

PLANNING COMMITTEE – Thursday 22 October 2026

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

Parish: Abbots Langley Parish Council

Ward: Gade Valley

Expiry of Statutory Period: 27.08.2026

Case Officer: David Heighton

Extension of time agreed: 30.10.2026

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

Development Type: Change of Use.

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee for the following reasons: Impact on Green Belt and overdevelopment.

To view all documents forming part of this application please go to the following website:
<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=TG1JGIQFLB200>

1. Relevant Planning History

1.1 N/A.

2. Description of Application Site

- 2.1 The application site forms part of a wider, broadly rectangular piece of land approximately 0.21ha in area, with the extent of the application site identified as edged in red on the submitted Location Plan, located on the southern side of Harthall Lane. The applicant's ownership extends further north towards Harthall Lane and to the south, and is shown edged in blue on the Location Plan.
- 2.2 The application site includes a section of open pasture land bounded by mature boundary trees and vegetation on highway land, positioned both adjacent to the highway and along the western boundary. Within the north eastern corner of the application site there is an existing gated access via Harthall Lane which is enclosed by fencing and a metal gate.
- 2.3 In terms of residential properties, Little Kenwood Workshop would appear as part residential, part commercial workshop and Kenwood Cottages beyond are sited over 30m to the northeast of the site access.
- 2.4 The application site is located within the Metropolitan Green Belt.

3. Description of Proposed Development

- 3.1 This application seeks full planning permission for the change of use of the land for the stationing of caravans for residential purposes for 2 no. gypsy pitches accommodating 4 caravans including no more than 2 static caravan/mobile homes with 2 no. amenity buildings and the formation of hardstanding, and boundary treatments include the construction of timber post and rail fencing and new hedgerow.

- 3.2 A single Gypsy or Traveller pitch can include two stationed caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, although only one of these can be a residential mobile home. This latter Act and the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006 defines a residential mobile home as being no larger than 20 metres in depth, 6.8 metres in width and 3.05 metres internal height.
- 3.3 Two pitches are proposed in total, each pitch would comprise space for a static caravan, with the total provision for two touring caravans. The static caravans would be approximately 3m in height, 12m in depth and 4m in width.
- 3.4 Two detached amenity day room buildings are proposed to serve the everyday amenity needs of the occupiers. The day rooms would provide a kitchen/laundry room, bathroom and store room. The day rooms would have a maximum width of 6m, a depth of 4m and a maximum height of 3.9m with a pitched roof with an eaves height of 2.6m.
- 3.5 There is an existing set of gates serving the access, which are up to 7m in width and set back approximately 8m from the highway. A further gate is proposed within the application site serving the adjacent field parcel. A post/rail 1.2m high fence is proposed adjacent to the front access gate and to the northern and southern site boundaries.
- 3.6 Soft landscaping would be retained and enhanced with hedging proposed to the southern boundary of the application site. To the immediate north, within the applicant's ownership, the trees would be retained including the grassland to the south of the wider site. This would be supported by new ecological enhancements (which are also proposed within the application and wider site).
- 3.7 A permeable hardstanding area with track would be installed from the existing access, and would enable the provision of four parking spaces and turning space for emergency and service vehicles.
- 3.8 A revised Site Layout Plan was submitted during the course of the application, which included a bin store towards the front access and a storage container for each plot. This also confirmed that the proposed hardstanding would be permeable.

4. Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Objection]

Whilst Members recognise that the site as presented within the application would suggest grey belt, they cannot accept the application as it stands as Members cannot see evidence of sustainability at the site, a fundamental requirement for land to be released as Grey Belt and therefore the Committee could not support the application. However information was provided verbally to suggest that sustainable travel may be available from the site. Members suggested that this information be added by the interested parties. Members request that this be brought to committee.

4.1.2 Hertfordshire County Council: Highway Authority: [1st response: Objection; 2nd response: No Objection]

Made the following initial comments:

Recommendation

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

1) The proposals have the potential to compromise the safety of highway users through the lack of sufficient visibility from the proposed access and are therefore contrary to policy guidelines including Manual For Streets 7.7, National Planning Policy Framework (NPPF) 2024 paragraphs 115(b) and 116(b), Hertfordshire's Local Transport Plan (LTP4) 2018 policy 5b and the Place and Movement Planning and Design Guide (PMPGD) parts 3 and 4.

COMMENTS:

Harthall Lane is an Unclassified Local Access route subject to a 60mph speed limit. It is classed as P1/M1 (rural lane) on HCC's Place and Movement Network and is highway maintainable at public expense.

The application intends to create a new vehicular access off Harthall Lane. In order to be deemed a safe and suitable access, submitted plans demonstrating that the available vehicle to vehicle visibility splays from the access must be provided and compliant with the relevant policy documents. The applicant has provided visibility splays of 43m in each direction set back 2.4m from the edge of the highway which would be consistent with manual for streets visibility requirements for a 30mph speed environment (it is worth noting that the Eastern splay runs through third party land and therefore would be inadmissible). Harthall Lane is a 60mph speed environment and thus visibility levels will need to be in accordance with DMRB (Design Manual for Roads and Bridges) standards for a 60mph road - which would consist of 215 x 2.4m visibility splays in either direction.

There has been no evidence submitted in the form of a vehicle speed survey that the 85th percentile of vehicle speeds along Harthall Lane is below 60mph and therefore HCC cannot accept visibility splays for a new access of less than 215m in either direction. The available visibility from the proposed access is therefore deemed to be insufficient and could have the potential to compromise highway safety. (See Below)

The NPPF (2024): 115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: (b) safe and suitable access to the site can be achieved for all users;

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

HCC's Local Transport Plan (LTP):

Policy 5: Development Management The county council will to work with development promoters and the district and borough councils to: b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards. The highway authority has considered the proposals as having a potential adverse affect on the safety of the surrounding highway - therefore being contrary to polices outlined in the Local Transport Plan and NPPF. HCC recommends refusal.

4.1.3 Following the submission of the applicant's highway report, titled Access Statement, Hertfordshire Highways were re-consulted and provided the following comments:

The applicant mentions in the submitted highway report that 100 free-flowing vehicle readings in each direction were not conducted (in accordance with DfT CA 185 Vehicle Speed Measurements), and that speeds were only collected for the duration of an hour on

21/07/2026. For this reason, the LHA initially questioned the reliability of the speed survey data due to the limited instances.

The LHA recognises that the location of the proposed access is in the vicinity of a sharp bend on Harthall Lane and it would be not unreasonable to suggest vehicles would travel along this area of Harthall Lane at less than the national speed limit.

In addition to this within application 26/0938/FUL the LHA did not wish to restrict the grant of permission for the submission of: Construction of 2no. two storey detached dwellings, with associated access, parking and landscaping works. The site is also situated on Harthall Lane circa 1.1km East of the site. The applicant conducted an acceptable speed survey concluding that the 85th percentile of speeds were 29.8mph Northbound and 29.7mph Southbound in this area. It is worth noting that this stretch of Harthall Lane is straight in nature and therefore would result in higher vehicle speeds than the current application in question situated near a sharp turn.

Such assessment supports the limited assessment now considered and confirms that the LHA are acceptant of speeds less than 60mph along this stretch of Harthall Lane, consequently directing the application of MfS vis splays for a 30mph speed environment rather than DMRB standards for 60mph.

Seeing as the applicant in their initial proposal demonstrated that visibility splays for a 30mph speed environment were achievable (43m in either direction), the LHA would deem the visibility for the proposed access in this location acceptable.

4.1.4 TRDC Local Plans Section: [Advisory comments provided]

Representation: The application proposes the change of use of land for the use as residential caravan site and associated operational development. The application site is located entirely within the Metropolitan Green Belt.

The Regulation 19 Consultation on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II) commenced on 31 July 2026 and ended on 25 September 2026. As such, weight can now be given to policies and allocations contained within the emerging Plan. However, in the context of the following consultee response, the currently adopted Development Plan will be primarily discussed.

Following its publication, the August 2026 version of the NPPF has superseded the former standalone Planning Policy for Traveller Sites (PPTS) document.

Policy S5 of the NPPF (2026) relating to the principle of development outside of settlements sets out that “only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

1(g) Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation²⁶, provided it meets the criteria in policy HO12”.

Policy HO12 of the NPPF relating to Traveller sites sets out:

1. Development proposals for traveller sites should be located so that they:

a. Provide a settled base while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate; and

b. Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.

2. When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.

3. Where development proposals require the permanent or temporary relocation of an authorised traveller site, an alternative site should be identified and provided. Suitable alternative sites should take into account the views of existing residents as well as existing family or community groupings where possible.

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

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

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

The application site is located in the Metropolitan Green Belt. Policy GB6 (2) of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy GB6 (2) further sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Policy GB7 sets out the categories of development that are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances.

The council has undertaken a Stage 4 Green Belt Review, which is available at <https://www.threerivers.gov.uk/services/planning/planning-policy/new-local-plan#Evidence%20base>. As part of the review, there has been an assessment as to whether edge of settlement Green Belt parcels are “provisional grey belt”. It must be noted that the assessment of grey belt is a planning judgement, with each case assessed under its own merits, whereby planning officers may have a different outcome to the Green Belt Review. The Stage 4 Green Belt Review also identifies broad areas of “fundamental importance” within the Green Belt in Three Rivers, which is intended to provide evidence for any future “fundamentally undermine” test.

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

The Regulation 19 Consultation on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II) commenced on 31 July 2026. As such, weight can now be given to policies and allocations contained within the emerging Plan. Further information can be found at <https://www.threerivers.gov.uk/services/planning/planning-policy/new-local-plan#Regulation%2019%20Consultation>

4.1.5 Herts Ecology – [No objection]

Comments and recommended Conditions and Informatives:

Habitats

These have been described in the accompanying PEA, which reports that the field has not been grazed for 10 years and as a consequence is dominated in areas by ruderal vegetation. The most significant onsite and adjacent habitats are the boundary hedgerows of which only the access area is included in the redline boundary. The application will result in the loss of 8 m of this species rich hedgerow this will need to be compensated for and form part of the offsite bng or credits.

Protected Species

Standard safeguards for badgers, hedgehogs, nesting birds, reptiles and non-licensed mitigation for bats are outlined in the Preliminary Ecological Appraisal, I advise these are secured by a Compliance Condition.

Biodiversity Net Gain (BNG) - Pre Determination

Minimum Information: The metric calculation tool (Mandatory Metric), completion date 12/05/2026, shows baseline values of 0.34 habitat units, 0.15 hedgerow units. The baseline habitats are consistent with the baseline habitat information submitted. As a result, I have no reason to doubt these values. Consequently, I advise that the minimum information requirements have been met and the application can be determined accordingly.

BNG - Determination

Non-Significant on site BNG: The proposed BNG on-site enhancements are made up of habitats that cannot be secured by the planning process. I advise they should be considered non-significant. A net loss of 100% in area habitats, 100% in hedgerow units has been shown, and the trading rules have not been met. In line with government guidance it would generally be inappropriate for concerns about the ability to discharge the condition to be used as a reason to refuse an application. However, the applicant should be made aware that the general biodiversity gain condition is a pre-commencement condition and that if the applicant chooses not to address these matters prior to determination they will need to do so at the post-determination stage.

BNG- Post Determination

Biodiversity Gain Plan: I advise this is completed using the government template. In order the Biodiversity Gain Plan to be discharged it should be submitted with the following minimum information either within the body of the plan or as supporting information.

- Completed metric tool calculation that demonstrates*
 - a minimum 10% net gain achieved within the trading rules and consistent with the figures quoted within the Biodiversity Gain Plan.*
 - A fully completed start page including project details and the date the final version of the metric was completed.*

- where off site units are being used these should be shown in the appropriate tab of the metric and the offsite gain site summary should be completed.
- pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale, Post Development Plans should be sufficient to record the location of the post determination habitats within the final metric submitted to discharge the BGP.
- if off-site units are being used, the biodiversity net gain register reference number will be required for a completed BGP,
- proof of purchase if they're buying statutory biodiversity credits

Conditions

The development shall be completed in strict accordance with the mitigation and enhancement recommendations within Preliminary Ecological Appraisal & Biodiversity Net Gain Report, May 2026 (report dated 15/05/2026), Denny Ecology (unless varied by a European Protected Species (EPS) licence issued by Natural England). All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

4.1.6 Landscape Officer: [Advisory verbal comments]

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

4.1.7 Affinity Water: [Advisory comments].

Affinity water has no source protection comments.

4.1.8 Thames Water: [No response received].

4.1.9 National Grid: [No response received].

4.2 **Public/Neighbour Consultation**

4.2.1 Site Notice: Posted: 10.07.2026 Expired: 31.07.2026.
Press Notice: Not required.

4.2.2 Neighbours consulted: 3.

4.2.3 Responses received: 1 (objection)

4.2.4 Summary of response received:

- Sustainability of the location
- Scale of development
- Highway capacity
- Lack of services infrastructure
- Ecological Impact

5. **Reason for Delay**

5.1 Additional information required in respect of highway safety.

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

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

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

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

The Environment Act 2021.

6.2 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP5, CP9, CP10, CP11 and CP12.

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

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

6.3 Other Material Considerations

In August 2026 the NPPF was updated. Relevant policies include: S3, S6, GB2, GB6, GB7, DP3, HO12 and HE6.

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

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

Human Rights Act 1998.

Equalities Act 2010.

Housing Act 2004.

Children Act 2004.

7. **Planning Analysis**

7.1 Principle of Development

- 7.1.1 Core Strategy Policy CP5 states that in considering planning applications for sites for Gypsies or Travellers, a criteria-based approach will be used. Criteria include avoiding an adverse impact on the openness of the Green Belt, being within or near to existing settlements with access to local services and the circumstances of the applicant and their need for pitches on the application site.
- 7.1.2 The application site is located outside of a settlement and therefore it is considered that with regard to policy S4 (Principle of development within settlements) and policy S5 (Principle of development outside settlements) of the NPPF, that neither apply, as with regard to policy S5, it does not apply to development which is located within the Green Belt and the relevant Green Belt policies should be applied. Notwithstanding, policy HO12 (Traveller Sites) states that traveller sites should be located that they provide a settled base and enable access to frequently used services. Policy HO12(2) states that when considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those with local connections.
- 7.1.3 TRDC Local Plans have confirmed that the most recent Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025) concluded that there is a need for 41 additional pitches, over the period 2025-2041, for Gypsy and Traveller households that meet the planning definition.
- 7.1.4 Having regard to Policy CP5 of the Core Strategy, the site is not at risk of flooding. Impacts on Green Belt are assessed below. In respect of the need to be in or near existing settlements, the site is close to and accessible from the villages of Kings Langley and Bedmond with existing residential development in the vicinity, which ensures there is suitable infrastructure and services nearby. Given the above, it is considered that, in principle, the use of the application site as a Gypsy/Traveller Site would be acceptable, subject to considerations of other material planning considerations.

7.2 Impact on the Green Belt

- 7.2.1 The National Planning Policy Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that their essential features are their openness and permanence. The National Planning Policy Framework at policy GB2 sets out that Green Belt serves five purposes:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 7.2.2 The NPPF at policy GB6 sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Policy GB6 goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.2.3 Policy CP5 of endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. However, if considered appropriate

development the proposal would not conflict with openness. Officers also note that due to the make-up of the District, with a substantial percentage covered by the Green Belt designation, the majority of future proposals for gypsy traveller provision is likely to be within the Green Belt and thus will conflict with Policy CP5.

- 7.2.4 Policy GB7 of the NPPF sets out a number of categories of development which are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or required to demonstrate very special circumstances. One such category includes GB7(f) which states that other forms of development, provided that the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt Purposes, such as:
- i. mineral extraction and processing, engineering operations, and transport electricity network, water and telecommunications infrastructure required in a Green Belt location;
 - ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
 - iii. **Material changes in the use of land** (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.
- 7.2.5 The NPPF and Core Strategy CP11 also set out that there is a general presumption against inappropriate development in the Green Belt. Policy DM2 of the Development Management Policies document also advises that within the Green Belt, except in very special circumstances approval will not be given for new buildings other than those specified in national policy and other relevant guidance.
- 7.2.6 The purpose of the day room buildings would be for ancillary purposes to the primary use of the wider site. Whilst the NPPF is silent on ancillary buildings, Policy DM2 of the Development Management Policies document states that the Council will only support the provision of ancillary buildings in the Green Belt where it can be demonstrated that the development would:
- a) Be of a scale, design, height and bulk such that the building would not adversely affect the openness of the Green Belt.
 - b) Be sited in an appropriate location that would not be prominent in the landscape and would not result in the spread of urbanising development
 - c) Avoid features normally associated with the use of a building as a dwelling
- 7.2.7 The proposal involves the material change of use of the land from pasture land to provide two gypsy/traveller pitches 2 static caravans (mobile homes), 2 amenity buildings and 2 (touring) caravans. The change of use would involve the introduction of four urbanising structures including day room buildings and the spread of domestic paraphernalia in association with the residential use, into an existing site, which is at present void of any built form. The introduction of the proposed structures onto the site would introduce built form and would result in an erosion of the overall spatial sense of openness. There is no other built form within the site and wider site, which would offset this perception, and the spread of domestic paraphernalia and increased activity on the site would be notable from the public highway resulting in visual harm to the openness of the Green Belt.
- 7.2.8 The existing access into the site would be retained to the northeast corner with the existing gate set back a minimum of approximately 9m from the highway. Notwithstanding the proposed hardstanding for access, the first 30m – 33m of the site from the entrance would be kept as amenity space and soft landscaped, which would in turn limit the visibility of the structures and vehicles. However, it is considered that the domestic paraphernalia

could spread towards the highway which would result in an increased perception of domestication and urbanisation as raised at 7.2.7 above.

- 7.2.9 The material change of use would also involve the introduction of an area of hardstanding into the site from the highway. Given the nature of the hardstanding, there would be some spatial impact due to its expanse and given its ground level siting the visual impact would be limited on the openness of the Green Belt. Notwithstanding this, although the visual impact would be relatively limited, the expanse of hardstanding would result in an adverse effect on the openness of the Green Belt. The screening in the form of the soft landscaping and trees to the boundary would vary dependent on the time of year, however, is of a considerable depth. Despite this, landscaping as a sole means of screening cannot be relied upon to mitigate the visual impact on the Green Belt.
- 7.2.10 Having regard to the above criteria, the day room buildings would be positioned in front of the proposed mobile homes, set back significantly from Harthall Lane. In addition, the day room buildings would be central to the proposed pitches. However, the day rooms would be part of the material change of use, which includes the hardstanding, structures and fencing. These all of which would cumulatively have a spatial and visual impact, the latter reduced given the vegetation to the site boundaries. Given the existing site circumstances, free from development, considering the increase in activity there would be a significant impact on openness. Therefore, the dayrooms would not be considered to comply with Policy DM2.
- 7.2.11 The development is therefore is inappropriate by definition when assessed against Policy GB7(f)(iii) of the NPPF and is harmful to the openness of the Green Belt and conflicts with one of the purposes - encroachment into countryside. It is considered that the impact on openness would be significant including the conflict with the purposes of the Green Belt, through the encroachment into the countryside, although it acknowledged that this would be localised and not as significant. Therefore, for the purposes of NPPF, the development is inappropriate development, the impact on openness is not minimised so would fail to comply with Policy GB7 (f)(iii) of the NPPF.
- 7.2.12 Notwithstanding the above, part (g) of Policy GB7 of the NPPF states that the development should also not be regarded as inappropriate where all of the following (i – iv) apply. It is considered that the change of use of the land would fall within 'development' in the Green Belt, which includes all other associated development which are intrinsically linked to the use of the land as residential:
- i) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - ii) There is an evidenced unmet need for the type of development proposed;
 - iii) The development would be in a sustainable location, with particular reference to Policy TR3 of this Framework; and
 - iv) In the case of major development involving the provision of housing, the development proposed complies with Policy GB8 (The Golden Rules).
- 7.2.13 For the purposes of plan-making and decision-making, Annexe B of the NPPF defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Policy GB2. These are taken in turn below:
- g) i). The development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- 7.2.14 The Planning Policy Guidance (PPG) on Green Belt assesses the contribution to the purposes of the Green Belt.

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

- 7.2.15 In this regard the site is clearly demarked from the surrounding landscape and bound by established mature trees and hedgerow. The development would generally conform to the established intermittent linear development of Harthall Lane. The application site forms part of a relatively isolated and enclosed parcel of land, which is surrounded by natural features which would nullify the spread of further development. The site is not located within a large built up area and therefore meets this aspect.

b) to prevent neighbouring towns merging into one another;

- 7.2.16 The application site and proposal represent relatively small-scale development with linear development along Harthall Lane, which is clearly distinct from neighbouring towns. As such, the proposal would not contribute to the merging of the neighbouring towns of Watford and Hemel Hempstead, nor impact on the setting of a historic town (purpose d). As such, the development would not make a contribution to purposes b). and therefore meets this aspect.

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

- 7.2.17 The development is not within a historic town so would make a weak or no contribution to purpose d).

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

- 7.2.18 Overall, it is considered that the application site does not strongly contribute to any of purposes (a), (b) or (d). With regards to (c) to assist in safeguarding the countryside from encroachment; this is considered limited given the scale of the proposed development and existing and boundary screening. The development would not result in conflict with purposes d) or e). As a result, the development would not fundamentally undermine the purposes of the remaining Green Belt when taken together. As such, it is considered that the application site constitutes 'grey belt' land and would satisfy the first point, (i), of part (g) of Policy GB7.

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

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

- 7.2.20 Footnote 41 of the NPPF (2026) states with regard to ii) that in the case of traveller sites means the relevant local planning authority cannot demonstrate a five-year supply of deliverable traveller sites.

- 7.2.21 As part of this application the Local Plans team confirmed that The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. Further permissions have been granted since the need assessment, which include a net gain of 1 pitch at land south of Old House Lane and Keepers Cottages respectively and 4 pitches at land north of Toms Lane. Despite this, it is clear that there is an evidenced need for the type of development proposed (gypsy/traveller pitches) within the District.

iii) The development would be in a sustainable location, with particular reference to Policy TR3 of this Framework.

- 7.2.22 Footnote 42 of the NPPF also sets out that in the case of development involving the provision of traveller sites, particular reference should be made to Policy HO12. Policy HO12 sets out that:

Traveller sites should be located so that they:

1. a) Provide a settled base while recognising the extent to which lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability and may also mean that locations not well-related to existing settlements may be appropriate and

b) Enable access to frequently used services, such as education, welfare and health services, including ensuring that children can attend school on a regular basis.

2. When considering proposals for traveller sites, including the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites and other personal circumstances which may be relevant. Applications from any traveller should be considered and not just those local connections.

- 7.2.23 The application site is sited outside of any defined settlement boundary set out in the Core Strategy. However, paragraph 3.14 of the Core Strategy notes that development outside settlements is not necessarily precluded, proposals in such locations must be carefully justified given their lower accessibility and limited sustainability. Whereas Policy CP5 states that “be in or near existing settlements with access by foot and / or public transport to local services.”

- 7.2.24 When taking into account Policy HO12, the site is located a short distance from services and facilities, including those in the closest settlements of Kings Langley and Bedmond including shops, pubs, bus services and schools. It is considered that the site would provide a settled base, which would contribute to the sustainability of the wider area. It is acknowledged that this policy states that it may also mean that locations not well-related to existing settlements may be appropriate. Whilst access to them would most likely be by car, these settlements would be within a 5 minute, 1.5 mile drive, which would enable access to frequency used services and therefore the application site would be situated within a sustainable location in context of this policy, which is solely for traveller sites.

- 7.2.25 With regards to the recent appeal decision at Land Adjoining Westwood End, Bucks Hill, Appeal Ref: 6004957, paragraph 29 states that:

“The site is located a short distance from services and facilities, including those in the closest settlements of Sarratt, Chipperfield and Kings Langley, such that access to them would most likely be by car. Even if the site would be located in an otherwise sustainable location in relation to the remainder of paragraphs 110 and 115 of the Framework and paragraph 13 of the PPTS, the lack of safe access would mean it is not a sustainable location as set out in paragraph 155c. of the Framework.”

In the case of the above appeal decision, it was the lack of a safe access and not the location as the rationale given for not meeting the test. In this case, the access is considered a safe as set out below.

- 7.2.26 With further specific regard to Policy HO12 of the NPPF, given the above, it is considered that the application site is in a sustainable location for Gypsy and Traveller pitches – there

would be access to health services, schools and other basic services within the adjacent settlements. In light of the above, it is considered that given the specific merits of the site, the location of the site for use as a traveller site would be acceptable in the context of GB7(g)(iii).

iv) In the case of major development involving the provision of housing, the development proposed complies with policy GB8 (The Golden Rules).

7.2.27 Policy E of the PPTS (December 2024) states that the Golden Rules, Policy GB8 and footnote 43 of the National Planning Policy Framework, do not apply to traveller sites and is therefore not applicable in the assessment of this application in respect of Policy GB7 (g) (iv).

7.2.28 In conclusion, it is considered that the proposed change of use and associated development would satisfy the requirements of Policy GB7(g) and therefore is considered to be appropriate development within the Green Belt and no harm would automatically arise to the openness of the Green Belt as a result. The proposal would be in accordance with Policies CP1, CP5 and CP11 of the Core Strategy, Policy DM2 of the Development Management Policies LDD and Policy GB7 of the NPPF.

7.3 Impact on the Character and Appearance of the Streetscene and Landscape

7.3.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.

7.3.2 Policy DM7 of the Development Management Policies LDD states that the Council will require proposals to make a positive contribution to the surrounding Bedmond Plateau landscape and that proposals which result in unacceptable harm to the character of the landscape in terms of siting, scale, design or external appearance will be refused.

7.3.3 Policy AL3 of the Abbots Langley Neighbourhood Plan (March 2026) states that all new development should reflect the character of the Character Area in which they are located. Policy AL4 further states that development proposals should demonstrate a high quality of design, which responds and integrates well with its surroundings, and meets the changing needs of the population of the neighbourhood area.

7.3.4 The application site is bound by vegetation and mature trees, which would maintain a verdant character to the site. The existing access and gate, proposed amenity buildings, stationed mobile homes, caravans and vehicles would be visible from certain vantage points. The land slopes towards the highway from the south, such that the application site is at a lower land level from the wider site with limited visibility from sites beyond, which consist of open fields. The application site is well screened along the front boundary by vegetation, which would be subject to a condition to ensure that details of the proposed boundary treatments and vegetation are retained, enhanced and maintained. As such, any views of the proposed development would be limited through the access or through the existing vegetation and mature trees.

7.3.5 The streetscene of Harthall Lane is varied in terms of architectural designs and styles of dwellings, including a commercial premises opposite the application site. As such, it is not considered that the proposed mobile homes, amenity buildings or associated hardstanding would result in harm in terms of the character or appearance of the streetscene or wider area. The proposed development would be well set back from the highway by a minimum of approximately 10.5m, with a buffer area of vegetation on land

outside the site, retained to the front boundary. The proposed development would not be considered as out of keeping with other development, given the variation in the streetscene, set back from the highway within the streetscene and locality where built form is set back from the road and includes soft landscaping and to the front boundary where possible. The proposed pitches and amenity buildings would be set back from the front boundary, which would be against the backdrop of dense tree lined front boundary. Furthermore, the proposed amenity buildings and mobile homes would be of simple form, single storey in nature and would be of a size that would be considered as reasonably necessary to serve the site.

7.3.6 The proposed development would be within the confines of the site, which apart for the access would be largely obscured from the streetscene of Harthall Lane. The impact of the proposed development on the rural character of the site would be limited, given its confines and immediate character of this particular part of Harthall Lane, with development opposite and to the immediate west. Therefore, given that the development is well screened from public vantage points, it is not considered that the proposed development would appear unduly prominent within the streetscene of Harthall Lane, nor result in harm to the character or appearance of the streetscene or wider area. Any approval would be subject to a condition requiring details of the proposed boundary treatments to be submitted for approval, implemented and maintained.

7.3.7 It is considered reasonable to attach conditions to ensure that the stationing of vehicles is reserved for the hardstanding only and would not be sited beyond its permitted extent nor should lighting be erected in these locations outside of the proposed site boundary. A condition would also be attached to any consent to required details of the proposed hard surfacing in terms of its materials and permeability including to remove permitted development rights for any means of enclosure to preserve the character of the application site.

7.3.8 In summary it is not considered that the proposed development would result in an adverse impact on the character or appearance streetscene or wider landscape area and the proposal would be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1, DM7 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and Policies AL3 and AL4 of the Abbots Langley Neighbourhood Plan (adopted March 2026).

7.4 Impact on Amenity of Neighbours

7.4.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'.

7.4.2 Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.

7.4.3 Policy DM9 of the Development Management Policies LLD states that the Council will refuse planning permission for development, including changes of use, which would or could give rise to polluting emissions by reason of disturbance, noise, light, smell, fumes etc... unless mitigation measures can be put in place.

7.4.4 The proposed mobile homes and ancillary buildings would be set back a minimum of 15m from the highway and would not be readily visible from any neighbouring dwellings, given the existing boundary trees and soft landscaping. In addition, only limited views would be available, the boundaries defined by a dense row of vegetation including mature trees, which would provide screening. Notwithstanding this, the application site is well contained

and would be sited a minimum of 30m from the opposite residential property. Furthermore, in this case only 2 pitches are proposed, contained within a limited part of the site, which would also be subject to a condition on any approval, that no commercial use to be permitted. Thus, given the location of the proposed built form it is not considered to result in harm by virtue of a loss of light or overbearing impact.

- 7.4.5 In summary, the proposed development would not result in any adverse impact on the residential amenity of any neighbouring dwelling so as to justify refusal of the application and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.5 Highways, Parking and Access

- 7.5.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.
- 7.5.2 Policy TR6 of the NPPF states that development proposals should be refused if they would have a severe adverse impact on the transport network or an unacceptable impact on highway safety.
- 7.5.3 Policy CP5 of the DMP LDD sets out that when considering planning applications for sites for Gypsies and Travellers, the provision of safe and convenient vehicular and pedestrian access to the site and adequate on-site facilities for parking will be considered.
- 7.5.4 In terms of parking, there are no specific parking standards for traveller sites; however, the submitted layout of the site shows that there would be four parking spaces. This is considered to be sufficient and the proposal is considered to be acceptable in this regard.
- 7.5.5 In terms of highways safety, Hertfordshire Highways confirmed that the visibility splay for 30mph speed is achievable in each direction and given bend in the road it is considered speeds would not exceed this. The site would utilise the existing access. There would be enough space for larger vehicles including emergency vehicles to turn around within the site. An acceptable visibility splay currently exists and there are no changes proposed to the existing access.

7.6 Impact on Trees

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

7.6.4 A proposed site layout plan has been submitted with the application, which shows that the existing on site trees would be retained. The submitted plans also show the provision of further hedgerows, which would be subject to a condition and therefore would be acceptable in this regard.

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

7.7 Biodiversity and BNG

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

7.7.2 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application.

7.7.3 A Preliminary Ecological Appraisal and Biodiversity Net Gain Report (Denny Ecology May 2026) was submitted with the application and has been reviewed by Hertfordshire Ecology. It states that a badger method statement including avoiding impacts to reptiles and dormice should be required, which would be by the way of a construction Ecological Management Plan, which would be recommended as a condition. Further, no exterior lighting is recommended, unless it complies with guidance, which would be subject to a condition on any approval. A biodiversity enhancement and habitat management plan is also recommended, which would be subject to a condition. Furthermore, there would be opportunities exist for the provision of ecological enhancements including bat and bird boxes, log piles for invertebrates and reptiles.

7.7.4 Herts Ecology have reviewed the application and advised the application is acceptable, subject to conditions. This would be with regard to ensure protected species such as bats, badgers are safeguarded based on the mitigation set out in the submitted Preliminary Ecological Appraisal and Biodiversity Net Gain Report by Denny Ecology dated May 2026.

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

7.7.6 In this case the biodiversity net gain condition is considered to apply. A BNG Assessment has accompanied the application, which has been reviewed by Hertfordshire Ecology. The proposed development would not be able to meet a 10% biodiversity net gain on site and off-site purchases of 0.37 and 0.16 units for area and habitat respectively would be required. Full detail would be required as part of the mandatory BNG condition.

7.7.7 As set out above, the Biodiversity Gain Hierarchy requires adverse effects to be compensated by prioritising enhancing existing habitats including creating new habitats, subject to approval of a Biodiversity Gain Plan demonstrating delivery in accordance with the proposed biodiversity enhancements. The LPA will be required to consider the Biodiversity Gain Plan condition before any works take place. Owing to the nature of the site and proposal, it is considered that securing the biodiversity net gain through conditions is the most appropriate means in this instance and therefore acceptable.

7.7.8 These planning conditions will ensure that the Biodiversity Gain Plan is prepared in accordance with the Biodiversity Net Gain Assessment and the submission of a Habitat Management and Monitoring Plan (HMMP). The development is considered acceptable in that the 10% biodiversity net gain would be secured off site. Consequently, no objections are raised in this regard. Further conditions would also be considered appropriate to mitigate the impact of lighting on bats and a Construction Environmental Management Plan to ensure ecology is protected on the adjacent sites, both of which would be subject to a condition.

7.7.9 In summary, subject to conditions, it is considered that the proposed development would secure a significant biodiversity net gain and is therefore acceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

7.8 Refuse and Recycling

7.8.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:

i) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity

ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers

iii) There would be no obstruction of pedestrian, cyclists or driver site lines

7.8.2 It is considered from the submitted site layout plan that there would be sufficient space within the site for bin storage and as indicated on the site layout plan PBA02, which could be brought to the front of the site on collection day or accessed from within the front area of the site. This is considered acceptable arrangements for refuse/recycling on collection days and the bin store would be subject to a condition. As such, there would be adequate provision for the storage and collection of refuse and re-cycling, in accordance with the requirements of Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM10 of the Development Management Policies LDD (adopted July 2013).

7.9 Drainage and Waste Water

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

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

7.10 Other material considerations:

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

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

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

Current level of gypsy pitches in TRDC	Number of pitches granted	Number of pitches implemented	Status	Expiry date
The Oaklands, Bedmond	12	12	Permanent	N/A
Fir Trees, Sarratt	2	2	Permanent	N/A
Rear of 59 Toms Lane	9	21	Permanent	N/A
Langleybury Lane	17	17	Permanent	N/A
Land South of Old House Lane	1	1	Permanent	N/A
Land Adjacent 321B Uxbridge Road	1	0	Permanent	Expired
Land North of Toms Lane	4	0	Permanent	03.06.2029
Keepers Cottage	2	2	Permanent	N/A

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

Alternative Sites

- 7.10.5 The existing pitches with planning permission in the district are private sites and there are substantial waiting lists for pitches on public sites within Hertfordshire.
- 7.10.6 Policy CP5 of the Core Strategy endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. As such, it is likely that any development which comes forward in the Green Belt, which is highly likely given the make-up of the district, would fall foul of this policy. Given that the above assessment considers that the site is not Green Belt land, other sites in the District could potentially fall on Green Belt land which could have a greater harmful impact.
- 7.10.7 Policy HO12 further refers to taking into account the existing level of local provision and the need for additional traveller sites, of which there is in the District.
- 7.10.8 The lack of alternative sites and the fact that alternatives are likely to be in the Green Belt, given that 77% of Three Rivers District is within the Green Belt, are further considerations which weigh in favour of the application.

Needs of the applicant and their personal circumstances

- 7.10.9 Annex B of the NPPF states: Policy:

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

- 7.10.10 No information has been submitted regarding the future occupiers of the site. As such, there are no personal circumstances to consider.

7.11 Planning Balance

- 7.11.1 Having regard to all matters raised above it is also necessary to ascertain whether any other harm, if found, is clearly outweighed by material considerations, to justify the grant of planning permission.
- 7.11.2 As highlighted above, the proposal constitutes appropriate development within the Green Belt. Furthermore, given the enclosed nature of the site and mixed character of the area, the proposed development would not be considered to result in any harm. Nevertheless, it is still considered important to review the other material considerations which weigh in favour of the application.
- 7.11.3 During the planning assessment it was found that various factors weigh in favour of the development. These include:
- meeting an identified need for gypsy and travellers meeting the definition (which has been confirmed) within the District,
 - the lack of 5-year-supply of deliverable sites,
 - current lack of alternative sites and the fact that other sites are also likely to fall within the Green Belt.
 - Compliance with Policy CP5
- 7.11.4 To conclude, when considering the above factors, the development is considered acceptable.
- 7.11.5 It is not considered appropriate or reasonable to grant a temporary planning permission in this instance as the grant of a permanent planning permission is acceptable.

7.12 *Engagement with Human Rights Act*

- 7.12.1 When considering an application for planning permission for gypsy pitches, the Council needs to consider whether Article 8(1) of the Human Rights Act 1998 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) is engaged in applications for planning permission for residential Gypsy caravan pitches irrespective of whether the applicants are occupying the site as their home at the time the application is made.
- 7.12.2 Article 8(2) allows interference by a public authority with the right to respect for private and family life where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedom of others.
- 7.12.3 Regard will also be required to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
- 7.12.4 Case law has also established that the greater interference, the greater will be the need to justify the interference by reference to necessity and proportionality. The concept of proportionality can be equated to the balancing exercise which should be undertaken by all decision makers and in the case of applications for Gypsy sites, any action must be evenly balanced and fully considered in order to avoid the criticism that it is disproportionate relative to the harm caused.
- 7.12.5 Notwithstanding, the recommendation is for approval, however, should an alternative recommendation be reached, the above must be considered in any planning balance.

8. Recommendation

That PLANNING PERMISSION BE GRANTED subject to the following conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.
- C2 The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC 001 (Location Plan), PBA 02, PBA 03, PBA 04.
- Reason: For the avoidance of doubt and in the proper interests of planning, the protection of the openness and rural character of the Metropolitan Green Belt and in the interests of the visual amenities of the locality and the residential amenity of neighbouring occupiers, in accordance with Policies CP1, CP5, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM4, DM6, DM7, DM9, DM10, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and the NPPF 2026.
- C3 No development shall take place (including ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for

ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report Preliminary Ecological Appraisal and Biodiversity Net Gain Report May 2026, Denny Ecology.
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

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

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

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

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

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

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees,

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

- C5 No development works shall take place until a waste water scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details before the first occupation of the development hereby approved.

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

- C6 The application site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such .

Reason: To safeguard the provision of gypsy/traveller pitches in accordance with the identified need in accordance with the Gypsy and Traveller Accommodation Assessment (July 2025) and Policy CP2 and CP5 of the Core Strategy 2011.

- C7 No more than 4 caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended, (of which no more than 2 shall be a static caravan) shall be stationed on the site at any time.

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

- C8 The two amenity buildings hereby permitted shall not be occupied or used at any time other than incidental to the enjoyment of, or ancillary to, the use of the land hereby permitted located on the site and it shall not be used as an independent dwelling or for commercial use at any time.

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

- C9 No commercial activities shall take place on the land, including external storage of any kind (unless associated with the construction of the permitted day rooms).

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

- C10 The Biodiversity Gain Plan and Habitat Management and Monitoring Plan shall be prepared in accordance with the Preliminary Ecological Appraisal and Biodiversity Net Gain Report by Denny Ecology dated May 2026.

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

- C11 The use of the land as traveller pitches shall not be commenced until the permeable hard surfacing is laid out in accordance with the approved plans prior to the first occupation of any part of the development hereby permitted.

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

- C12 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include the location of all existing trees and hedgerows affected by the proposed development, and details of those to be retained, together with a scheme detailing measures for their protection in the course of development. The scheme shall include details of size, species, planting heights, densities and positions of any proposed soft landscaping, and a specification of all hard landscaping including locations, materials and method of drainage.

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

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

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

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area. It is required to be a pre commencement condition to enable the LPA to assess in full the trees to be removed and the replacement landscaping requirement before any works take place, and to ensure trees to be retained are protected before any works commence in the interests of the visual amenity of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

- C13 The development shall be carried out in accordance with the biodiversity mitigation measures in the Preliminary Ecological Appraisal and Biodiversity Net Gain Report May 2026, Denny Ecology. All the measures shall be implemented in full and all the measures and features shall thereafter be permanently retained.

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

- C14 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the application site (as enclosed in red on drawing number TRDC 001 (Location Plan)).

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

- C15 Prior to occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

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

- C16 The development hereby permitted shall not be first occupied until the bin store and metal storage containers have been implemented in accordance with Drawing No. PBA02 and these facilities should be retained permanently thereafter.

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

- C17 Prior to the installation of any lighting on the site, full details and specification of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall therefore after be implemented in accordance with the approved details.

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

- C18 When the premises cease to be occupied, the use hereby permitted shall cease and all caravans, buildings and structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use shall be removed and the land restored in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority.

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

8.1 Informatives

- 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>.