

PLANNING COMMITTEE – 22 OCTOBER 2026

26/1228/FUL – Installation of lighting to Golfpod facility at RICKMANSWORTH MUNICIPAL GOLF CLUB, MOOR LANE, RICKMANSWORTH, HERTFORDSHIRE, WD3 1QL

Parish: Batchworth Community Council
Expiry of Statutory Period: 09.10.2026
Extension of Time: 29.10.2026

Ward: Moor Park & Eastbury
Case Officer: Tom Norris

Recommendation: That Planning Permission be granted, subject to conditions.

Reason for consideration by the Committee: The application site includes land owned by TRDC.

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=TJ1BWUQFLZ000>

1 Relevant Planning History

- 1.1 24/1843/FUL – Construction of a golf pod practice facility, including 10no. covered practice bays with an outfield fully enclosed with ball stop netting suspended from purpose-built supports; and associated regrading of land - 08.07.2026 – Permitted & Implemented

2 Description of Application Site

- 2.1 The application site is located within Rickmansworth Golf Club, Moor Lane, Rickmansworth.
- 2.2 The application site includes the area of land upon which the golf facility is currently being built. The wider land (blue line) includes the golf course, clubhouse, and associated access road.
- 2.3 The land occupied by Rickmansworth Golf Club and Moor Park Golf Club, is designated as a Grade II* Registered Park and Garden (List Entry Number: 1000251).
- 2.4 The application site is within the Metropolitan Green Belt.

3 Description of Proposed Development

- 3.1 Planning permission is sought for the installation of lighting to the Golfpod facility.
- 3.2 It is proposed that 2no. downward spotlights are installed on the approved Golfpod facility. The supporting information states that these are required for safety (movement around the bay facility when it is dark), as well as for the golf ball tracking equipment to operate. The lights will be mounted on the existing support stanchions either end of the covered driving bays, 9.5m above ground level.

4 Consultation

4.1 Statutory Consultation

- 4.1.1 Hertfordshire Ecology: No objection.

Summary of Advice:

Sufficient ecological information has been provided for determination. No ecological objection.

Following review of the submitted lighting information, alongside the ecological information approved under the original planning permission and subsequent discharge of condition application, we consider the proposed lighting to be acceptable from an ecological perspective. Sufficient information has been provided to demonstrate that the proposal is unlikely to result in significant adverse effects on bats, birds, ecological connectivity or the biodiversity enhancement measures previously secured for the site.

Background

Planning permission 24/1843/FUL granted consent for the construction of the GolfPod practice facility, including covered practice bays, enclosed outfield netting and associated landscaping. A condition was attached to the permission requiring any external lighting to be the subject of a separate planning application due to potential impacts on visual amenity and biodiversity.

Following the grant of permission, application 25/0945/DIS sought discharge of various ecological conditions attached to the consent. Hertfordshire Ecology reviewed and supported the discharge of Conditions 4 (Habitat Management and Monitoring Plan), 5 (Construction Ecological Management Plan) and 9 (Biodiversity Gain Plan). As part of that submission, biodiversity enhancement measures were secured, including the installation of six bat boxes and five bird boxes within retained trees surrounding the GolfPod facility.

The current application relates solely to the installation of external lighting to the approved GolfPod facility and therefore requires consideration of whether the proposed lighting could adversely affect the ecological features and enhancement measures previously approved under the parent permission and discharge of condition application.

Comments and recommended Informatives:

The proposal comprises two LED luminaires mounted on the GolfPod support stanchions at a height of approximately 9.5m above ground level. The lighting is required to facilitate operation of the Toptracer ball-tracking technology and provide illumination for users of the facility during periods of darkness. The submitted lighting design incorporates warm-white 3000K LEDs, directional optics and dimming controls intended to minimise light spill beyond the operational area.

The lighting strategy has been designed in accordance with the principles of the Institute of Lighting Professionals and Bat Conservation Trust Guidance Note 08/23 and seeks to focus illumination within the GolfPod outfield whilst limiting light spill to adjacent vegetation and habitat features. The submitted assessment confirms that the luminaires are orientated away from boundary vegetation and that operation will be restricted to periods when the facility is in use.

The original bat assessment undertaken in support of the GolfPod development concluded that no trees with bat roost potential were present within the area affected by the proposed lighting and that no bat roosts were identified within vegetation immediately adjacent to the facility. The report concluded that the lighting design presented negligible risk to bats due to the absence of roosting opportunities within the affected area and the restricted nature of the lighting spill. The same report recommended the installation of bat boxes as an ecological enhancement measure.

In assessing the current application, particular consideration has been given to the approved bat and bird box enhancement scheme secured under application 25/0945/DIS. These enhancement measures now represent ecological receptors that should be protected from subsequent development proposals.

Review of the approved bat and bird box locations plan indicates that the enhancement features are generally intended to be distributed within retained trees around the perimeter of the GolfPod facility rather than within the illuminated outfield itself. The submitted lighting assessment and lamp location plans indicate that the proposed luminaires are directed towards the GolfPod outfield and away from the surrounding tree belts in which the enhancement features are proposed.

Whilst the ecological lighting assessment does not explicitly model light levels at each individual bat box location, the available information indicates that:

- the approved bat boxes are enhancement features and are not required as compensation for the loss of an existing bat roost;*
- no bat roosts were identified within trees affected by the lighting scheme;*
- the luminaires utilise a warm-spectrum light source and are designed to minimise ecological effects;*
- the fittings are orientated away from surrounding vegetation and ecological features;*
- approved planting and retained vegetation around the GolfPod will provide additional screening and containment of light spill.*

On the basis of the information submitted, there is no evidence to indicate that the proposed lighting would materially affect the functionality of the approved bat boxes, bird boxes, retained habitats or ecological connectivity around the site. The proposal is therefore not considered likely to undermine the biodiversity enhancement measures previously accepted under applications 24/1843/FUL and 25/0945/DIS.

Informatives

Lighting and biodiversity

The ecological acceptability of the proposed lighting scheme is based on the submitted lighting specification and layout, including the use of warm-white 3000K luminaires, directional fittings, shielding measures and the orientation of lighting towards the GolfPod outfield. Any subsequent changes to luminaire type, mounting height, light output, beam spread, operational hours or lighting layout may alter the ecological effects of the development and may require further ecological assessment, particularly in relation to the bat boxes and bird boxes associated with planning permission 24/1843/FUL.

Conclusion

We have reviewed the submitted lighting information alongside the ecological information previously approved under planning permission 24/1843/FUL and the biodiversity enhancement measures secured under application 25/0945/DIS.

The lighting has been designed to direct illumination into the GolfPod outfield, utilise warm-spectrum lighting, minimise light spill and avoid illumination of surrounding habitats. Furthermore, the approved bat and bird box locations are situated within peripheral tree belts and there is no evidence that the proposed lighting would adversely affect their functionality or the wider ecological enhancement strategy previously secured for the site.

Accordingly, we raise no ecological objection to the proposed lighting scheme. Based on the submitted information, the proposal is unlikely to result in significant adverse effects on protected species, ecological connectivity, retained habitats or the approved biodiversity enhancement measures associated with the site.

4.1.2 Conservation Officer: No objection.

- *It is noted that the proposal relates to an approved development that is currently being built.*
- *In the context of the approved development, no objection is raised in this regard.*

4.1.3 Historic England: No objection.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

It is not necessary to consult us on this application again, unless there are material changes to the proposals.

4.1.4 The Gardens Trust: No response received

4.1.5 Batchworth Community Council: No response received

4.1.6 National Grid: No response received

4.2 Public/Neighbour Consultation

4.2.1 Responses received: 0

4.2.2 Site notice posted 05.10.2026, expired 26.10.2026.

4.2.3 Press notice not required.

5 Relevant Planning Policy, Guidance and Legislation

5.1 Planning Law

5.1.1 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).

5.2 The Three Rivers Local Development Plan

5.2.1 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.

5.2.2 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, CP9, CP10, CP11 and CP12.

5.2.3 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, DM3, DM6, DM7, DM8, DM9, DM11, DM13 and Appendix 5.

5.2.4 The Batchworth Neighbourhood Plan (2025). Relevant policies include Policy CC1 and DE1.

5.3 The Emerging Three Rivers Local Development Plan

- 5.3.1 On 31 July 2026 the Regulation 19 Consultation opened on the Three Rivers District Council Local Plan 2026-2042 (Parts I and II). As such, weight can now be given to policies and sites contained within that Plan. The report has considered the proposal in relation to the following policies listed; however, as the new Local Plan is at consultation stage, they are not detailed in full within the analysis section of the report where the existing policies have been given more weight.

5.4 Other Material Considerations

- 5.4.1 In August 2026, the NPPF was updated. Relevant policies include:

- Protecting Green Belt land (GB1-8).
- Development affecting existing recreational land and facilities (HC7).
- Conserving and enhancing the historic environment (HE1-10)

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

6 **Planning Analysis**

6.1 Impact upon the Metropolitan Green Belt

- 6.1.1 Chapter 13 of the NPPF concerns protecting Green Belt land. The NPPF states that the objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

- 6.1.2 Policy GB2 (Assessing existing Green Belt land) states that Green Belt assessment should take into account the five purposes of the Green Belt, which are to:

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

- 6.1.3 Policy GB6 (Control of development in the Green Belt) states that development in the Green Belt is inappropriate unless it falls within one of the categories in Policy GB7. 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. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

- 6.1.4 Policy GB7 (Development which is not inappropriate in the Green Belt) states that the following categories of development 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:

- a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
- b. The reuse, extension, **alteration** or replacement **of an existing building**, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;

- c. Limited infilling in villages lying within the Green Belt;
- d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
- e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;
- f. Certain other forms of development provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:
 - 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.
- g. Development where all of the following apply:
 - 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.
- h. Residential or mixed-use development which would:
 - i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);
 - ii. Be physically well-related to the station or the settlement within which the station is located;
 - iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
 - iv. Not prejudice any proposals for long-term comprehensive development in the same location; and
 - v. In the case of proposals for major development, comply with policy GB8.

6.1.5 Policy CP11 of the Core Strategy (adopted October 2011) sets out that there is a general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purposes of including land within it. Policy DM2 of the Development Management Policies sets out that the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out in the policy. There are no specific exceptions within the policy that would relate to the development subject of this application, and therefore regard is had to the NPPF.

6.1.6 It is considered that the proposed development could be considered under criteria b. of Policy GB7 of the NPPF. The proposal consists of the installation of lighting to an existing building. The proposed development would not increase the scale or bulk of the current structure, thus not creating any additional visual or spatial impact in terms of built form. The development would not result in a disproportionate increase in size compared to the original building. The proposed development is therefore appropriate development under Policy GB7.

6.2 Impact upon character & appearance and Heritage Assets

- 6.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy 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.
- 6.2.2 Policy DM3 of the Development Management Policies document sets out that applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.
- 6.2.3 The application site lies in the north-west corner of the historic Moor Park, which is a Grade II* Registered Park and Garden (RPG). The proposed development involves the construction of a golf facility, which includes netting suspended from purpose-built supports. The LPA acknowledge the comments of the Conservation Officer and Historic England who both identify a low-level of less than substantial harm from the proposal. The LPA also note the comments of the Gardens Trust, who raise concerns regarding the proposed screening to the development.
- 6.2.4 The Conservation Officer was consulted on the proposed development and raised no objection. The proposed development, given the context of the approved development, would not have any impact in this regard.
- 6.2.5 The proposed development is therefore acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM1, DM3 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

6.3 Impact on amenity of neighbours

- 6.3.1 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'. Policy DM9 of the Development Management Policies document deals with contamination and pollution and sets out several criteria for development proposals which include external lighting.
- 6.3.2 The proposed development is for lighting. The application is accompanied by a Lighting Assessment. The spillage diagram clearly demonstrates that the lighting scheme would be concentrated to serve the use. There are no immediately adjoining neighbours who would be affected by the proposed development, and the nearest neighbours are approximately 150m from the site and would be unaffected. It is considered that the proposed development is acceptable in this regard and will be conditioned to be in accordance with the lighting information submitted. It is considered appropriate to condition the lighting to be turned off at 22:00.
- 6.3.3 In summary, subject to conditions, the proposed development would not result in any impact on the residential amenity of any neighbouring dwelling, and the development would therefore be acceptable in accordance with Policies CP1 and CP12 of the Core Strategy.

6.4 Highways & Parking

- 6.4.1 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 and Appendix 5 of the Development Management Policies document set out parking standards.
- 6.4.2 The golf club contains a large customer car park adjacent to the clubhouse, and a further large overflow car park further back towards Moor Lane. It is not considered that the proposed facility would significantly or detrimentally impact the parking provision available.

- 6.4.3 The proposed development is therefore acceptable in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies document (adopted July 2013).

6.5 Trees & Landscape

- 6.5.1 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.
- 6.5.2 The proposed development would not impact any trees. The conditions for the development to construct the facility would need to be adhered to until its conclusion and would remain in force under the relevant permission.

6.6 Ecology & Biodiversity

- 6.6.1 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.
- 6.6.2 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.
- 6.6.3 The application is accompanied by a Lighting Assessment, by Exled Golf, dated July 2026. Hertfordshire Ecology were consulted on the application and confirmed that the submitted information was acceptable for the application to be determined based on the submitted lighting specification and layout, including the use of warm-white 3000K luminaires, directional fittings, shielding measures and the orientation of lighting towards the GolfPod outfield to reduce light spillage. It is considered that the proposed development is acceptable in this regard and will be conditioned to be in accordance with the submitted information submitted.

6.7 Mandatory Biodiversity Net Gain

- 6.7.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions.
- 6.7.2 The applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application is subject to the de minimis exemption under 25 square meters. The LPA agree that this exemption applies in this case.

7 **Recommendation**

- 7.1 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: 0627.01, 0627.02, 0627.02, 0627.04, 0627.05, 0627.06 A, 0627.14

Reason: For the avoidance of doubt and in the proper interests of planning and in the interests of the visual amenities of the locality, area and Heritage Assets, the residential amenity of neighbouring occupiers, and the openness of the Metropolitan Green Belt in accordance with Policies CP1, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM6, DM8, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), and the NPPF (2026).

- C3 The lighting hereby permitted shall not be used outside the following hours at any time:

09:00 – 22:00 Monday to Friday

09:00 – 21:00 Saturdays and Sundays (including Bank and Public Holidays).

Reason: To balance illuminating the facility for maximum use with the interest of preserving neighbouring amenity and biodiversity, in accordance with Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM6, DM7, DM9, DM11 and DM12 of the Development Management Policies LDD (adopted July 2013).

- C4 No external lighting other than those agreed shall be installed on the site or affixed to the proposed all-weather pitch unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be installed in accordance with the approved details before the use commences.

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).

Informatives

- I1 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@threeivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please

note that a Commencement Notice is not required for residential extensions IF relief has been granted.

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

- (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>.