context of the streetscene, drawing upon the library's appearance to enable consistency and would be appropriate for the building. The plans submitted include a brick detailing plan which more effectively shows how the elevations of the building would be articulated. This includes the use of protruding brickwork, cills and corner/banding details. These features are considered key to the successful execution of the building's design in creating visual interest and ensuring good quality articulation of the elevations. The location and use of fenestration also creates an active frontage with Barton Way with landscaping leading visitors to the community use. The doors to the south of the community hall fronting the square which would enhance the use and appearance of this area in line with the aims of the CGNP. Hard and soft landscaping would be reserved by condition.
- 7.2.10 A parking area would be re-provided to the west of the building with a barrier. It is noted that the current parking area is open however the presence of a barrier fronting Community Way is not considered to appear as an incongruous addition. The proposed cycle store would be in a detached timber sides building. It would be modest in scale and would not appear at odds with the streetscene of Community Way where a number of rear outbuildings, garage and other structures are evident.
- 7.2.11 In summary, it is acknowledged that the proposed building would be larger than the one it replaces. However its design, use of materials and massing is such that it would be a focal point of this part of the primary shopping area as opposed to an incongruous or unduly prominent addition to the streetscene. The materials detailing provided would be secured by condition in order to safeguard the design quality proposed. Furthermore the proposal would make a more active use of the square to the south which supports that aim of the CGNP. Overall the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policy CA1 of the Croxley Green Neighbourhood Plan (adopted 2018) and the NPPF (2024).

7.3 Affordable Housing

7.3.1 **Appendix A** of this report sets out the position of the Council and evidence relating to the application of the affordable housing threshold in Core Strategy Policy CP4: Affordable Housing. This sets out why the Council, contrary to the NPPF, applies Policy CP4 to small sites (net gain of 1 or above).

7.3.2 Given that the proposal includes the provision of 8 residential units Policy CP4 would apply. Policy CP4 sets out that the Council will:

f) In most cases require affordable housing provision to be made on site, but in relation to small sites delivering between one and nine dwellings, consider the use of commuted payments towards provision off site. Such payments will be broadly equivalent in value to on-site provision but may vary depending on site circumstances and viability.

7.3.3 Whilst in most cases small sites would be required, subject to viability, to make a payment towards off site provision, Policy CP4 is clear that this does not have to be the case. The proposal includes the provision of 8, on site, Affordable Rented units capped at Local Housing Allowance (LHA) rates.

7.3.4 Policy CP4 the policy sets out:

housing need as informed by the Strategic Housing Market Assessment, the Council will:

a) In view of the identified and pressing need for affordable housing in the District, 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.

b) As a guide, seek 70% of the affordable housing provided to be social rented and 30% to be intermediate.

c) Allocate specific sites, at higher or lower proportions of affordable housing depending on site circumstances, location and density of development. In some cases a target of 50% or above may be appropriate. Site specific targets will be set through the Site Allocations Development Plan Document.

7.3.5 When strictly applying this policy, all development proposing a net gain of one or more dwellings should contribute towards affordable housing. However as (f) sets out for small sites generally this could be by way of commuted sum payment. Nevertheless, when considering point (b) the proposed development would have a requirement for the provision of 4 affordable units with a 70%/30% tenure split. Given the limited number of units it is difficult to equate this however it is acknowledged that the higher proportion would be social rented.

7.3.6 The development does fail to provide any social rented units, however, the development would provide more on site affordable units than Policy CP4 requires. It is acknowledged that social rent levels are approx. 50% of market rent whereas affordable rent is up to 80% of market rent. However the Affordable Rent would, in this case, be capped at LHA rates which means that it would be affordable to households on no, or low, earned incomes if they are eligible for LHA. As of the time of publication the current LHA rates for this postcode are £218.63 per week for a 1 bed unit and £287.67 per week for a 2 bed unit.

7.3.7 It is acknowledged that the lack of the provision of any social rented units is regrettable as the reality of rent levels would be above the 50% reduction in market value. However overall the scheme provides more on site affordable housing than is required by Policy CP4 and the impact of the rent levels would be tempered to a degree by the LHA rate cap. Furthermore the need for affordable housing in the district is acute and the proposed development would result in the quicker delivery of units to meet this need than would have

otherwise been the case if an off site payment were proposed. In order to secure quicker on site delivery of the proposed affordable rented units, to offset the lack of social rented units, it is proposed that the standard 3 year time limit condition be reduced to 2 years for commencement.

7.3.8 Overall the technical departure from Policy CP4 is noted however the proposed development would meet an acute need for the provision of affordable housing in the district. This is supported by the LHA cap on the rental levels and quicker time frame for commencement to speed up delivery. Therefore, subject to conditions, the proposed delivery of 100% affordable housing scheme, with all units delivered on site as Affordable Rent, is in this case considered to be acceptable.

7.4 Housing Mix

7.4.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent Local Housing Needs Assessment (LHNA) (2024) advises that the overall requirement is as follows:

	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%

7.4.2 The proposed development includes the provision of 1 and 2 bed units. 2 bed units are the second most in need however 1 bed are the second least needed. Overall, the scheme would deviate from Policy CP3 however given the limited scale of the proposal it is not considered that the scheme would prejudice the delivery of housing across the district as a whole.

7.5 Impact on amenity of neighbours

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

7.5.2 With regards to privacy, Appendix 2 states to prevent overlooking, distances between buildings should be sufficient so as to prevent overlooking, particularly from upper floors. As an indicative figure, 28m should be achieved between the faces of single or two storey buildings backing onto each other or in other circumstances where privacy needs to be achieved.

7.5.3 The proposed building would be set in 12m from the flank boundary with No.185 New Road with approximately 16m achieved from the closest corner of the proposed building and the rear projection of this neighbour. This neighbour is also favourably orientated south west of the application site. It is not disputed that the proposed building would be higher than that which exists currently and would be visible to this neighbour (and those further west along New Road) however the visibility of a building does not in itself automate harm. The proposal may result in the loss of some very early morning sun however owing to the separation distances and orientation would not result in unacceptable reduced light or an overbearing impact so as to result in demonstrable harm to their amenity.

7.5.4 The proposed building would be sited approximately 20m from the first property along Barton Way. No.1a Barton Way is a first floor flat with amenity space at ground floor. As above it is noted that the proposed building would be taller than the existing building however owing to the separation distance it is noted considered that overall the proposed building would result in such an overbearing impact or loss light so as to result in demonstrable harm to the rear gardens of the properties to the north.

7.5.5 It is noted that there are first and second floor habitable windows within all elevations. This includes towards the neighbouring properties rear gardens which front New Road to the west and Barton Way to the north. Notwithstanding this the building would be set 12m from the boundary with No.185 New Road (to the west) and views would be toward the rear of these gardens rather than views being towards their private patios. A separation distance of 20m would be achieved to the properties to the north and views would be at a 90 degree angle. Overall whilst it is noted that there would be some additional views however these would not be directed towards rear windows and would not be uncommon in a residential area.

7.5.6 In relation to the ground floor use of the building there would be no overall increase in area of this element compared with existing and therefore would not give rise to an unacceptable impact by reason of an intensification of the use.

7.6 Quality of accommodation for future occupants

7.7 *Amenity space (flats):* 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.

2 x 1 bed flats = 42sqm

6 x 2 bed = 186sqm

Total = 228sqm

7.7.1 The proposed development does not propose any amenity space by way of balconies or communal space and as such would not comply with Appendix 2 in this regard. However, the site is within walking distance (approx. 120m) of Public Open Space at Barton Way recreation ground which is easily accessible via lit pavement and crossing with relatively flat terrain. The proposal also includes improvements to crossing points making it easier and safer to access the other side of Barton Way from the application site. As such the lack of private or communal amenity space is not considered unacceptable in this location.

7.7.2 The proposed units would all be dual aspect with all habitable room benefitting from good quality accommodation with plentiful natural light and appropriate internal areas. The floor plates of the residential floors are identical and therefore the stacking of rooms is considered appropriate.

7.7.3 A condition would be added to require the submission of opening hours for the community use in order to ensure these are appropriate for the impact on residential occupiers and for the locality as a whole.

7.8 Trees and Landscaping

7.8.1 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.

- 7.8.2 There are no protected trees on or near the site. The proposal includes some additional soft landscaping including new trees. A hard and soft landscaping scheme would be reserved by condition. It should be noted that this condition is added for landscape/visual appearance purposes and is not related to Biodiversity Net Gain which is discussed below.

7.9 Wildlife and Biodiversity

- 7.9.1 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.

- 7.9.2 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.

- 7.9.3 The application has been submitted with a Biodiversity Checklist. In this case it is not considered that any further surveys are required.

- 7.9.4 A condition will be added to ensure the proposed swift bricks are installed and meet the required specifications.

7.10 Highways and access

- 7.10.1 The proposal includes alterations to the existing crossovers along Barton Way to create two accesses to the parking spaces along this side and one additional access facing Community Way to allow access to those new spaces. Furthermore offsite highways improvements are proposed to widen the existing bellmouth to the east (west of the site 30m from the junction with Barton Way). The Highways Officer raises no objections to the proposed access works subject to the inclusion of conditions requiring the submission of more specific design details for the off site improvements.

- 7.10.2 A construction management plan has also been recommended to be reserved by condition by the Highways Officer. Owing to the site location it is considered reasonable to attach this.

- 7.10.3 Herts Fire and Rescue have also confirmed they have no objections to the proposed development.

7.11 Parking provision

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

- 7.11.2 Three Rivers District Council are the Parking Authority, and Policy DM13 and Appendix 5 of the DMLDD set out the car parking requirements for the District. Car parking spaces should be shown on a proposed site layout plan submitted to accompany a formal planning application, with care taken to ensure that the size of any proposed car parking area is the minimum necessary to facilitate parking. Provision must be made for cycle parking facilities and you may wish to also consider the provision of electric car charging points.

7.11.3 Parking standards are set out in Appendix 5 of the Development Management Policies LDD (adopted July 2013).

1 bed = 2 x 1.75 (1) = 3.5 (2 assigned)

2 bed = 6 x 2 (1) = 12 (6 assigned)

Total requirement = 15.5 (8 assigned)

7.11.4 The proposed site plan indicates that 8 spaces plus one visitor space would be provided to serve the residential units. As such the assigned number of spaces would be provided however there would be an overall parking shortfall of 6.5 spaces for the residential element.

7.11.5 In relation to the community use the requirement is for 1 space per 9sqm plus 1 space per full time staff member equivalent.

7.11.6 A zonal reduction of 25-50% of the demand based standard may be applied for the community use however cannot be applied for the C3 residential units. Applying the zonal reduction to the Class D (now F under the new use class order) requirement above would equate to provision of between 17-25 car parking spaces to serve the community use. However, this does not take into account the additional requirement based on staff numbers as this information has not been provided.

7.11.7 A total of 9 spaces would be provided to serve the community use, 1 fewer than existing and between 8-16 spaces below the standards of Appendix 5. Three of the residential parking spaces have been designed to be M4(2) compliant which means they are large enough for less able users and meet accessible space standards.

7.11.8 Overall there would be a shortfall in parking across the scheme as a whole. This includes an increased shortfall of 1 space compared with existing for the community use and a shortfall of 6.5 for the residential use. However it is noted that the residential use would comply with the assigned spaces requirements.

7.11.9 Notwithstanding the above, a view needs to be taken as to whether the shortfall results in demonstrable harm. The application site is located within the main shopping frontage of Croxley Green within close proximity of bus services, Croxley Station and local services. Parking restrictions exist on Barton Way and Community Way close to the application site with paid parking in Community Way however the site is outside the Croxley Green Permit Zone which exists along New Road and beyond. Given the sustainable location of the site and restrictions preventing spilling of parking onto the immediate roads it is not considered that the proposed development would result in unacceptable harm in this regard. Furthermore the proposal includes an enclosed cycle store for residential occupants and an external cycle parking area for visitors which would encourage sustainable travel. It is noted that the submitted D&A statement sets out that each space will have residents only signs and a lockable bollard. However a condition would be added to ensure car parking management details are provided to ensure that each residential space is clearly marked as being one space per unit and on going management responsibility to deter/enforce its use solely for residential occupants. Additionally that the community use spaces are only for those users and not for residents or any other persons.

7.11.10 A total of 7 EV charging points are indicated to be provided for the residential spaces and 1 to serve the community use parking to the west. It is considered that the provided number of charging facilities would be sufficient and would contribute towards the aims of emerging policy.

7.12 Energy Use

7.12.1 Paragraph 161 of the NPPF states that "Planning plays a key role in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and

providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure”.

- 7.12.2 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.
- 7.12.3 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.
- 7.12.4 An energy statement has been submitted with this application which confirms that the proposal would achieve an energy saving of 59% as such would comply in this respect. This would be partly achieved by the provision of Air Source Heat Pumps and PV panels. Details of these including noise output would be required by condition in the event of a grant of planning permission.

7.13 Refuse and Recycling

- 7.13.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
 - ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
 - iii) There would be no obstruction of pedestrian, cyclists or driver site lines
- 7.13.2 The proposal includes a refuse store is proposed to the north which provides bin stores for both the residential and community uses. The uses would each have a lockable section of the store to avoid conflict with waste disposal. The bin stores are within the required drag distance for council waste service collection. The proposed bin store would be within a solid structure in easy access for both the community use and future residents above. The refuse store would be in keeping in style to the main building and would not appear as an incongruous addition to the area.

7.14 Mandatory Biodiversity Net Gain

- 7.14.1 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.
- 7.14.2 The proposed development proposes to meet the 10% net gain by way of on site provision. The baseline of the existing site is relatively low and as such in order to achieve the gains 2 trees and grassed landscaping areas are proposed. Whilst the proposed approach is considered acceptable the Biodiversity Gain plan remains a post determination matter. The

approach would be secure by the requirement for the submission of a Biodiversity Net Gain Plan and a Landscape Ecological Management Plan.

7.15 Tilted balance

7.15.1 For the reasons set out above the proposed development is considered to be acceptable. However in view of the Council's lack of housing land supply were an alternative view to be reached then paragraph 11 of the NPPF would become engaged.

8 Recommendation

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

C1 Time limit

The development hereby permitted shall be begun before the expiration of TWO 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 Plan numbers

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

24005-OA-01-01-DR-A-11102 REC C1

24005-OA-01-02-DR-A-11103 REC C1

24005-OA-01-03-DR-A-11401 REC C1

24005-OA-01-ZZ-DR-A-11101 REC C1

24005-OA-01-ZZ-DR-A-12204 REC C1

24005-OA-01-ZZ-DR-A-12501 REV C1

24005-OA-01-ZZ-DR-A-13301 REV C1

24005-OA-XX-XX-DR-A-17102 REV C1

24005-OA-XX-XX-DR-A-17601 REV C1

24005-OA-XX-XX-DR-A-19101 REV C1

24005-OA-01-ZZ-DR-A-12205 REV C1

24005-OA-01-02-DR-A-11110 REV C1

24005-OA-XX-XX-DR-A-17101 REV C1

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP4, CP6, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM4, DM6, DM8, DM9, DM10, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), Policy CA1 of the Croxley Green Neighbourhood Plan (2018), and the NPPF (2024).

C3 Materials

The building shall not be erected other than in the materials as have been approved in writing by the Local Planning Authority as shown on the approved plans and as

stated in the submitted application form and no external materials shall be used other than those approved.

Reason: In the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013), Policy CA1 of the Croxley Green Neighbourhood Plan (2018), and the NPPF (2024).

C4 Construction Management Plan

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

- i. parking of vehicles of site operatives and visitors
- ii. construction of access arrangements including the routing of vehicles
- iii. loading and unloading of plant and materials
- iv. storage of site facilities, plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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

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

C5 Landscape and Ecological Management Plan.

Prior to above ground works hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority, demonstrating how the habitat enhancement and creation and subsequent target habitat conditions on site (as detailed within the Biodiversity Net Gain Appraisal Oct 2025 prepared by Trium Environmental Consulting) will be created, enhanced, maintained and monitored following the completion of the works required to create them. The development shall be implemented and thereafter maintained in accordance with the LEMP.

Reason: In order to ensure the development delivers a net gain in biodiversity in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM6 of the Development Management Policies LDD (adopted July 2013) and Schedule 7A of The Environment Act.

C6 Off site highways improvements

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on submitted drawing number 24005-OA-XX-XX-DR-A-17102 have been submitted to and approved in writing by the Local Planning Authority. The works shall include:

- Two new shared vehicle crossovers on Barton Way for residential parking, each at a maximum width of 7.2m, made up of six flat kerbs and 2 ramped kerbs to provide access for the 6 parking spaces;
- At least one full height kerb between the two new crossovers on Barton Way;
- An appropriate crossing pedestrian point on Barton Way to provide a safe, accessible and convenient crossing point between the site and the facilities on the opposite side of the road including the bus stop. The crossing point would need to be made up of pedestrian dropped kerbs, tactile / blister paving and a sufficient level of vehicular to pedestrian visibility;
- Pedestrian dropped kerbs and tactile/blister paving on either side of the mouth of the junction of Community Way with Barton Way.

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

Affordable Housing

C7 No development shall take place until a scheme for the provision of the eight flats to be constructed on the site pursuant to the planning permission as Affordable Housing has been submitted to and approved in writing by the Local Planning Authority. The Affordable Housing shall be provided in accordance with the approved scheme. The scheme shall include:

- i. the two x one-bedroom and six two-bedroom flats which shall be constructed on the site and provided as Affordable Rented Dwellings.
- iii. the arrangements for the transfer of the Affordable Housing to an Affordable Housing Provider or the arrangements for the management of the Affordable Housing if those dwellings are not to be transferred to a Affordable Housing Provider;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the Affordable Housing;
- v. the occupancy criteria to be used for determining the identity of occupiers of the Affordable Housing and the means by which such occupancy criteria shall be enforced;
- vi. the timing of the completion of a Nominations Agreement to be entered into formalising the details to be agreed in respect of paragraphs (iv) and (v) above (in any event that Nominations Agreement to be completed prior to first Occupation of the Affordable Housing);
- vii. the arrangements for the use of any Net Proceeds following the sale of an interest in any of the Affordable Housing (in accordance where applicable with Homes and Communities Agency guidance)

The Affordable Housing shall be provided in accordance with the approved scheme. The dwellings constructed shall not be used for any other purpose than as Affordable Housing in accordance with that approved scheme, subject to:

- (A) any rights to acquire pursuant to the Housing Act 1996 or any equivalent statutory provision for the time being in force;
- (B) any right to buy pursuant to the Housing Act 1985 or any equivalent statutory provision for the time being in force;
- (C) the restriction upon the use and disposal of the Affordable Housing shall cease to apply to the whole or any part of an Affordable Dwelling (hereafter referred to as the 'Affected Affordable Dwelling') where that whole or part is transferred or leased, pursuant to an event of default by any mortgagee or chargee of the Affordable Housing Provider or the successors in title to such mortgagee or chargee, or by any

receiver or manager (including an administrative receiver) appointed pursuant to the Law of Property Act 1925 (hereafter referred to as the "Chargee"), PROVIDED THAT:

(i) the Chargee has first given the Council and the Affordable Housing Provider (as appropriate) 4 (four) months prior notice in writing (the "Chargee's Notice") of its intention to exercise any power of sale or lease in respect of any Affected Affordable Dwelling; and

(ii) the Chargee has first given the Council or the Affordable Housing Provider the opportunity to complete a transfer of the Affected Affordable Dwelling in order to ensure that it continues to be used for the purposes of Affordable Housing. The Chargee's Notice shall not be a valid Chargee's Notice unless it is accompanied by a conveyancer's certificate signed and dated by the conveyancer and confirming that, at the date of the notice, the Chargee giving the notice is entitled to execute a transfer of the freehold of the Affected Affordable Dwelling and all land required to gain access to the Affected Affordable Dwelling from the public highway; and

(iii) the price for the purchase of the Affected Affordable Dwelling by the Council or the Affordable Housing Provider demanded by the Chargee shall not be permitted to exceed the market value of the Affected Affordable Dwelling at the date of the transfer on the valuation assumption that it is to be retained in perpetuity as Affordable Housing.

(iv) If the Council or the Affordable Housing Provider is unable to secure the transfer of the Affected Affordable Dwelling under the terms and in the circumstances described above within the said period of 4 (four) months in accordance with subparagraph (i) above then the Chargee shall be entitled to dispose of the Affected Affordable Dwelling on the open market not subject to the condition above that it shall not be used for any other purpose than as Affordable Housing.

Reason: This is a pre commencement condition to meet local housing need within the Three Rivers district and to comply with Policies CP1, CP2, CP3 and CP4 of the Core Strategy (adopted October 2011) and the Affordable Housing SPD (approved July 2011).

C8 PV panels and ASHP

Prior to works above first floor slab level details of the proposed PV panels and ASHP shall be submitted to and approved in writing by the Local Planning Authority. Elevations and roof plans should be provided of the PV panels together with a detailed manufacturers specification (including noise output in dB) of the ASHP and mitigation measures in the event the output levels are excessive. The energy measures shall be installed in accordance with the approved details and maintained in that condition thereafter.

Reason: 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 Policies DM1, DM4 and DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C9 Swift bricks

Prior to the commencement of any works above ground level, details of the proposed type and location of swift bricks/tiles to be installed shall be submitted to and approved in writing by the Local Planning Authority. The swift bricks shall thereafter be installed prior to the first occupation of the development hereby approved and permanently maintained thereafter.

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

C10 Hard and soft landscaping scheme

No works above ground level shall taken place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials, and method of drainage around the areas of the site affected by the development.

All hard landscaping works required by the approved scheme shall be carried out and completed prior to the first occupation of the development hereby permitted.

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

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

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1 and DM6 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C11 Surface water run off

Prior to the first occupation of the development hereby permitted the vehicular access and parking area shall be provided as shown on drawing number 219NR-A-01-002 A, with provision made for surface water run-off to be dealt with within the site and shall thereafter be retained as such.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

C12 Parking layout

Prior to the first occupation of the development hereby permitted, the parking spaces shall be laid out, marked and permanently maintained for the use of residents, their visitors and users of the ground floor of the building only, in accordance with the layout depicted on plan number 24005-OA-XX-XX-DR-A-17102 REV C1. The parking shall be made available in that condition thereafter.

Reason: To ensure that parking for the development is available in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

C13 Cycle storage

Prior to the first use of the building hereby permitted the cycle storage as more particularly shown on plan numbers 24005-OA-XX-XX-DR-A-17601 REV C1 and 24005-OA-XX-XX-DR-A-17102 REV C1 shall be constructed and shall ne made available for users and visitors to the building thereafter.

Reason: To ensure that adequate cycle parking for the development is available to support sustainable travel, in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

C14 Bin store

Prior to the first use of the building hereby permitted the bin store as more particularly shown on plan numbers 24005-OA-XX-XX-DR-A-17102 REV C1 and 24005-OA-01-ZZ-DR-A-11101 REC C1 shall be constructed and shall be made available for users and visitors to the building 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).

C15 Boundary treatment

Prior to the first use of the development hereby permitted a replacement 1.8m high closed boarded fence shall be installed in the same position as existing (to the western boundary with No.185 New Road. The fence shall be maintained in that condition thereafter.

Reason: To safeguard the visual amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C16 Car parking management plan

Prior to first use of any part of the building hereby permitted a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the signage, physical demarcations and on going management of the spaces to ensure one space per residential unit is proposed and the community use spaces are only for visitors/staff. The measures shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure that parking for the development is available in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policies DM8, DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

C17 Hours of opening

Prior to the first use of the building hereby permitted the opening and operating hours of the community hall and its associated facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved hours shall be adhered to thereafter.

Reason: To safeguard the amenities of existing neighbours and future occupiers and to ensure the operations are appropriate for the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

C18 Energy Statement

The development hereby permitted shall be implemented in accordance with the details of the energy statement prior to the occupation of the development and shall be permanently maintained thereafter.

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

C19 Use (Community Hall)

The use of the community hall hereby permitted shall only be used in Use Class F2(d) (halls or meeting places for the principal use of the local community) and for no other purpose (including any other purpose in Class F2 of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the grant of express planning consent from the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 of the Core Strategy (adopted October 2011).

C20 Use (Office)

The use of the office space hereby permitted shall only be used in Use Class E(g) (i)(an office to carry out any operational or administrative functions) and for no other purpose (including any other purpose in Class E of Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the grant of express planning consent from the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use in accordance with Policy CP1 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 who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

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

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

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

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

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

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

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development

Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the district.

- 14 The 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 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked

(fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx>

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.

16 Definitions informative

Affordable Housing - Definitions:

The following terms (and those related to them) referred to at Condition 7 shall be defined as set out below:

Affordable Housing means Affordable Rented Dwellings meeting Scheme Design and Quality Standards at costs below those associated with open market housing and which is available to, affordable by and occupied only by those in Housing Need.

Affordable Rented Dwellings means a dwelling provided through an Affordable Housing Provider let to households who are in Housing Need subject to rent controls that require a rent that does not exceed the South West Herts Local Housing Allowance (including any Reasonable Service Charge).

Affordable Housing Provider means a registered provider registered with the Homes England (HE) or other body registered with the HE under the relevant Housing Act or other body approved by the HE to receive social housing Grant such Affordable Housing Provider in any event to be approved by the Council.

Choice Based Lettings Scheme means the system which is used by TRDC which enables properties to be let to applicants.

Housing Allocations Policy is the Council's policy which determines the Council's priorities and procedures when allocating accommodation in accordance with the requirements of Section 167 of the Housing Act 1996.

Dwelling means a residential unit comprised in the development.

Homes England (HE) means the agency of that name established by the Government (pursuant to the Housing and Regeneration Act 2008) which exercises the function of the former Housing Corporation in relation to financial assistance for new affordable homes (or any successor body).

Housing Need means persons who are assessed by the Council as being unable to resolve their housing needs in the private sector market because of the relationship between housing costs and incomes in accordance with the Choice Based Lettings Scheme.

Net Proceeds means any receipts or consideration received by a Affordable Housing Provider from the sale of an interest in any of the Affordable Housing following its initial occupation after deduction of the Affordable Housing Provider's reasonable evidenced costs of acquisition, construction and sale of the relevant affordable dwelling and the deduction of any Grant repayable.

Nominations Agreement means a contract to be entered into between the Council and the owner of the Affordable Housing whereby the Council shall have 100% nomination rights in respect of the Affordable Housing on first Occupation and 75% thereafter on re-lets to enable the Council to nominate occupiers.

Provided means practically completed, ready for first occupation, fully serviced and subject to a contract with an Affordable Housing Provider for the acquisition of the freehold or no less than a 125 year leasehold interest.

Reasonable Service Charge means a sum that covers the contribution requested from time to time for those services and facilities which are of a nature and to a standard reasonably required in connection with and which directly benefit the relevant Affordable Housing, such sum to be set at a fair and reasonable proportion of the costs relating to the services provided.

Scheme Design and Quality Standards means standards in relation to the internal environment sustainability and external environment of Affordable Housing as set out in the Housing Corporation's document entitled 'Design & Quality Standards 2007' or such other replacement design standards as may be issued from time to time.

- 17 The applicant is reminded that any exterior signage including the 'Croxley Green Parish Council' lettering may require an application for Advertisement Consent under separate cover.