

PLANNING COMMITTEE – Wednesday 27 May 2026

25/0590/FUL – Change of use of land to create 4 gypsy and traveller pitches including 2 amenity buildings and associated hardstanding and access at Land to the North Of Toms Lane, Kings Langley, Hertfordshire

Parish: Abbots Langley Parish Council

Ward: Abbots Langley and Bedmond

Expiry of Statutory Period: 20.11.2025

Case Officer: David Heighton

Extension of time agreed: 05.06.2026

Recommendation: That Planning Permission be granted.

Reason for consideration by the Committee: Called in to Planning Committee by Abbots Langley Parish Council.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=STZH8NQFFYJ00>

1 Relevant Planning and Enforcement History

- 1.1 12/0127/COMP – Unauthorised gypsy/traveller incursion – Case Closed. Associated injunction on land which orders that the Defendant must not; a) cause or permit any operational development associated with re-grading the site, the laying of hardstanding or the installation of services on the site, b) cause or permit caravans, mobile homes or other residential accommodation or structures to be stationed on the site, or, c) occupy or cause or permit the occupation of any caravans, mobile homes or other residential accommodation stationed on the site.
- 1.2 21/0575/FUL - Change of use to equestrian and construction of a stable building and access – Withdrawn 10.05.2021.
- 1.3 21/1772/FUL - Change of use to equestrian and construction of a stable building, hardstanding and access - Refused - 10.09.2021

Refused for the following reasons:

R1 The proposed development through the introduction of built form development and the extent and use of the hard surfacing would fail to preserve the openness of the Green Belt and would therefore not meet any of the exceptions listed at paragraphs 149 or 150 of the NPPF (2021). The development would constitute inappropriate development, by definition, would have a significant harmful impact on the openness of the Green Belt and would also conflict with one of the purposes of Green Belts, namely the encroachment into the countryside. It is considered that very special circumstances do not exist to outweigh the inappropriateness of the development, harm to openness and any other harm identified. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

R2 The proposed development fails to demonstrate that vehicles using the site can safely enter and turn within the site in order to access and egress the site in a forward gear which would adversely impact upon highway safety and would be contrary to Policy CP10 of the Core Strategy (adopted October 2011).

- 1.4 21/2689/FUL - Change of use of land to equestrian and construction of a stable building, hardstanding, access, gates and altered vehicle access – Refused - 18.01.2022.

Refused for the following reasons:

The proposed development through the introduction of built form development and the extent and use of the hard surfacing would fail to preserve the openness of the Green Belt and would therefore not meet any of the exceptions listed at paragraphs 149 or 150 of the NPPF (2021). The development would constitute inappropriate development, by definition, would have a significant harmful impact on the openness of the Green Belt and would also conflict with one of the purposes of Green Belts, namely the encroachment into the countryside. It is considered that very special circumstances do not exist to outweigh the inappropriateness of the development, harm to openness and any other harm identified. As such the proposal is contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).

Dismissed at appeal – APP/P1940/W/22/3292138.

2 Description of Application Site

- 2.1 The application site is a rectangular piece of land approximately 0.15ha in area as identified within the extent of the red line on the Location Plan, located on the northern side of Toms Lane, Bedmond. The applicant's ownership extends further north and is shown hatched in blue on the Location Plan.
- 2.2 The application site includes a section of open pasture land containing shrubs with mature boundary trees, positioned adjacent to the highway with open land to the west and woodland to the east. The application site has an existing gated access via Toms Lane and is enclosed by fencing.
- 2.3 In terms of residential properties, No.235 Toms Lane is sited over 120m west of the site, and No.323 Toms Lane is sited 120m east of the site. The Pavilion is sited to the south of the application site, separated from the application site by the highway.
- 2.4 The application site is located within the Metropolitan Green Belt.

3 Description of Proposed Development

- 3.1 This application seeks full planning permission for the change of use of the land for the stationing of caravans for residential purposes for 4 no. gypsy pitches with 2 no. amenity buildings and the formation of hardstanding.
- 3.2 A single Gypsy or Traveller pitch can include two stationed caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, although only one of these can be a residential mobile home. This latter Act and the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006 defines a residential mobile home as being no larger than 20 metres in depth 6.8 metres in width and 3.05 metres internal height.
- 3.3 Four pitches are proposed in total, each pitch would comprise space for a static caravan, with the total provision for two touring caravans. The static caravans would be approximately 3m in height, 12m in depth and 4m in width.
- 3.4 Two day rooms are proposed to serve the everyday amenity needs of the occupiers. The day rooms would provide a kitchen/living room and bathroom. The day rooms would have a maximum width of 14m, a depth of 5m and a maximum height of 3.4m.
- 3.5 A set of metal, timber infill gates are proposed to the existing access, which would be 4.5m in width and up to 1.75m in height, set back 7m from the highway. A post/rail 1.2m high fence is proposed to the front western boundary for a depth of 15m with close boarded 1.4m

high timber fence proposed along the same boundary for a depth of 15m into the site to a distance of approximately 88m.

- 3.6 Soft landscaping would be retained and enhanced around the boundaries of the application site, with hedging proposed to the southern and western boundaries. To the immediate north, within the applicant's ownership, the grassland would be retained and supported by new ecological enhancements (which are also proposed within the application site).
- 3.7 A hardstanding/gravel track would be installed from the existing access, 82m into the site and would include the provision for six parking spaces and turning spaces for emergency and service vehicles
- 3.8 The proposed pitches are for use by the extended family of the applicant.

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Objection]

The Parish Council objects to this application on the following grounds:

Green Belt Integrity: Members consider the site to form a vital open break between the urban density of Bedmond and the lower western development of Toms Lane. The land contributes meaningfully to the openness and character of the Green Belt and does not exhibit the transitional qualities associated with 'grey belt' land. Members therefore dispute any classification of the site as grey belt.

Local Character and Layout: Toms Lane is characterised by residential properties with front gardens set perpendicular to the highway. The proposed layout, which includes pitches aligned perpendicular to the road, is considered incongruous with the established streetscape and would undermine the visual coherence of the area.

Contamination Concerns: Members draw attention to application 98/0626 (Outline), which was refused due to historic contamination on adjacent land. No methodology for containment or remediation has been provided in the current proposal, and Members believe this application similarly fails to address contamination risks adequately.

Highway Safety: The proposed access arrangements raise significant concerns. Given the bend in the road, Members do not believe the plans meet the required 48m visibility splays. Application 21/1772/FUL was previously refused on highway safety grounds, and Members note that traffic levels remain high due to the proximity of both the playing fields and the primary school directly opposite the site.

Planning Balance: While Members acknowledge TRDCs obligation to provide suitable sites for the traveller community, they believe the cumulative harm to the Green Belt, local character, biodiversity, and highway safety outweighs the benefits of the proposal.

In light of the above, the Parish Council requests this application be refused. Should officers be minded to approve the application, Members request that it be referred to committee for determination.

4.1.2 Hertfordshire County Council: Highway Authority: [No Objection]

Recommendation

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

Informatives

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

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments

The Highway Authority provided an initial response on 06 October 2025 requesting additional information relating to the access arrangements for both refuse collection vehicles and emergency vehicles. The applicant has subsequently provided amended plans addressing those points. The amended plans provide a turning point for larger vehicles in the middle of the site and highlighted areas for waste storage.

Relevant planning history: 21/1772/FUL: Change of use to equestrian and construction of a stable building, hardstanding and access.

The Highway Authority requested additional information regarding the potential for adequate inter-visibility to be achieved for vehicles coming and going from the site. The HA requested swept path analysis and detailed plans of any vehicular entrance gates, which was provided as part of 21/2689/FUL below and included within this current application under 'Highway Planning Consultation'. The LPA refused permission.

21/2689/FUL: Change of use of land to equestrian and construction of a stable building, hardstanding, access, gates and altered vehicle access.

The Highway Authority did not wish to restrict the grant of permission subject to a condition around the construction of a bellmouth entrance. The LPA refused permission.

Context: The development site is located on Toms Lane, a local access 'C' road, considered highway maintainable at public expense with a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, Toms Lane is categorised as P2/M1 (e.g. Residential Street). One 'slight' reportable highway collision is recorded in the vicinity of the application site (5-year rolling). No Public Right of Way (as shown on the PRow map) directly affects the site or would be affected by the proposal. The county council considers Toms Lane to be traffic sensitive during peak hours (07:00 - 09:30 and 16:00 - 18:30, Monday to Friday).

Access: The site currently allows for vehicular access via a gated entrance from Toms Lane. The vehicle access comprises of a dropped kerb and vehicle crossover measuring approximately 3.8m over a footpath and grass verge. The proposals propose no alteration to the existing vehicle access apart from extending the amount of hardstanding space before the gated entrance. 7m will be provided in front of the entrance gate to allow for a large estate vehicle to stop in front of the gate and wait without causing an obstruction to the highway network. The Highway Authority is content with this proposal as it aligns with Hertfordshire County Council design standards outlined in the Place and Movement Planning and Design Guide (P&MPDG).

The Highway Authority notes the concerns highlighted by Abbots Langley Parish Council associated with the highway access but disagrees that the required visibility is not possible. A visibility splay of 2.4m x 43m would be the recommended visibility measurements outlined by Manual for Streets and P&MPDG when taking into account the speed limit of Toms Lane. Uninterrupted visibility (even when taking into account the bend in the road referenced by the Parish Council) is possible within these parameters.

The Highway Authority did not raise this as a concern for previous application 21/1772/FUL and the visibility of the access was not a reason given to refuse the application by the Local Planning Authority. The LPA referenced a lack of an adequate turning area for vehicles to leave the site in forward gear.

The Highway Authority has no concerns with the proposed access.

Trip generation: The application site states that this development will create three residential units. The trips associated with three additional residential units will not result in a significant increase in the number of trips to and from the site. No impact on the highway network has therefore been identified.

Parking: 6 parking spaces are proposed on site (the application form states for 4 cars and for 2 light goods vehicles / public carrier vehicles). Parking spaces are provided with acceptable lengths and widths throughout the site. The Highway Authority is content that the layout does not increase the risk of a vehicle parking in such a way that obstructs or overhangs the highway.

No cycle parking spaces have been provided within site drawings. Considering the storage buildings provided as well as the ample space of the overall site, adequate cycle parking spaces would be possible without a dedicated area for them.

Accessibility: The development site is located 400m (walking route) from the nearest bus stop which provides regular bus services (High Street). Henderson Place is a nearer stop but which does not provide more than one or two services per day. The nearest train station is not within a reasonable walking distance, and is far beyond the recommended distance provided by Planning for Walking by the Chartered Institution of Highways and Transportation (CIHT). The development site is a short walk from the centre of Bedmond village.

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. According to the development application form, surface water will be disposed of via a soakaway. The Highway Authority is content that, considering the size and nature of the development, the risk of surface water flooding on the highway is not increased as a result of these proposals.

Emergency vehicle access: Requirements for emergency vehicle access are outlined in HCC's Place and Movement Planning Design Guide (P&MPDG) (Part 2 Chapter 4) and Fire Safety Approved Document B, Vol 1, dwellings, 2010 (as subsequently amended). Access for a pumping appliance should be provided to within 45m of a single building (and within 45m of all points within the building). If this is not the case then a fire tender should be able to enter the site and should not be required to reverse more than 20m to exit the site. Amended plans provide a turning point adequate for a fire tender.

Whilst the Highway Authority does not have any issues with the site layout or access arrangements. The application has been referred to Hertfordshire Fire & Rescue and the HA would recommend the LPA await their comments, including any issues or recommendations, to inform their decision.

Access for refuse collection vehicles: No issues in terms of access for refuse collection vehicles have been identified but the Highway Authority would recommend the LPA refer the proposals to their own Environmental Services department to ensure the waste collection arrangements are acceptable.

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 highway informative / advisory notes.

4.1.3 Herts Fire and Rescue:– [Made the following comments]

Following an email from Highways dated 19th November 2025 regarding the above planning application, we have examined the plans and make the following comments:

ACCESS AND FACILITIES

Access for fire fighting vehicles should be in accordance with The Building Regulations 2010, Approved Document B - Vol .2, Sub Section B5.

- 1. It appears that a fire appliance will be able to gain access to the site via the entrance gates, it should be ensured there is a minimum width between gateways of 3.1 meters. (Table 15.2)*
- 2. It appears from the attached documentation JS02_v3 that a satisfactory turning circle conforming to the requirements of diagram 15.3 will be provided.*
- 3. The access road should achieve a minimum carrying capacity of 19 tonnes for a fire appliance.*
- 4. Any trees adjacent to the access road should not have overhanging branches/limbs lower than 3.7m in height.*

WATER SUPPLIES

Fire hydrants will be required in order to ensure new developments are adequately served in the event of fire. For information on water supplies for firefighting (Fire hydrants) please contact Hertfordshire Fire & Rescue Services Water Officer on 01992 507507 or water@hertfordshire.gov.uk

4.1.4 TRDC Local Plans Section: [No Objection]

Policy H of the 'planning policy for traveller sites' (PPTS) (December 2024) sets out that Local Planning Authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) The existing level of local provision and need for sites*
- b) The availability (or lack) of alternative accommodation for the applicants*
- c) Other personal circumstances of the applicant*
- d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites*
- e) That they should determine applications for sites from any travellers and not just those with local connections.*

Policy CP5 of the Core Strategy (2011) sets out that when allocating sites or considering planning applications for sites for Gypsies and Travellers or Travelling Showpeople, a criteria based approach will be used. The following criteria will be taken into account:

- a) Avoid areas at risk from flooding*
- b) Avoid causing an adverse impact on areas of recognised wildlife, heritage or landscape importance, and on the openness of the Green Belt*
- c) Be in or near existing settlements with access by foot and/ or public transport to local services, including shops, schools and healthcare*
- d) Be well located to the highway network, with safe and convenient vehicular and pedestrian access to the site*
- e) Provide adequate on-site facilities for parking, storage, play and residential amenity*
- f) Provide adequate levels of privacy and residential amenities for occupiers and not be detrimental to the amenities of adjacent occupiers*
- g) The circumstances of the applicant and their need for pitches on the application site*

Policy CP11 states that there will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it. Policy DM2 sets out "within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance".

Policy E of PPTS (December 2024) states "inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development unless the exceptions set out in Chapter 13 of the National Planning Policy Framework apply". It also states that "the Golden Rules, set out in chapter 13 of the National Planning Policy Framework, do not apply to traveller sites".

Paragraph 154 of the National Planning Policy Framework (NPPF) states that development in the Green Belt is inappropriate unless certain exceptions apply. Paragraph 154 of the NPPF sets out the following exceptions to inappropriate development in the Green Belt:

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

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

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

The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. As such, it is clear that there is a demonstrable need for gypsy/traveller pitches within the District.

Since the publication of the GTAA in August 2025, the following planning permissions have been granted:

- *25/1117/FUL - Land South of Old House Lane, Kings Langley, WD4 8RR. This application resulted in the net gain of 1 pitch.*

As such, following the approval of the above planning permissions, the total need identified within the GTAA is now 40.

The delivery of 4 pitches would positively contribute to the identified need for gypsy/traveller pitches within the District.

The Planning Policy team will provide further comments if any changes to the application are made.

The site was included within the emerging Local Plan Part II – Site Allocations document (January 2026), which identifies locations the council considers suitable for future development. At the 27 January 2026 Extraordinary Full Council, the Part II Local Plan document was agreed to proceed to Regulation 19 Consultation. However, on 5 February 2026, the council was issued a holding direction by the Minister of State for Planning and Housing preventing the council from taking “any step in connection with the adoption of the Plan”, including proceeding with the Regulation 19 consultation until the Minister reviewed the emerging Plan’s evidence base. On 18 March 2026, the council was issued a Local Plan Intervention letter whereby the Minister of State for Planning and Housing issued a total of 9 directions to the council, including timelines for specific actions, such as commencing the Regulation 19 consultation (by 31 July 2026). The emerging Local Plan has not proceeded to Regulation 19 consultation. As such, at this stage, the allocation of the site as a gypsy/ traveller site can only be given limited weight.

4.1.5 Herts Ecology – [Made the following comments]

The Site is located adjacent to Bedmond Green Local Wildlife Site 75/014 important for its grassland. I have no reason to consider that the LWS will be directly affected by the proposal but as a precautionary measure I advise the following is secure by Condition.

Protected species

Bats: A number of trees were assessed as having potential roosting features And if any of the trees T1 – T8 as identified within the PEA are to be affected further surveys would be required. Prior determination. However, the DAS states that all trees are to be retained. A landscape plan has also been produced which includes the location and type of lighting features. Based on the retention of the trees there is sufficient information on bats to determine the application. However, I advise that the retention of these trees and the lighting plan are secured by a compliance Condition.

Other protected Species: Standard safeguards for badgers, hedgehogs, nesting birds and non-licensed mitigation for Great Crested Newts are outlined in the Preliminary Ecological Appraisal. To this effect, I advise method statements based on the mitigation within the ecology reports including should be submitted for approval to the LPA. These are best demonstrated within an ecological section of Construction Ecological Management Plan. I advise this is secured by Condition.

BNG exemption

The biodiversity gain planning condition does not apply in relation to the following exemption which the applicant states the application meets.

- a) *Self-Build and Custom Build Applications and consist of no more than 9 dwellings on a site no larger than 0.5 hectares.*

If the LPA consider that this application meets the above exemption the requirement for mandatory 10% biodiversity gain does not apply. However, a biodiversity metric has been provided and if the application is assessed to be not covered by the exemption, then the following would apply:

BNG pre-determination

Completion date and baseline value: The metric calculation tool (Mandatory Biodiversity Metric), completed on 24/09/2025, shows baseline values of 3.89 habitat units, 1.35 hedgerow units.

The baseline habitats are consistent with the baseline habitat map and the outcomes of the submitted surveys. As a result, I have no reason to doubt these values. Consequently, the minimum information requirements have been met and the application can be determined accordingly.

Strategic significance: The values for the baseline habitats have been set as low in line with government LNRS guidance.

BNG determination

BNG net gain outcome: An overall net gain greater than 10% that meets the trading rules has been shown to be possible. This is proposed to be achieved entirely through on-site biodiversity enhancements.

The metric demonstrates an on-site delivery of:

- 0.51 habitat units, representing a total net change of 13.13%;*
- 0.28 hedgerow units, representing a total net change of 20.56%; and all of which exceed the statutory minimum requirement of 10% Biodiversity Net Gain, where applicable.*

Whilst the biodiversity gain condition is a post-determination matter, the information submitted provides the LPA with reasonable confidence that the Biodiversity Gain Condition can be discharged, subject to approval of a Biodiversity Gain Plan demonstrating delivery in accordance with the final metric.

Significant on-site enhancement: The proposed Biodiversity Net Gain includes medium-distinctiveness habitats (such as other neutral grassland) delivered at a scale that constitutes Significant On-Site Enhancement. I therefore advise that the on-site biodiversity enhancements should be secured for a minimum period of 30 years by either a condition attached to the planning permission, a Section 106 agreement, or a conservation covenant.

If an S106 is sought account should be taken in any such agreement of the cost to the LPA of reviewing any required monitoring reports. Based on a small site (1–5 ha) and low difficulty of habitat creation and management, I advise that, in line with the Ecology Service (LEADS) monitoring cost calculator, a cost of £3,395 would be appropriate. This is dependent on monitoring reports being provided in years 1, 3, 5, 10, 15, 25 and 30.

Habitat Management and Monitoring Plan (HMMP): The creation, enhancement and long-term management of the on-site habitats should be set out in a Habitat Management and Monitoring Plan (HMMP) covering a minimum period of 30 years.

The HMMP should be submitted to and approved by the LPA and should follow the Natural England HMMP template.

LNRS & Post Determination Strategic significance: Areas of the application site are covered by mapped measures within the strategy. If the application is approved, the Biodiversity Gain Plan and supporting metric should reflect high strategic significant values for any areas (1) that are shown in the published local strategy and (2) deliver the mapped measures for that area. Any post development habitat interventions that meet both of these criteria will achieve a biodiversity unit uplift.

BNG-Post Determination.

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

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

- *Completed metric tool calculation that demonstrates
 - *a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.*
 - *A fully completed start page including project details and the date the final version of the metric was completed.**
- *pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale, Post Development Plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.*
- *a description of how they will manage and monitor significant on-site gains (for example, With a habitat management and monitoring plan)*

Conditions and Informatives

Lighting Condition:

Non licenced mitigation relating to preventing the negative impacts of lighting on these features for bats are recommended. I advise these are secured by the following Condition or similar.

“The development shall be carried out in accordance with the biodiversity mitigation measures relating to lighting in the Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd and be informed by the Guidance Note 08/23: Bats and artificial lighting in the UK, (BCT & ILP, 2023). All the measures and features listed shall be implemented in full, unless otherwise agreed in writing by the local planning authority, and all the measures and features shall thereafter be permanently retained.”

Construction Environmental Management Plan Condition:

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

1. *A review of any ecological impacts and should be informed by the submitted ecological report Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd.*
2. *Risk assessment of potentially damaging construction activities.*
3. *Identification of ‘biodiversity protection zones’*
4. *A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.*

5. *The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).*
6. *Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;*
7. *The times during construction when specialist ecologists need to be present on site to oversee works.*
8. *Responsible persons and lines of communication.*
19. *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*

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

Reason

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

Tree Condition:

Existing trees (including the roots and overhanging branches) that are remaining on (or adjacent to the) site should be protected from damage. Protection barriers and/or a no-dig policy may be required and advice should be sought from an Arboriculturist.

The development shall be completed in strict accordance with the following documents and drawings as submitted with the planning application,

ii. Proposed Planting Scheme, Exterior Lighting and Biodiversity Enhancements.

All the biodiversity mitigation measures shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the local planning authority, and all mitigation features shall thereafter be permanently retained for the stated purposes of biodiversity conservation.

4.1.6 Environmental Health (Protection) Officer:

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

Introduction

STM Environmental prepared a Phase 2 Environmental Site Investigation Report for the site at Toms Lane, Kings Langley, Hertfordshire. The report has been submitted in support of a proposed change of use of the site to create four gypsy and traveller pitches including two amenity buildings and associated hardstanding and access. The report advises the proposals include soft landscaping.

The stated objectives of the report are to provide information for a generic quantitative risk assessment (GQRA) to be undertaken, refine the Conceptual Site Risk Model using the findings of the GQRA, inform the need for and scope of any remedial works that may be required.

The report follows on from a Phase 1 Preliminary Risk Assessment (Document Reference. PH1-2025-000137, 20th November 2025) and includes a summary of the findings of the Phase 1 report and the preliminary conceptual site model.

The Phase 1 report was reviewed in Planning Consultation Response ref. 23158101-WAT-XX-XX-TN-N-770035_P01_S1. We note a revised Phase 1 report addressing our comments has not been submitted.

Summary of the contents of the report

Ground investigation was undertaken at the site in February 2026. The investigation comprised 7No. window sample holes to depths of between 1.0m bgl and 3.0m bgl, analysis of near surface soil samples from depths of between 0.2m bgl and 1.5m bgl, PID headspace screening of soil samples, installation of 3No. window sample hole locations with monitoring wells to 3.0m bgl, 3No. post-investigation rounds of ground gas and groundwater monitoring.

The report describes the geology encountered as comprising slightly clayey, sandy, gravelly SILT underlain by slightly clayey, slightly silty, gravelly, cobbly SAND with flints to a depth of 3.0mbgl.

The report notes no visual indications of contamination, significant odours or PID readings were recorded during the investigation.

13No soil samples were submitted for analysis including asbestos screen, metals, speciated total TPHs, phenols, BTEX compounds, MTBE, speciated PAHs, cyanide, and pesticides. Laboratory analysis results were screened against generic assessment criteria (GAC) for a residential end-use without plant uptake for soil with 2.5% soil organic matter (SOM). The report advises a single exceedance of lead was reported in a sample recovered from 0.30m bgl in BH06.

Asbestos was not detected in any of the 11No. samples submitted for laboratory screening.

The report advises the frequency of ground gas monitoring visits (3No.) were decided in line with the recommendations by CIRIA to provide monitoring data sufficient to allow the predication of worst-case conditions. Exploratory hole logs show monitoring wells targeted the cobbly sand deposits.

Ground gas monitoring recorded a maximum carbon dioxide concentration of 2.6%. Methane was not recorded above the gas monitor's limit of detection (0.0%). A maximum flow rate of 0.3l/hr was recorded. A characteristic situation 1 (CS-1) was calculated and the report advises no ground gas protection measures are required for the development. A maximum PID reading of 1.3ppm was recorded in the monitoring wells.

No groundwater was recorded during advancement of the exploratory holes or during the post-investigation monitoring.

A reassessment of contaminant linkages identified in the Phase 1 report is presented. Potential risks are identified as low to very low for all receptors except for future site occupiers. A low to moderate risk to future site occupiers is identified due to an elevated concentration of lead. Other than future site occupiers, risks are identified as not potentially significant.

The report recommends remedial measures in the area of BH06 to break the Potential Pollutant Linkages identified and to render the site suitable for the proposed residential end use. The report recommends a Remediation Strategy is submitted to the Local Planning Authority for approval and remedial works should be validated by a qualified Environmental Consultant.

Assessment of compliance with LCRM

We make the following observations which should be addressed in the Phase 2 report:

- *It cannot be discounted the site could be used for home-grown vegetables in the future. Therefore, soils chemical analysis results should be screened against GAC for a residential use with plant uptake;*
- *Delineation of soils containing elevated concentrations of contaminants (including lead) should be undertaken to inform the extent of remedial works required. This could be undertaken as part of an updated Phase 2 report, or included within the scope of a Remediation Strategy to be agreed with the Local Planning Authority;*
- *Given the presence of a former landfill adjacent the site, further justification is required for undertaking 3No ground gas monitoring visits over a period of 3No. weeks. The time period spent monitoring each location during each visit should also be included in the report;*
- *Calibration certificates should be provided for ground gas and PID monitors;*
- *Soils analysis does not include the following contaminants of concern identified in the Phase 1 report: VOCs and solvents/chlorinated solvents. Justification should be provided as to why these were not tested for or additional soils analysis should be undertaken;*
- *Further discussion is required on the potential risks from vapours. Lines of evidence should include concentrations of volatile compounds in soils (including VOCs and solvents/chlorinated solvents) and discuss the potential for groundwater as potentially significant source of vapour as a result of on-site / off-site sources;*
- *Given the absence of groundwater data, further discussion is required to justify the risk rating for groundwater. Discussion should include whether historical on-site activities may have impacted on the site's groundwater quality and whether lateral migration of contamination may be occurring as a result of this.*

Recommendations

We consider contaminated land matters at the site can be dealt with by a suitably worded planning condition.

The condition should require submission of the following documents, prepared in accordance with Environment Agency Land Contamination Risk Management (LCRM) guidance, to the Council for approval:

- *A Tier 1: Preliminary risk assessment which addresses information gaps identified in Planning Consultation Response ref. 23158101-WAT-XX-XX-TN-N-770035_P01_S1;*
- *A Tier 2: Generic quantitative risk assessment which addresses information gaps identified in this Planning Consultation Response (ref. 23158101-WAT-XX-XX-TN-N-770055_P01_S1);*
- *A Tier 3: Detailed quantitative risk assessment if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment;*
- *A Remediation Options Appraisal, Remediation Strategy and Verification Plan;*
- *A Remediation Verification report to demonstrate that risks have been reduced, the remediation objectives and criteria have been met, and the site is suitable for use.*

4.1.7 Landscape Officer: Made the following comments verbal comments

A tree protection and method statement would be required as condition of any development, prior to construction beginning on site.

4.1.8 Affinity Water: [No response received].

4.1.9 Thames Water: [No response received].

4.1.10 National Grid: [No response received].

4.2 Public/Neighbour Consultation

- 4.2.1 Neighbours consulted: 5.
- 4.2.2 Responses received: 3 (objections)
- 4.2.3 Summary of responses received:

- Inappropriate in the Green Belt.
- Gap between settlements.
- Overdevelopment, over-concentration of sites.
- Impact on Wildlife and Ecology
- Contaminated Land

4.2.4 Site Notice: Posted: 04.10.2025 Expired: 25.10.2025.

4.2.5 Press Notice: Not required.

5 Reason for Delay

5.1 Additional information required.

6 Relevant Planning Policy, Guidance and Legislation

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

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

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

The Environment Act 2021.

6.2 National Planning Policy Framework and National Planning Practice Guidance

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

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

6.3 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 CP1, CP5, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM4, DM6, DM7, DM9, DM10 and DM13.

Policy AL3 and AL4 of the Abbots Langley Neighbourhood Plan (Referendum Version Plan March 2026).

6.4 Other Material Considerations

Planning Policy for Traveller Sites (PPTS) (updated December 2024).

Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025).

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

Human Rights Act 1998.

Equalities Act 2010.

Housing Act 2004.

Children Act 2004.

7 Planning Analysis

7.1 Principle of Development

7.1.1 Planning Policy for Traveller Sites was updated in December 2024 and is a material consideration in planning decisions. It should be considered in conjunction with the NPPF and sets out that the overarching aim of the Government is to ensure fair and equal treatment for travellers in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. To help achieve this, Planning Policy for Traveller Sites sets out a number of aims in respect of traveller sites:

- That local planning authorities should make their own assessment of need for the purposes of planning
- To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- To encourage local planning authorities to plan for sites over a reasonable timescale
- That plan-making and decision taking should protect Green Belt from inappropriate development
- To promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective

- For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- To increase the number of traveller sites in appropriate locations with planning permission to address under provision and maintain an appropriate level of supply
- To reduce tensions between settled and traveller communities in plan-making and planning decisions
- To enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- For local planning authorities to have due regard to the protection of local amenity and local environment.

7.1.2 Core Strategy Policy CP5 states that in considering planning applications for sites for Gypsies or Travellers, a criteria-based approach will be used. Criteria include avoiding an adverse impact on the openness of the Green Belt, being within or near to existing settlements with access to local services and the circumstances of the applicant and their need for pitches on the application site.

7.1.3 The application site is located within the Metropolitan Green Belt. Planning Policy for Traveller Sites paragraph 16 highlights that traveller sites (temporary or permanent) within the Green Belt are inappropriate development and that inappropriate development is harmful to the Green Belt and should not be approved. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

7.1.4 The NPPF and Core Strategy Policy CP11 also set out that there is a general presumption against inappropriate development in the Green Belt and this is reflected by Policy DM2 of the Development Management Policies document.

7.1.5 TRDC Local Plans have confirmed that the most recent Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025) concluded that there is a need for 41 additional pitches, over the period 2025-2041, for Gypsy and Traveller households that meet the planning definition. Furthermore, the application site was included within the emerging Local Plan Part II – Site Allocations document (January 2026), which identifies locations the council considers suitable for future development. Notwithstanding this, it is noted that the applicant has put forward a personal need to accommodate family members. Having regard to Policy CP5, the site is not at risk of flooding. Impacts on Green Belt are assessed below. In respect of the need to be in or near existing settlements, the site is close to and accessible from the village of Bedmond with existing residential development in the vicinity, which ensures there is suitable infrastructure and services nearby. Given the above, it is considered that, in principle, the use of the application site as a Gypsy/Traveller Site would be acceptable, subject to other material planning considerations.

7.2 Impact on the Green Belt

7.2.1 The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The National Planning Policy Framework sets out that Green Belt serves five purposes:

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

7.2.2 The NPPF sets out that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt,

including harm to its openness (Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.2.3 Policy CP5 of endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. However, officers note that due to the make-up of the District, with a substantial percentage covered by the Green Belt designation, the majority of future proposals for gypsy traveller provision is likely to be within the Green Belt and thus will conflict with Policy CP5.
- 7.2.4 Paragraph 153 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. As set out above, paragraph 16 of Planning Policy for Traveller Sites confirms that traveller sites are inappropriate development within the Green Belt.
- 7.2.5 Paragraph 154(h) sets that other forms of development are not inappropriate provided that 'they preserve its openness and do not conflict with the purposes of including land within in.' Other forms of development include:
- i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.
- 7.2.6 The NPPF and Core Strategy CP11 also set out that there is a general presumption against inappropriate development in the Green Belt. Policy DM2 of the Development Management Policies document also advises that within the Green Belt, except in very special circumstances approval will not be given for new buildings other than those specified in national policy and other relevant guidance. The NPPF further advises that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.2.7 The proposal involves the material change of use of the land from pasture land to provide four gypsy/traveller pitches (4 static caravans (mobile homes), 2 amenity buildings and 2 caravans). The change of use would involve the introduction of six large urbanising structures and the spread of domestic paraphernalia in association with the residential use, into an existing site, which is at present void of any built form. The introduction of the proposed structures onto the site would introduce built form and would result in an erosion of the overall spatial sense of openness. There is no other built form within the site and wider site, which would offset this perception, and the spread of domestic paraphernalia and increased activity on the site would be notable from the public highway resulting in harm to the openness of the Green Belt.
- 7.2.8 The existing access to the site would be retained to the southeast corner with the erection of a new set of gates to replace the existing gates, set back 7m from the highway. Any gaps within the front boundary hawthorn hedgerow would be filled in and the first 15m of the site from the entrance would be kept as amenity space and soft landscaped, which would in turn limit the visibility of the structures, vehicles and domestic paraphernalia. However, it is

considered that the domestic paraphernalia could spread towards the highway which would result in an increased perception of domestication and urbanisation.

- 7.2.9 The material change of use would also involve the introduction of an area of hardstanding into the site from the highway. Given the nature of the hardstanding, there would be some visual impact due to its expanse, which would visually and spatially impact the openness of the Green Belt. However, the increased visibility of the land within the site would be limited, given the retention and enhancement of the existing hedgerow. Notwithstanding this, although the visual impact would be relatively limited, the expanse of hardstanding would result in an adverse effect on the openness of the Green Belt and would result in perceptible urbanisation, which would not be wholly mitigated by the existing boundary treatment. The screening in the form of the hedgerow to the boundary would vary dependent on the time of year. Landscaping as a sole means of screening cannot be relied upon to mitigate the visual impact on the Green Belt.
- 7.2.10 The purpose of the day room building would be for ancillary purposes to the primary use of the wider site. Whilst the NPPF is silent on ancillary buildings, Policy DM2 of the Development Management Policies document states that the Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:
- a) Be of a scale, design, height and bulk such that the building would not adversely affect the openness of the Green Belt.
 - b) Be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development
 - c) Avoid features normally associated with the use of a building as a dwelling
- 7.2.11 Having regard to the above criteria, the day room buildings would be positioned in between the proposed mobile homes, set back significantly from Toms Lane. In addition, the day room buildings would be central to the proposed pitches. Thus, the spread of development would be limited and contained. In addition, given their proposed single storey design, overall size, sympathetic exterior and location, should the use of the site be considered acceptable, it would be reasonable to require a dayroom for amenity purposes to serve the site, and therefore the dayrooms would comply with Policy DM2 in this regard. It is not considered that the level of hardstanding would be excessive so as to impact openness.
- 7.2.12 Whilst the outbuildings would comply with DM2, the use of the land to which they rely on is inappropriate by definition when assessed against para 154 and is harmful to the openness of the green belt and conflicts with one of the purposes - encroachment into countryside. Therefore, for the purposes of para 145, the development is inappropriate development, harms openness.
- 7.2.13 Notwithstanding the above, paragraph 155 of the NPPF states that the development of homes, commercial and **other development** in the Green Belt should also not be regarded as inappropriate where all of the following (a – d) apply. It is considered that the change of use of the land would fall within ‘other development’ in the Green Belt, which includes all other associated development which are intrinsically linked to the use of the land as residential:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

d) Where applicable the development meets the 'Golden Rules' requirements set out in the paragraphs 110 and 115 of this Framework'.

7.2.14 'Grey belt' excludes land where the application of the policies relating to the areas of assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. National Landscapes are a designated area of protection which is excluded from 'Grey Belt.'

7.2.15 For the purposes of plan-making and decision-making, Annexe 2 of the NPPF defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. These are taken in turn below:

a) The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

7.2.16 The Planning Policy Guidance (PPG) on Green Belt assesses the contribution to the purposes of the Green Belt.

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

7.2.17 In this regard the site is clearly demarked from the surrounding landscape and bound by established mature trees and hedgerow. The development would generally conform to the established intermittent linear development of Toms Lane. The application site forms part of a relatively isolated and enclosed parcel of land, which is surrounded by natural features which would nullify the spread of further development. As the site is not located within a large built up it is considered to make a weak or no contribution to purpose a) and therefore meets this aspect.

b) to prevent neighbouring towns merging into one another;

7.2.18 The application site and proposal represent relatively small-scale development with linear development along Toms Lane, which is clearly distinct. As such, the proposal would not contribute to the merging of neighbouring towns nor impact on the setting of a historic town (purpose d). Given that the application site is considered part of Bedmond, a village, the PPG further emphasises that villages should not be considered as towns or large built up areas. As such, the development would not make a contribution to purposes b). and therefore meets this aspect.

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

7.2.19 The development is not within a historic towns so would make a weak or no contribution to purpose d).

Summary of purposes and whether taken together the development would fundamentally undermine the purposes (taken together)

7.2.20 Overall, it is considered that the application site does not strongly contribute to any of purposes (a), (b) or (d). With regards to (c) to assist in safeguarding the countryside from encroachment; this is considered limited given the scale of the proposed development and existing and enhanced boundary screening. The development would not result in conflict with purposes d) or e). As a result, the development would not fundamentally undermine the purposes of the remaining Green Belt when taken together. As such, it is considered that the application site constitutes 'grey belt' land and would satisfy the first point of paragraph 155.

7.2.21 Nevertheless, in order to not be inappropriate development, the development must meet the following criteria.

b) There is a demonstrable unmet need for the type of development proposed

7.2.22 Footnote 56 of the NPPF (2024) states with regard to b) that in the case of traveller sites means the lack of a five-year supply of deliverable traveller sites assessed in line with Planning Policy for Traveller sites.

7.2.23 The Planning Policy for Traveller Sites (PPTS) was updated in December 2024 and included a change to the planning definition of Gypsies and Travellers for the purposes of planning policy, which has been amended as follows:

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'

7.2.24 The PPTS allows local authorities to make their own assessment of need for provision for Gypsies, Travellers and Travelling Showpeople within their relevant district. The assessments should be updated annually and identify a supply of specific deliverable sites to provide 5 years' worth of site against their locally set targets and identify locations for growth, for years 6 to 10, and where possible, for years 11 to 15.

7.2.25 As part of this application the Local Plans team confirmed that The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined.

7.2.26 As such, it is clear that there is a demonstrable need for the type of development proposed (gypsy/traveller pitches) within the District.

c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework.

7.2.27 Footnote 57 of the NPPF also sets out that in the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites Paragraph 13. Paragraph 13 of the PPTS sets out the following:

Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

a) promote peaceful and integrated co-existence between the site and the local community;
b) promote, in collaboration with commissioners of health services, access to appropriate health services;

c) ensure that children can attend school on a regular basis;

d) provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment;

e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development;

f) avoid placing undue pressure on local infrastructure and services;

g) don not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans and

h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

- 7.2.28 The application site is sited outside of any defined settlement boundary set out in the Core Strategy. However, paragraph 3.14 of the Core Strategy notes that development outside settlements is not necessarily precluded, proposals in such locations must be carefully justified given their lower accessibility and limited sustainability. The NPPF does not specify that a village must be designated in the development plan or specify what limits of the village should be. The definition of a village is a matter of planning judgement regardless of whether a site falls outside a designated settlement boundary. The site forms part of the linear development of Toms Lane, which has a semi-rural character, whilst there are examples of residential development extending to the rear of properties located on Toms Lane via private access tracks. In this regard, it is noted that the site would be sited approximately 0.3 miles from Bedmond, which is approximately a 7 minute walk. As such, it may be considered to lay within this village for the purposes of the NPPF. Bedmond would be safely accessible on foot and the site has some physical and functional relationship to the village of Bedmond. Furthermore, the application site is in very close proximity to the defined settlement boundary of Bedmond, a designated village with access to services such as the post office, shops, pub, bus service and nearby primary school.
- 7.2.29 With specific regard to Paragraph 13 of the PPTS, given the above, it is considered that the application site is in a sustainable location for Gypsy and Traveller pitches – there would be access to health services, schools and other basic services. The site would not require reliance on private motor vehicles. In light of the above, it is considered that given the specific merits of the site, the location of the site for use as a traveller site would be acceptable in the context of 155(c).
- 7.2.30 *d) Where application the development meets the ‘Golden Rules’ requirements set out in paragraphs 156-157.*
- 7.2.31 Policy E of the PPTS (December 2024) states that the Golden Rules, set out in Chapter 13 of the National Planning Policy Framework, do not apply to traveller sites and is therefore not applicable in the assessment of this application in respect of paragraph 115(d).
- 7.2.32 In conclusion, it is considered that the proposed change of use and associated development would satisfy the requirements of paragraph 155 and therefore is considered to be appropriate development within the Green Belt and no harm would automatically arise to the openness of the Green Belt as a result.
- 7.2.33 In summary, the change of use of the site for use as a Gypsy/Traveller Site would meet the exceptions of Paragraph 155 of the NPPF and therefore would represent appropriate development in the Green Belt. The proposal would therefore be in accordance with Policies CP1 and CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and the National Planning Policy Framework.
- 7.3 Impact on the character and appearance of the streetscene and landscape
- 7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.
- 7.3.2 Policy DM7 of the Development Management Policies LDD states that the Council will require proposals to make a positive contribution to the surrounding landscape and that proposals which result in unacceptable harm to the character of the landscape in terms of siting, scale, design or external appearance will be refused.
- 7.3.3 Policy AL3 of the Abbots Langley Neighbourhood Plan (March 2026) states that all new development should reflect the character of the Character Area in which they are located. Policy AL4 further states that development proposals should demonstrate a high quality of

design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.

- 7.3.4 The application site is bound by vegetation and mature trees, which collectively supported by the enhanced boundary treatment to the front boundary would maintain a verdant character to the site. Whilst the existing access and proposed replacement gate, proposed amenity buildings, stationed mobile homes, caravans and vehicles would be visible from certain vantage points. Nevertheless, the application site is well screened along the front boundary by vegetation, which as indicated within submitted plans would be retained and filled in, which would be subject to a condition to ensure that the vegetation is retained and maintained. As such, any views of the proposed development would be limited through the access or through the existing vegetation and mature trees.
- 7.3.5 The proposed development would be well set back from the highway by approximately 15m, with a buffer area of vegetation retained to the front boundary. The proposed layout would also be consistent with other development, set back from the highway within the streetscene and locality where built form is set back from the road and include soft landscaping and hedging to the front boundary. The proposed pitches and amenity building would be set back from the front boundary, which would be against the backdrop of dense tree lined boundaries including woodland to the east. Furthermore, the proposed amenity buildings and mobile homes would be of simple form, single storey in nature and would be of a size that would be considered as reasonably necessary to serve the site.
- 7.3.6 The streetscene of Toms Lane is varied in terms of architectural designs and styles of dwellings, with the Pavilion sited opposite the application site. As such, it is not considered that the proposed mobile homes, amenity buildings or associated hardstanding would result in harm in terms of the character or appearance of the streetscene or wider area. The proposed development would be within the confines of the site, which would be largely obscured from the streetscene of Toms Lane. Therefore, given that the development is well screened from public vantage points, it is not considered that the proposed development would appear unduly prominent within the streetscene of Toms Lane, have a similar relationship as an existing property at No. 235, being immediately adjacent to woodland nor result in harm to the character or appearance of the streetscene or wider area. Any approval would be subject to a condition requiring details of the proposed enhanced boundary treatment to be submitted for approval, and implemented and maintained,
- 7.3.7 It is considered reasonable to attach conditions to ensure that the stationing of vehicles is reserved for the hardstanding only and would not be sited beyond its permitted extent nor should lighting be erected in these locations outside of the proposed site boundary. A condition would also be attached to any consent to required details of the proposed hard surfacing in terms of its materials and permeability.
- 7.3.8 In summary it is not considered that the proposed development would result in an adverse impact on the character or appearance of the host dwelling, street scene or area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM7 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policies AL3 and AL4 of the Abbots Langley Neighbourhood Plan (adopted March 2026).

7.4 Impact on amenity of neighbours

- 7.4.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.
- 7.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties

nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

- 7.4.3 The proposed mobile homes and ancillary buildings would be set back a minimum of 15m from the highway and would not be visible from any neighbouring dwellings. In addition, only limited views would be available, the boundaries defined by a dense row of vegetation including mature trees with the front boundary hedging enhanced, which would provide screening. Notwithstanding this, the application site is well contained and would be sited a minimum of 120m from any residential properties. Thus, given the location of the proposed built form it is not considered to result in harm by virtue of a loss of light or overbearing impact.
- 7.4.4 In summary, the proposed development would not result in any adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.5 Highways, Parking and Access

- 7.5.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.5.2 Policy CP5 of the DMP LDD sets out that when considering planning applications for sites for Gypsies and Travellers, the provision of safe and convenient vehicular and pedestrian access to the site and adequate on-site facilities for parking will be considered.
- 7.5.3 In terms of parking, there are no specific parking standards for traveller sites; however, the submitted layout of the site shows that there would be six parking spaces. This is considered to be sufficient and the proposal is considered to be acceptable in this regard.
- 7.5.4 Hertfordshire Highways and Herts Fire and Rescue have been consulted on the proposed development with regards to access arrangements. The site would utilise the existing access. The amended plan sent during the course of the application provided a turning point for larger vehicles including emergency vehicles can access and turn around within the site; which raised no objection from Hertfordshire Highways, subject to informatives.
- 7.5.5 Hertfordshire Highways and Herts Fire and Rescue have confirmed that the submitted details are acceptable, and the proposal would not result in any harm in this regard. An acceptable visibility splay currently exists and there are no changes proposed to the existing access.

7.6 Trees & Landscape

- 7.6.1 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.
- 7.6.2 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.
- 7.6.3 There are a number of mature trees within and surrounding the application site, whilst not protected, which contribute to the visual amenity of the streetscene and area. The Landscape Officer was consulted during the application and advised that a tree protection

plan and method statement would be required as condition of any development, prior to construction beginning on site.

7.6.4 A proposed Landscaping & Planting Schedule, Plan No. JS06 plan has been submitted with the application, which shows that the existing on-site trees would be retained and have been considered as part the Landscaping Plan and Planting Schedule, which would be subject to a condition and therefore would be acceptable in this regard.

7.6.5 The proposed development would not require the removal of any trees nor is considered to result in any harm to others. However, to ensure the protection of trees on and adjacent to the site, any application approval would be subject to a tree protection and method statement condition.

7.7 Biodiversity and BNG

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

7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Preliminary Ecological Appraisal was submitted with the application and has been reviewed by Hertfordshire Ecology. It states that a construction Ecological Management Plan is recommended as a condition and that opportunities exist for the provision of ecological enhancements including bat and bird boxes, log piles for invertebrates and reptiles.

7.7.3 Herts Ecology have reviewed the application and advised the application is acceptable, subject to conditions. This would be with regard to ensure protected species such as bats, badgers, hedgehogs, nesting birds and Great Crested Newts are safeguarded based on the mitigation set out in the submitted Preliminary Ecological Appraisal by Geosphere Environmental Ltd dated 07/07/2025.

7.7.4 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% biodiversity value. This is subject to exemptions as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.7.5 For BNG purposes, a single pitch for a Gypsy/Traveller site, which typically includes space for a mobile home, touring caravan, and utility building, is generally not considered as a self-build dwelling as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 for the purposes of BNG. In this case the biodiversity net gain condition is considered to apply, with the self-build and custom build exemption, detailed with the submitted application form and Supporting Statement, not considered applicable. A mobile home (caravan) or touring caravans are not considered to meet the legal definition of building a "house" in this context.

7.7.6 A BNG Assessment has accompanied the application, which has been reviewed by Hertfordshire Ecology. The proposed development would be able to meet a 10% biodiversity net gain on site through significant on-site enhancement of habitats and hedgerow. Herts Ecology advise that on-site biodiversity enhancement should be

conditioned for a minimum period of 30 years. Full detail would be required as part of the mandatory BNG condition.

- 7.7.7 As set out above, the Biodiversity Gain Hierarchy requires adverse effects to be compensated by prioritising enhancing existing habitats including creating new habitats, subject to approval of a Biodiversity Gain Plan demonstrating delivery in accordance with the proposed biodiversity enhancements. The LPA will be required to consider the Biodiversity Gain Plan condition before any works take place. Owing to the nature of the site and proposal, it is considered that securing the biodiversity net gain through conditions is the most appropriate means in this instance and therefore acceptable.
- 7.7.8 These planning conditions will ensure that the Biodiversity Gain Plan is prepared in accordance with the Biodiversity Net Gain Assessment (24/09/2025), the submission of a Habitat Management and Monitoring Plan (HMMP) which includes the monitoring methodology to be submitted to the LPA on year 2, 5, 10, 15, 20, 25 and 30), that the LPA is notified that the HMMP has been implemented, that no occupation of the units shall take place until the HMMP have been completed and submission of a completion report, the created or enhanced habitat approved by the HMMP shall be managed and maintained in accordance with the HMMP for 30 years from the date of first occupation and the submission of monitoring plans in accordance with the methodology and frequency as specified in the approved HMMP.
- 7.7.9 The development is considered acceptable in that the 10% biodiversity net gain would be secured on site. Consequently, no objections are raised in this regard. Further conditions would also be considered appropriate to mitigate the impact of lighting on bats and a Construction Environmental Management Plan to ensure ecology is protected on the adjacent sites, both of which would be subject to a condition.
- 7.7.10 In summary, subject to conditions, it is considered that the proposed development would secure a significant biodiversity net gain and is therefore acceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

7.8 Contamination

- 7.8.1 The Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated, where the Council is satisfied that:
- i) There will be no threat to the health of future users or occupiers of the site or neighbouring land; and
 - ii) There will be no adverse impact on the quality of local groundwater or surface water quality.
- 7.8.2 Given the presence of a former landfill adjacent to the site, there are associated risks from landfilling, storage and use of fuels, fertilisers, pesticides and herbicides, asbestos containing and other activities.
- 7.8.3 The Environmental Health Officer (EHO) was consulted on this application following the submission of an Environmental Phase 1 and 2 report during the course of the application. The reports noted no visual indications of contamination, significant odours during the investigation and included various soil samples. The EHO has provided comments where they raised no objection subject to conditions.
- 7.8.4 An assessment of the risks associated with the site was considered necessary and thus any grant of planning permission would include conditions regarding contamination as set out in the response from the EHO and if any is found during construction details of mitigation measures should be submitted. Thus, subject to conditions, the proposed development is

considered acceptable on contamination grounds in respect of Policy DM9 of the Development Management Policies LDD.

7.9 Refuse and Recycling

7.9.1 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

7.9.2 The submitted Block Plan JS02 V4 details the bin storage areas to the side of two of the mobile homes, which could be brought to the front of the properties on collection day or accessed from within the site. This is considered acceptable arrangements for refuse/recycling on collection days. As such, the proposed development has demonstrated that there would be adequate provision for the storage and collection of refuse and recycling, in accordance with the requirements of Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

7.10 Drainage and Waste Water

7.10.1 The application site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to an Affinity Water Pumping Station (HUNT). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd (AW).

7.10.2 A condition would require the submission and approval of a Waste Water Scheme and confirmation from Thames Water demonstrating connection to the existing sewer network. As such, subject to the recommended condition, the proposal is considered to be acceptable in this regard.

7.11 Other material considerations:

7.11.1 It is important to consider whether there are any other material planning considerations as part of the application assessment..

7.11.2 Planning Policy for Traveller Sites sets out that Local Planning Authorities should consider the following issues amongst other relevant matters when determining planning applications for traveller sites:

- a) The existing level of local provision and need for sites
- b) The availability (or lack) of alternative accommodation for the applicants
- c) Other personal circumstances of the applicant
- d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) That they should determine applications for sites from any travellers and not just those with local connections.

7.12 ***The general need for and supply of Gypsy sites in Three Rivers***

- 7.12.1 The PPTS allows local authorities to make their own assessment of need for provision for Gypsies, Travellers and Travelling Showpeople within their relevant district. The assessments should be updated annually and identify a supply of specific deliverable sites to provide 5 years worth of sites against their locally set targets and identify locations for growth, for years 6 to 10 and, where possible, for years 11-15.
- 7.12.2 The existing number of traveller sites includes 30 pitches across five permanent sites; The Oaklands in Bedmond (unrestricted up to 12 pitches), Rear of 59 Toms Lane in Kings Langley (personal restriction up to 5 pitches); Fir Trees (unrestricted to persons who meet the gypsy definition up to 2 pitches), the Land at Langleybury (personal restriction up to 10 pitches) and the Land South of Old House Lane (1 pitch). This is further outlined within the table below:

Current level of gypsy pitches in TRDC	Number of pitches granted	Number of pitches implemented	Status	Expiry date
The Oaklands, Bedmond	12	12	Permanent	N/A
Fir Trees, Sarratt	2	2	Permanent	N/A
Rear of 59 Toms Lane, Kings Langley	9	9	Permanent	N/A
Langleybury Lane, Langleybury	17	17	Permanent	N/A
Land South of Old House Lane	1	1	Permanent	N/A
Land Adjacent 321B Uxbridge Road, Rickmansworth	1	0	Permanent	Expired
Keepers Cottage	1	2	Permanent	N/A

- 7.12.3 In July 2025 the Council's Gypsy and Traveller Accommodation Assessment (GTAA) identified a total need of 41 pitches. The assessment calculated a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. Following the approval of the planning permission at Land South of Old House Lane, the total need identified within the GTAA is now 40. As such, it is clear that there is a demonstrable need for gypsy/traveller pitches within the District. Consequently, subject to the occupants meeting the definition of a gypsy/traveller, there is an identified need within the district. When applying PPTS (paragraph 27) the lack of an up-to-date 5 year supply of deliverable sites should be a significant material consideration, given the Council cannot demonstrate a 5 year supply, this would weigh in significantly in favour of the application.

7.13 Alternative Sites

- 7.13.1 The existing pitches with planning permission in the district are private sites and there are substantial waiting lists for pitches on public sites within Hertfordshire.
- 7.13.2 Policy CP5 of the Core Strategy endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. As such, it is likely that any development which comes forward in the Green Belt, which is highly likely given the make-up of the district, would fall foul of this policy. Given that the above assessment considers

that the site is not Green Belt land, other sites in the District could potentially fall on Green Belt land which could have a greater harmful impact.

- 7.13.3 The lack of alternative sites and the fact that alternatives are likely to be in the Green Belt, given that 77% of Three Rivers District is within the Green Belt, are further considerations which weigh in favour of the application.

7.14 Needs of the applicant and their personal circumstances

- 7.14.1 Planning Policy for Traveller Sites sets out that for the purposes of planning policy, gypsies and travellers means:

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.'

- 7.14.2 The Design and Access Statement confirms that this application is for four residential Gypsy and Traveller pitches and that the applicant and family are members of the Gypsy/Traveller community and has Gypsy status for planning purposes. The Council is not in possession of any evidence to dispute the applicant's status as a Gypsy/Traveller. In terms of the future occupiers who would occupy the four new pitches, the Design And Access Statement and Supporting Statement confirms the names of the future occupiers. The future occupiers are all related to the applicant. Nine future occupiers are the parents, sister, adult children and partners of the applicant and would move into their own homes on the new site. The Council is not in possession of any evidence to dispute the information gained.
- 7.14.3 The Design and Access Statement details that their current site is doubled up and overcrowded in excess of the fire and safety standards and that it is important for the family to have a stable place to live for various reasons including access to education, healthcare, welfare, employment infrastructure, social and community cohesion. Evidence of such medical reasons have also been submitted, signifying the personal circumstances of the applicant's family members.
- 7.14.4 In respect of the occupants, it is noted that four of the proposed nine occupants have existing health conditions, which require additional support. This support is currently offered by another one of the future occupiers. It is therefore clear that there are matters which weigh in favour of allowing the future occupants to have a settled base.
- 7.14.5 In light of the above, the personal circumstances highlighted would add further weight harm to establish very special circumstances if required; they are a material consideration, which weighs in favour of the application.

7.15 Sustainability and Suitability of Site

- 7.15.1 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 7 of the NPPF states that there are three dimensions to sustainable development – economic, social and environmental and that it is not sufficient to consider each dimension in isolation; there must be a balance between the three.
- 7.15.2 Core Strategy Policy CP1 also seeks to promote sustainable development and as part of this requires applications for new residential development to be accompanied by an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the design, construction and future use of proposals.
- 7.15.3 The application site is considered to be conveniently located in terms of access to health services with access by foot and or public transport to local services, including shops,

schools and healthcare. As such, it is considered that the site meets the overall thrust of guidance on sustainable development in the NPPF and PPTS and therefore was considered an acceptable location.

7.16 *Engagement with Human Rights Act*

- 7.16.1 When considering an application for planning permission for gypsy pitches, the Council needs to consider whether Article 8(1) of the European Convention on Human Rights (ECHR) is engaged. Article 8(1) provides that everyone has the right to respect for his private and family life, his home and his correspondence. Case law has established that Article 8(1) of the ECHR is engaged in applications for planning permission for residential Gypsy caravan pitches irrespective of whether the applicants are occupying the site as their home at the time the application is made.
- 7.16.2 Article 8(2) of the ECHR allows interference by a public authority with the right to respect for private and family life where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedom of others.
- 7.16.3 Case law has also established that the greater interference with ECHR rights, the greater will be the need to justify the interference by reference to necessity and proportionality. The concept of proportionality can be equated to the balancing exercise which should be undertaken by all decision makers and in the case of applications for Gypsy sites, any action must be evenly balanced and fully considered in order to avoid the criticism that it is disproportionate relative to the harm caused. These cases suggest that legally it will not be sufficient for local authorities to rely on a breach of Development Plan policies in refusing planning permission. Rather there must be clear evidence of demonstrable harm which outweighs the consequences of the Council's decision for Gypsies. There is thus a need for the Council to weigh demonstrable harm against the consequences of a refusal for the applicant, including health, education, other social issues and the availability of alternative sites. It has however been found that the fact that no alternative site has been identified does not necessarily mean that it is disproportionate to refuse planning permission.

7.17 Planning Balance

- 7.17.1 Having regard to all matters raised above it is also necessary to ascertain whether any other harm, if found, is clearly outweighed by material considerations, to justify the grant of planning permission. It is not considered appropriate or reasonable to grant a temporary planning permission in this instance.
- 7.17.2 As highlighted above, the proposal constitutes appropriate development within the Green Belt. Furthermore, given the enclosed nature of the site no other harm was found during the assessment. Nevertheless, it is still considered important to review the circumstances and benefits of the development.
- 7.17.3 During the planning assessment it was found that various factors weigh in favour of the development. These include meeting an identified need for gypsy and travellers meeting the definition (which has been confirmed) within the District, the lack of 5-year-supply of deliverable sites, current lack of alternative sites, the fact that other sites are also likely to fall within the Green Belt and the personal circumstances of the occupants. Further factors to consider include that the site would not result in encroachment into the countryside. Additionally, the grant of permanent planning permission would count towards the District's need.
- 7.17.4 To conclude, when considering the factors in support of the proposal, it is considered that the material considerations have cumulatively substantial weight, which would outweigh any inappropriateness associated with the proposed development. As such, if required, it is

considered that 'very special circumstances' exist to justify the grant of permanent planning permission.

8 Recommendation

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

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), JS02 V4, JS03 V2, JS04 V2, JS05, JS06 V3.

Reason: For the avoidance of doubt and in the proper interests of planning, the protection of the openness and rural character of the Metropolitan Green Belt and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP5, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM7, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C3 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

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

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

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to biodiversity during construction and to meet the requirements of

Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C4 No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

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

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

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

- C5 Prior to the commencement of development hereby permitted, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- A Tier 1: Preliminary risk assessment and Tier 2: Generic quantitative risk assessment (addressing information gaps).
- A Tier 3 Detailed quantitative risk assessment if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment.
- A Remediation Options Appraisal, Remediation Strategy and Verification Plan
- A Remediation Verification report to demonstrate that risks have been reduced, the remediation objectives and criteria have been met, and the site is suitable for use.

The remediation strategy shall give full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C6 No development works shall take place until a waste water scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details before the first occupation of the development hereby approved.

Reason: To provide confirmation that there will be no discharges to the environment to ensure the protection of the aquifer within the source protection zone for public drinking water in accordance with Policy DM8 of the Development Management Policies document (adopted July 2013).

- C7 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site boundaries shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to the first use of the site in accordance with the approved details and shall be permanently maintained as such thereafter.

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

- C8 The application site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: To safeguard the provision of gypsy/traveller pitches in accordance with the identified need in accordance with the Gypsy and Traveller Accommodation Assessment (July 2025) and Policy CP2 of the Core Strategy 2011.

- C9 No more than 6 caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended, (of which no more than 4 shall be a static caravan) shall be stationed on the site at any time.

Reason: To protect the character and appearance of the area in accordance with Policy CP1, CP12 of the Core Strategy (adopted October 2011).

- C10 The two amenity buildings hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, or ancillary to, the use of the land hereby permitted located on the site and it shall not be used as an independent dwelling or for commercial use at any time.

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

- C11 No commercial activities shall take place on the land, including external storage of any kind (unless associated with the construction of the permitted day rooms).

Reason: To protect the character and appearance of the area in accordance with Policies CP1, CP5 and Cp12 of the Core Strategy (adopted October 2011).

- C12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 5.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

- C13 The Biodiversity Gain Plan and Habitat Management and Monitoring Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment dated 24 September 2025 and prepared by arbtech.

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

- C14 The created and / or enhanced habitat shall be managed and maintained in accordance with the approved Biodiversity Gain Plan for 30 years from the date of first occupation of the development.

Reason: To ensure that the created and enhanced habitat is maintained for 30 years from the first occupation of the development and can be monitored and enforced by the Local Planning Authority, in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013) and for the purposes of para 9(2) and 9(3) of Schedule 7A of the Town and Country Planning Act 1990.

- C15 Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved Biodiversity Gain Plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C16 The use of the land as traveller pitches shall not be occupied until a hard landscaping scheme has been submitted to and approved in writing by the Council.

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.

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

- C17 All soft landscaping works required by the approved scheme shall be carried out in accordance with submitted plan No. JS06 (Proposed Landscaping & Planting Schedule) before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

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

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

- C18 The development shall be carried out in accordance with the biodiversity mitigation measures relating to lighting in the Preliminary Ecological Appraisal (PEA), 07/07/2025, Geosphere Environmental Ltd. All the measures and features listed shall be implemented in full and all the measures and features shall thereafter be permanently retained.

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

- C19 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the application site (as enclosed in red on drawing number TRDC 001 (Location Plan)).

Reason: To protect the character and appearance of the area in accordance with Policies CP1, CP5 and CP12 of the Core Strategy (adopted October 2011).

- C20 When the premises cease to be occupied, the use hereby permitted shall cease and all caravans, buildings and structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of the case which constitute very special circumstances in accordance with Policies CP5 and CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

8.2 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. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 16 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
- 17 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.