PLANNING COMMITTEE – 19 November 2026

25/2197/OUT – Outline application: Erection of up to 93 dwellings with associated access, parking, amenity space and landscaping (Appearance, Layout, Landscaping and Scale as reserved matters) at LAND ADJOINING NOTLEY FARM, BEDMOND ROAD, ABBOTS LANGLEY, HERTFORDSHIRE

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 09.04.2026
Extension of Time: tbc

Ward: Abbots Langley And Bedmond
Case Officer: Scott Volker

Development type: Major Development

Recommendation: That authority is delegated to the Associate Director of Planning and Regulatory Services to grant planning permission following the completion of a S106 agreement securing the Heads of Terms (set out in 9.24 of the report), subject to planning conditions (set out at section 10.1.2) AND to make any minor amendments necessary to the Heads of Terms and planning conditions in consultation with the Planning Committee Chair.

Reason for consideration by the Committee:

Who made the request that the application be subject of the Gateway Test?	Triaged for a Gateway Test review at the request of the Head of Regulatory Services, being a Schedule 2 application, subject of a committee call-in received prior to the National Scheme of Delegation coming into effect
What were the reasons for the request?	• Large application should come to Committee • Highways impacts • Impact on the Green Belt • Understanding impact on existing community
What was the outcome of the Gateway Test and reason?	The Nominated Officer and the Nominated Member agreed that the application should be referred to the committee as the site raises a social issue of significance to the local area, in that it comprises a major residential development which fails to meet Policy CP4 in relation to affordable housing.

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=T7GQSBQFJBH00

1 Executive Summary

1.1 This report makes a full assessment of outline planning application 25/2197/OUT, for the proposed development comprising up to 93 new dwellings, parking and landscaping with associated access onto Bedmond Road at land adjoining Notley Farm on Bedmond Road. The application is in Outline, with details of access provided for full consideration. Appearance, landscape, layout and scale are reserved matters.

1.2 The Emerging Local Plan has completed Regulation 19 consultation stage, and this includes future site allocations for housing within the District. The application site is referred to as 'H7' in the Site Allocations Document with an indicative dwelling capacity of 98 dwellings. This document sets out that the site would have a phasing of 1-10 years thus is anticipated to be delivered early within the plan period.

1.3 The assessment has considered all relevant material planning considerations, including the provision of the 2026 National Planning Policy Framework (NPPF) and the Three Rivers Local Development Plan. The responses from consultees have also been considered and are listed at Section 5 and appended to this report in full. The majority of consultees raised no objection subject to conditions and/or S106 agreement. There is an objection raised by the Conservation Officer.

1.4 The primary planning considerations include the principle of the development in the Green Belt; impact on landscape, character and heritage; housing provision; highways and access considerations and residential amenity. Officers have assessed these matters and all other planning considerations and conclude that the proposal is acceptable.

1.5 In relation to Green Belt, officers consider that the site is Grey Belt and the proposal accords with Policy GB7(g) i.-iv. of the NPPF (2026). As such, it is considered that the development is an appropriate form of development in the Green Belt. In relation to the existing use, the development would result in the loss of an agricultural field but is, as explained later in Section 9.2 , of moderate to poor quality. Subject to conditions/S106 there are no objections on highways, amenity or other grounds.

1.6 The benefits of the scheme are considered at Section 9.25 and include the need for housing, the need for affordable housing, compliance with the 'Golden Rules' – all of which are afforded significant weight in support of the application.

1.7 This report therefore recommends approval, subject to conditions and a S106 agreement.

1.8 This executive summary provides an overview. It is not exhaustive and should be read in conjunction with the full report for a complete understanding.

2 Relevant Planning History

2.1 Notley Court (Former Mansion House Farm Equestrian Centre)

18/0223/FUL - Demolition of existing equestrian centre and construction of 15 dwellinghouses and 2 flats (17 units in total) with associated vehicular access, car parking, landscaping and engineering works – Permitted 14 May 2018; implemented.

3 Description of Application Site

3.1 The application site is located at the northern edge of Abbots Langley on the eastern side of Bedmond Road before it crosses the M25. The site is accessed via an access point from Bedmond Road through a residential development comprising 17 dwellings known as Notley Court.

3.2 The site is roughly 'L' shaped and wraps around the northern and eastern sides of a covered reservoir (not forming the application site). The site is mostly flat, comprising two fields, divided by a tall hedgerow and measuring approximately 2.7ha. As existing it is agricultural land used for grazing. There are no buildings on the site and is bounded by mature trees and hedges. The site is located within the Metropolitan Green Belt but adjoins the Green Belt boundary at the western edge with Notley Court and the south-eastern edge.

3.3 Directly north of the site are open agricultural fields which separate the site from the M25 although this land has outline planning permission for the construction of a data centre of up to 84,000sqm (LPA Ref: 23/1068/OUT, PINs Ref: APP/P1940/W/24/3346061).

3.4 Urban development is located to the south of the site with a mixture of houses and apartments from Notley Court around to Summerhouse Way. Characterised by two-storey, traditional pitched roof semi-detached and terraced properties. A three storey flatted development is visible from Love Lane but fronts onto Parnell Close and there is the presence of both three and four storey flatted developments (Nicholas Court & Turnbull Court) on Summerhouse Way. Love Lane play area exists to the south of the site.

3.5 To the western side of Bedmond Road, set back from the road frontage and accessed via Dairy Way, are Tithe Barn Cottages, a residentially converted former Dairy Farm. To the south of this is Abbots Langley Primary School.

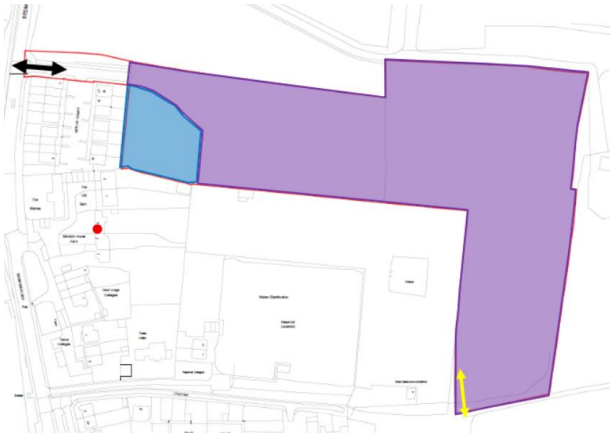
3.6 The site is located in close proximity to Statutorily Listed Buildings and Locally Important Buildings including Tithe Barn – Grade II* Listed; Mansion House Farmhouse – Grade II Listed; Ovaltine Dairy Farm and Cecil Lodge Cottages– Locally Listed.

4 Description of Proposed Development

4.1 This application seeks **Outline planning permission** for the erection of up to 93 new dwellings with associated access, parking, amenity space and landscaping. Approval is sought for Access with matters of Appearance, Landscaping, Layout and Scale reserved.

4.2 The application is accompanied by an Opportunities & Constraints Plan (25020-243-XX-XX-DR-A-0001), a Proposed Illustrative Masterplan (25020-243-XX-XX-DR-A-1200) and a Parameter Plan (TRDC 001). The illustrative masterplan shows how the site **could** potentially be developed, although approval is not sought for these details within the application and this illustration is considered as indicative only. Therefore, whilst the following assessment may acknowledge the layout, appearance, landscaping and scale of development, the detail of these matters would be assessed at a subsequent stage should this application be deemed acceptable and permitted.

4.3 The illustrative proposed site layout plan indicates that the proposal could comprise a linear form of development set around a central internal access road, reflecting the 'L' shape of the application site. The plan shows a development characterised by semi-detached houses but with some detached properties and short terraces. Three apartment blocks are proposed, with one adjacent to the site entrance and a proposed attenuation basin (Block 1) with Blocks 2 and 3 to the north-eastern corner of the site, adjacent to a further attenuation basin and an area of public open space. The submitted Parameter Plan details that Block 1 would be located within an area of the site where the built form would be limited only to two and half-storeys (area shaded blue).



Above: Parameter plan identifying section (shaded blue) of the site whereby development would be restricted to two & half storeys; with development up to three storeys contained within the remainder of the site (shaded purple)

4.4 Curtilage parking is typically provided for the houses, with enclosed landscaped parking courts proposed for the three apartment blocks. Visitor parking is dispersed along the material access road, but with a concentration adjacent to the apartment blocks and public open space to the north-eastern corner.

4.5 The development will be primarily accessed off Bedmond Road, which also provides the principal pedestrian and cyclist access, forming an extension to the existing Notley Court carriageway. The principal access provides a simple priority junction serving the development road with a width of 5.5m which is bounded on two sides by 2m wide footways. The internal footway would provide a connection to the adjacent PRoW – Abbots Langley 029 – which runs from Bedmond Road, east along Love Lane, before crossing East Lane and heading toward the M25.



Above: Illustratative site layout plan

4.6 The proposed dwelling mix is not known at this stage, but the supporting planning statement provides an indicative housing mix in the table below. The detailed housing mix will be a consideration for the Reserved Matters stage, when a detailed layout will be established. The scheme would include 47 affordable homes (50%), with a split of 31 (65%) mix of social and affordable rent and 16 (35%) intermediate ownership.

Fig. 7.3.1.1c Indicative proposed housing mix – 93-unit scheme

Proposed	1-bed	2-bed	3-bed	4+ bed
Market Housing	0	23	19	4
Affordable Home Ownership	6	8	2	0
Social / Affordable Rented Housing	10	12	9	0
Total	16	43	30	4

Above: Table taken from Section 7.3.0 (page 25) of the supporting Planning Statement

4.7 The application is accompanied by the following plans/reports:

- Location Plan (25020-243-XX-XX-DR-A-1000)
- Opportunities & Constraints (25020-243-XX-XX-DR-A-0001)
- Proposed Masterplan (25020-243-XX-XX-DR-A-1200)
- Parameter Plan (TRDC 001)
- Proposed Street Scenes (25020-243-XX-XX-DR-A-3200 REV P01)
- Proposed Visual SUDS (25020-243-XX-XX-DR-A-5000)
- Landscape Masterplan (PRI24773 10)

- Tree Protection Plan (PRI24773-03A)
- Acoustic Assessment
- Agricultural Land Classification Report
- Air Quality Assessment
- Arboricultural Impact Assessment & Method Statement
- Archaeological Assessment
- Biodiversity Checklist
- Biodiversity Metric Calculation Tool
- Biodiversity Net Gain Plan
- Ecological Impact Assessment
- Energy Statement
- Flood Risk Assessment
- Heritage Statement
- Landscape Visual Impact Assessment
- Planning Statement with Affordable Housing Statement
- Transport Assessment

4.8 The following documents have been submitted during the course of the application:

- Hydrogeological Risk Assessment Report (June 2026)

5 Consultation

5.1 A summary is provided below, with the full comments set out in **Appendix 1.**

Abbots Langley Parish Council	1.1.1	Objection
Herts County Council: Minerals & Waste Policy Team	1.1.2	No objection, subject to condition
Herts County Council: Highway Authority	1.1.3	No objections, subject to conditions
Community Safety Intervention Officer	1.1.4	Comments received
East of England Ambulance Service	1.1.5	Comments received
Local Plans Section	1.1.6	Comments received
Thames Water	1.1.7	Comments received
Environmental Health Officer	1.1.9	No objection, subject to conditions
Herts County Council: Growth & Infrastructure Unit	1.1.10	Comments received
Conservation Officer	1.1.11	Objection
National Grid	1.1.12	Comments received
Herts County Council: Lead Local Flood Authority	1.1.13	No objection, subject to conditions
Herts Ecology	1.1.14	No response received
Affinity Water	1.1.15 and 1.1.16	Initial objection overcome
Herts County Council – Footpath Section	1.1.17	No comments received
Landscape Officer	1.1.18	Verbally raised no objection in principle
National Health Service	1.1.19	Comments received

6 Public/Neighbour Consultation

6.1 Site Notice: Posted – 08.04.2025 Expired – 01.05.2025

6.2 Press notice: Published – 11.04.2025 Expired - 04.05.2025

6.3 Number consulted: 87

6.4 No of responses received: 24 (18 Objections; 3 neutral and 2 support)

6.5 Summary of responses received:

Objections:

- Overlooking established private gardens
- Loss of privacy
- Loss of natural light & overshadowing
- Overbearing visual presence
- Loss of outlook
- Increased perception of enclosure
- Increased noise and disturbance, especially during construction
- Development contrary to Policy CP1
- Landscape mitigation not sufficient to overcome overlooking
- Overly intensive and cramped form of development
- Development fails to reflect the established character of Notley Court
- Substantial increase in traffic on surrounding roads
- Roads already at capacity
- Development fails to demonstrate that the local road network can safely accommodate additional vehicles.
- Increased parking pressure
- Insufficient on-site parking
- Risk to pedestrian and highway safety
- Inadequate access for service and emergency vehicles.
- Erode openness of the Green Belt, encroach into the countryside and erosion of the settlement edge
- Undermines the fundamental purposes of the Green Belt.
- Development does not comply with the Golden Rules
- No very special circumstances exist
- Impact on biodiversity and wildlife in the area
- Development conflicts with the Abbots Langley Neighbourhood Plan
- Approval of Data Centre application raises the bar for development in the Green Belt rather than lowering it. (Development of national infrastructure required exceptional justification to overcome Green Belt policy; a speculative residential scheme cannot reasonably do so).
- Lack of allocation in the Development Plan
- Approval would undermine the plan-led system
- No Section 38 Agreement for road adoption and therefore not deliverable due to private unadopted road (Notley Court)
- Lack of local education capacity
- No meaningful mitigation in planning terms to flood risk
- Local drainage issues will be compounded with this development

Cumulative impact of this development and data centre need to be taken into account

Supporting:

- Housing development would make a positive contribution to the local community
- Development helps address housing demand
- Well located to local centre of Abbots Langley

Other Representations:

- Developments should include integrated nest boxes (commonly known as swift bricks) where possible and should be secured by condition.

7 Reason for Delay

7.1 The application has been extended beyond its original statutory determination period in order to enable the applicant to work with those statutory consultees who requested further information.

8 Relevant Planning Policy, Guidance and Legislation

8.1 Legislation

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

S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

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.

8.2 Statutory 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 PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (LDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM10 and DM13 and Appendices 2 and 5.

Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public.

Abbots Langley Neighbourhood Plan 2025-2041 (Referendum Version March 2026, made June 2026). Relevant Policies include: AL1, AL2, AL3, AL4, AL5, AL6, AL10 and AL19.

8.3 Other Material Considerations

In August 2026 the NPPF was updated. Relevant policies include DM3, DM5, DM6, S3, S5, CC1, CC2, CC3, HO7, HO8, L2, L3, GB6, GB7, GB8, DP3, DP4, TR3, TR4, TR6, TP8, HC3, P2, P3, F4, F7, F8, N2, N3, HE4, HE5, HE6.

The new Three Rivers Local Plan 2026-2042 reached publication stage on 31 July 2026, with the Regulation 19 consultation taking place from 31 July 2026 – 25 September 2026. The consultation period has now expired. The Local Plan is presented in two parts. Part I contains detailed planning policies and supplementary appendices, which will be used for determining development proposals. Part II details the site allocations (including site specific requirements), supporting the delivery of the planning policies. The Local Plan 2026-2042 (pre-submission version, July 2026) can be afforded limited weight. Relevant policies include HOU1, HOU2, HOU3, GB1, CNZ1, CNZ2A, BLG1, BGL2, BGL4, BGL6, ENV1, ENV2, ENV3, DH1, DH2, TC1, TC2, TC3 and Appendices 1, 2 and 3.

Open Space, Amenity and Children's Playspace Supplementary Planning Document (December 2007).

Affordable Housing Supplementary Planning Document (adopted June 2011).

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

South-West Hertfordshire Local Housing Need Assessment (2024)

Housing Delivery Test Action Plan (June 2024)

Housing Land Supply Update (April 2026)

Stage 1 Green Belt Review – Strategic Analysis (2017)

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

Stage 4 Green Belt Review (January 2026).

9 Planning Analysis

9.1 Principle of Development

9.1.1 The application site has not been allocated as a housing site by the Site Allocations Local Development Document (2014) and as such is not identified as part of the District's housing supply. The site should therefore be considered as a windfall site. Policy CP2 of the Core Strategy (adopted 2011) states that applications for windfall sites will be *considered on a case-by-case basis having regard to:*

i. the location of the proposed development, taking into account the Spatial Strategy
ii. the sustainability of the development and its contribution to meeting local housing needs
iii. infrastructure requirements and the impact on the delivery of allocated housing sites
iv. monitoring information relating to housing supply and the Three Rivers housing target.

9.1.2 The Spatial Strategy within the Core Strategy states that new development will be directed towards previously developed land in the urban area of the Principal Town (Rickmansworth) and Key Centres which are identified as most sustainable locations in the District. Whilst it is acknowledged that the majority of the site does fall outside of the settlement boundary, the access road serving the proposed development would be through the Notley Court development which falls within the settlement of Abbots Langley and the application site immediately adjoins the settlement boundary and as such PSP2 of the Core Strategy is applicable.

9.1.3 The development proposes the construction of up to 93 residential units. The Council cannot currently demonstrate a five-year supply of housing land as required by the NPPF and currently has a 1.2-year housing land supply. The delivery of 93 dwellings would make a positive contribution to much needed housing provision within the district. Additionally,

there has been an undersupply of affordable housing within the district throughout the plan period and as such there is a pressing need for the delivery of affordable housing.

9.1.4 It is noted that the Emerging Local Plan has completed Regulation 19 consultation and this includes future site allocations for housing within the District. The application site is referred to as 'H7' in the Site Allocations Document with an indicative dwelling capacity of 98 dwellings. This document sets out that the site would have a phasing of 1-10 years thus is anticipated to be delivered early within the plan period. Consequently, if permission was granted and delivered within the allowed time period this would meet the phasing if the Local Plan progresses in accordance with the estimated delivery timeframes. Thus, the granting of permission would not prejudice the Emerging Local Plan or result in the premature delivery of housing.

9.1.5 Notwithstanding this, it is important to note that the NPPF makes it clear that evidencing a housing need/unmet housing need is not solely reliant on the current housing land supply. The Housing Delivery Test is also material to this consideration. With regards to evidencing unmet need the NPPF states:

'Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or ***scores below 75% in the most recent Housing Delivery Test).***

9.1.6 The latest published housing delivery score for Three Rivers District Council for 2025 sits at just 45% significantly below the 75% delivery as required by the NPPF. Thus, irrespective of the status of the Emerging Local Plan and future land supply there is still an identified evidenced unmet need for housing of which the provision of 93 dwellings would make a positive material contribution towards.

NPPF Policy HO7 relates to meeting housing need and states:

'In applying the policies in this Framework, substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. This includes, but is not limited to, homes needed for different groups assessed under policy HO1'.

9.1.7 The recent Local Housing Need Assessment identifies that there is an annual affordable housing need (both rented and low cost ownership products) of 527 units. Thus, considering the current housing land supply, housing delivery test score and demonstrated affordable housing need substantial weight will be given to the delivery of both the market and affordable housing which would contribute towards meeting the evidenced needs of the community.

9.2 <u>Existing Use</u>

9.2.1 The application site is currently in agricultural use and forms part of a much larger arable field extended to the north. The Government's 'A Green Future: Our 25 Year Plan to Improve the Environment' sets out the government's 25-year plan to improve the health of the environment by using natural resources more sustainably and efficiently and includes plans to protect the 'best' agricultural land. It was observed on site that the land was used for grazing.

9.2.2 The application is supported by an Agricultural Land Classification Report which identifies the land on the site to be classified as Grade 3b and 4. Grade 3b and 4 fall within the moderate and poor-quality agricultural land. The loss of the land to development would weigh against the proposal; however, it is recognised that the proposal would result in the loss of low quality agricultural land of a wider agricultural unit and it is of the view of officers

that the proposal is not considered to impact on the Government's aim to protect the 'best' agricultural land as the site is not identified as Grade 1 land.

9.3 Impact on the Green Belt

9.3.1 The NPPF (August 2026) sets out that the objective of Green Belt policy 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.

9.3.2 Policy GB2 of the NPPF states that Green Belt serves five purposes:

a) To check the unrestricted sprawl of large built-up areas;
b) To prevent neighbouring towns 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.

9.3.3 Policy GB6(2) states 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 reasons of its 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.

9.3.4 Policy GB6(1) states that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. Policy GB7 sets out 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, forestry, or which is solely for nature conservation, restoration and/or enhancement;
b) The re-use, 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 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 Framework42; 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.

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

9.3.6 The proposed development is for the erection of up to 93 residential dwellings and associated access and infrastructure. Much of the site is not within a defined settlement, although the access road to the north of Notley Court is located within the settlement boundary of Abbots Langley. Similarly, most of the site is not previously developed land, except for the access to the north of Notley Court.

9.3.7 In this case, consideration is given to GB7g) which requires the development to comply with i)-iv) to be an appropriate form of development in the Green Belt.

9.3.8 In respect of paragraph i), in considering whether the site would constitute Grey Belt land, reference must be had to Annexe 2 of the NPPF which defines Grey Belt as follows:

'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.'

9.3.9 It should be noted that the council has undertaken a Stage 4 Green Belt Review (January 2026) which now forms part of the Regulation 19 evidence base and therefore holds weight in the assessment of whether the application site contributes to the purposes of including land within Green Belt. The report includes a map (page 29) that identifies provisional grey belt across the parcels that have been assessed at the settlement edge and the application site is identified as provisional grey belt on the map.

9.3.10 In this case, the site is *'any other land'*, as it is not *'previously developed land'*. For it to be considered Grey Belt land, the land needs to not strongly contribute to any of the purposes (a), (b) or (d) of paragraph 1 of Policy GB2 of the NPPF. These purposes are:

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

9.3.11 In considering whether the application site contributes to the purposes (a), (b) or (d) regard must be had to Annexe E: Green Belt Assessments of the NPPF which provides guidance in relation to informing judgements as to whether land can be considered as Grey Belt. In addition, Paragraph 007 of the PPG (Reference ID: 64-007-20250225) is also relevant and sets out the following:

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

a) To check the unrestricted sprawl of large built-up areas:

9.3.12 The application site lies immediately to the north-east of the settlement edge of Abbots Langley, therefore would be regarded as edge of settlement development. At present, the site itself consists of two fields which are free of built form.

9.3.13 Abbots Langley is identified as a Key Centre in the Core Strategy. The Core Strategy states that Key Centres include a range of medium sized settlements distributed throughout the District. All are fairly 'self-contained' centres that primarily serve the local population. They provide a range of services and facilities, and access to public transport is generally good. Therefore, it is appropriate that a proportion of future development should be located within and immediately surrounding the Key Centres. In this instance, Officers consider that Abbots Langley is not a large built-up area. Furthermore, the northern boundary of the site abuts land which has extant planning permission for a data centre allowed on appeal (LPA Ref: 23/1068/OUT, PINs Ref: APP/P1940/W/24/3346061[M). In their assessment of the appeal scheme against purpose a) the Inspector commented the following:

'In terms of Green Belt purpose a), this is 'to check the unrestricted sprawl of large built-up areas'. Regardless of whether Abbots Langley constitutes a 'large built up area', Parcel 1 is well contained by the M25 motorway to the north, Bedmond Road to the west, and the existing settlement edge to the south west. These existing features contain the site to a significant degree and would act as a strong physical boundary to any further outward encroachment.'

9.3.14 Should Members take an alternative view that Abbots Langley should be regarded as a "large built-up area", officers highlight that Annexe E and the PPG sets out that sites which make a strong contribution to purpose a) are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict or contain development. In addition, they are likely to result in an incongruous pattern of development such as 'an extended finger' of development into the Green Belt.

9.3.15 In this case, the application site is currently open in character, lacks built form except for the access north of Notley Court, and is adjacent to the settlement which makes up Abbots Langley. However, there are physical features such as, Bedmond Road, existing tree line belts and existing residential built form to the west and pockets of development to the east which would contain further development. Beyond that appeal site is the M25. As such, officers consider the site's contribution is weakened and therefore officers suggest that the site makes a moderate contribution to purpose (a).

b) To prevent neighbouring towns merging into one

9.3.16 The PPG states that this specifically relates to the merging of towns, rather than villages. As set out above, Abbots Langley is a Key Centre as set out in the Core Strategy. Furthermore, the Emerging Local Plan categorises Abbots Langley as a Small Town/Large Suburban Settlement rather than a "large built-up area" or town and therefore b) does not apply in this instance. It should be noted that Bedmond to the north of the M25 is a village and not a town.

9.3.17 Should Members take an alternative view, purpose b) is concerned with the relationship between the two nearest towns of Watford and Hemel Hempstead. Even if Members consider Abbots Langley as a small town there is no intervisibility between Hemel Hempstead and Abbots Langley and a significant distance of 3.75km between the two settlements, with other smaller settlements lying in between. Officers highlight that the site is of limited scale and there is already a degree of containment by the existing and consented development which would prevent any further material decrease of the gap. The PPG sets out that the development of a site having a strong contribution to this purpose would be likely to result in the loss of visual separation between the towns. Thus, in this case, there would be no loss of visual separation. The PPG sets out that sites which make a weak contribution are those which form only a very small part of the gap without making a contribution to visual separation. This is supported by the TRDC Stage 2 Green Belt Assessment (as noted the site forms part of the parcel AL2), which concludes that the parcel makes a 'relatively limited' contribution in relation to the merging of towns:

'The land lies in the gap between Abbots Langley and Hemel Hempstead, which in turn contributes to the gap between the towns of Hemel Hempstead and Watford. However, the extent of existing development within the parcel limits its role in preventing the merging of towns.'

9.3.18 This stance is maintained in the Stage 4 Green Belt Review.

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

d) To preserve the setting and special character of historic towns

9.3.20 The PPG sets out that areas that make no or only a weak contribution are likely to include those that *'have no visual, physical or experiential connection to the historical aspects of the town'*. In this case, officers consider that that the application site would make a weak contribution to this purpose on the basis that Abbots Langley has no areas of historical significance.

9.3.21 Officers consider that Abbots Langley is not a "large built-up area" meaning neither a) or b) apply in this instance. Notwithstanding this, should Members take an alternative view, officers consider that the application site makes only a moderate contribution to purpose a) and weak contributions to both purposes b) and d) and therefore suggest that the site should be regarded as Grey Belt. It is noted that the Stage 4 Green Belt Review has been published, this document forms part of the Regulation 19 evidence base and therefore can be attributed weight. This document, identifies the parcel, referred to as 'AL2' which includes the application site as well as the reservoir and land on the west side of Bedmond Road, as being provisional Grey Belt.

9.3.22 Policy GB7g)i. of the NPPF also advises that where development utilises Grey Belt land, it must not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. In this case, whilst it is recognised that there is some impact on encroachment into the countryside (purpose c), it is not considered that the application site if developed would undermine the purposes of the remaining Green Belt across the plan area, given its limited scale when viewed against the totality of Green Belt land within the district. Consequently, it is concluded that the proposal complies with paragraph GB7g)i.

9.3.23 Criteria (ii) of Policy GB7g) of the NPPF sets out that development in the Green Belt would not be inappropriate where *'there is a demonstrable unmet need for the type of the development proposed'*. In this case, the applicant is proposing a residential development for the provision of up to 93 dwellings.

9.3.24 The Council cannot demonstrate a five- year housing land supply as required by the NPPF, with the current housing land supply being at 1.2 years and has a housing delivery test score (45%) significantly below the 75% delivery as required by the NPPF. Consequently, there is a significant need for housing within the district which must be afforded significant weight in the decision- making process. In this case, the scheme would deliver 93 residential dwellings of a range of unit sizes (albeit the mix has not been confirmed), providing an opportunity to meet different needs. In addition, it is noted that there is also a significant need for affordable housing within the district. In this case, 50% of the 93 residential units (47) would be for affordable housing. Given the need for housing and affordable housing within the district, it is considered that the proposed development would be in accordance with criteria (ii) of the GB7g).

9.3.25 Criteria (iii) of Paragraph Policy GB7g) sets out that development should be in a sustainable location with particular reference to Policy TR3 of the NPPF. In response, officers consider the location of the site is considered to be sustainable given its edge of settlement location at the edge of Abbots Langley, adjacent to other existing residential properties and within walking and cycling distance to local amenities and schools. The site is approximately 600m (8-minute walk) north-east of Abbots Langley High Street which contains a daily supermarket, post office, cafés and takeaways; pharmacy and pubs. Abbots Langley School is located to the south east on the opposite side of Bedmond Road 130m from the application site entrance, Furthermore, within Abbots Langley is Manor House Recreation Ground and Skate Park, Abbots Langley Cricket Club, Tennis & Table Tennis Courts, Abbots Langley Community Centre and Vine House Health Centre. Leavesden Country Park is situated approximately 1.3km to the south – equivalent to a 15-minute walk. The supporting Transport Statement illustrates that the range of local amenities and facilities accessible are within a 10 – 15 minutes walking distance.

Fig 2.5.1: Proximity of the Site to local services & facilities

Land Use	Local Provison	Proximity to the Site
Education	Abbots Langley Primary School	300m
	Tanners Wood Junior & Infant School	1400m
	Parmiters School	1700m
Retail	Post office	650m
	Abbots Langley High Street	480m
	Budgens	640m
Employment	Abbots Langley High Street	480m
	Abbots Business Park	2,000m
	Leavesdon Studios	2,000m
Leisure	Love Lane Play Area	0m
	Library	480m
	The Boys Home Pub	490m
	Abbots Langley Cricket Club	1,000m
Medical	Abbots Langley Pharmacy	800m
	Abbots Langley Clinic	700m
	Vine House Health Clinic	800m

Above: Extract taken from the supporting Planning Statement (page. 6)

9.3.26 Additionally, the Transport Statement identifies existing footways of varying widths (1.3-2m) on both sides of the carriageway, providing a direct route towards Abbots Langley. The footways typically provide tactile paving and dropped kerbs at appropriate locations. It is noted that there is a stretch 20m south of the junction of Notley Court on the eastern side

of Bedmond Road for approximately 100m which has not footway; however, there are appropriately located crossing points which will enable pedestrians to cross the road to use the available footway on the western side of the carriageway. Consequently, the footway provision between the development and the local facilities is adequate for purpose and would allow pedestrians a safe route to those local facilities. Notwithstanding this, it is proposed to widen the footway between Notley Court and Dairy Way where it is currently 1.3m wide to 2m. Consideration was also given to the footway on the eastern side of Bedmond Road; however, footway widening would be constrained by several trees and a highway drainage feature. Furthermore, the stretch of footway that could be widened is limited to 35m and would largely be for users of the proposed residential development and existing residents/visitors to the properties currently accessed off Notley Court. The existing pedestrian infrastructure and the cost of providing a new footway on the eastern side of the carriageway would significantly outweigh the benefits it would provide. There are no dedicated cycling routes within the immediate vicinity of the site; however, the Kings Langley Circular Route and the Grand Union Canal Towpath are located to the west and the Radlett Loop to the east.

9.3.27 Furthermore, the application site is reasonably well connected to local bus routes. The nearest northbound bus stop is located along Bedmond Road opposite Summerhouse Way, some 240m from the site access. The nearest southbound bus stop is located another 100m further south, immediately north of the Summerhouse Way, road junction with Tibbs Hill Road The bus stops are currently served by services 20 and 320. Service 20 runs between the Holywell Estate in Watford and Hemel Hempstead and includes stops at Hemel Hempstead Railway Station and Watford Junction Railway Station. Service 20 provides a service with a frequency of between 3 per hour (Mon to Fri), 2 per hour (Sat) and hourly (Sun). HCC as Highway Authority consider this service to be sufficient to support the bus as a feasible form of sustainable travel for residents of the new site. A number of other more infrequent services also stop at the nearest bus stops, with H19 serving Love Lane (the northbound stop) and 329, KL80 and R9 serving Summerhouse Way (the southbound stop).

9.3.28 The nearest national railway station is Kings Langley, some 2.6 km from the development site. The railway station offers regular services to destinations such as London Euston and Watford Junction. The journey time to Kings Langley from the proposed development is approximately a 29mins walk, 9mins cycle or 5mins drive.

9.3.29 As such, officers are of the view that the proposed development would be in a sustainable location and this would be in accordance with Criteria ((iii) of Paragraph Policy GB7g) of the NPPF.

9.3.30 Finally, Criteria (iv.) sets out that the development must meet the 'Golden Rules' requirements set out in paragraphs GB8 of the NPPF as follows:

9.3.31 Policy GB8 of the NPPF sets out the following in relation to The Golden Rules***:***

1. *Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, all of the following contributions ('Golden Rules') should be made [footnote 43]:*

    a. *Affordable housing which reflects either:*
        i. *Development plan policy requirements for major development on land within or released from the Green Belt (as established under policy HO5(1)(a)(ii)); or*
        ii. *Until such policies are in place, a contribution which is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of a 50% [footnote 44]. In the absence of a preexisting requirement for affordable housing, a 50% affordable housing contribution should apply by default.*
    b. *Necessary improvements to local or national infrastructure; and*

c. *The provision of new green space, or improvements to existing green space, which is accessible to the public. New residents should be able to access good quality green spaces within a short walk of their homes, whether through on-site provision or through access to offsite spaces. This provision should:*
    i. *Make a positive contribution to the landscape setting of the development;*
    ii. *Support nature recovery; and*
    iii. *Meet local standards for green space provision where these exist in the development plan. Where no locally-specific standards exist, development proposals should meet national standards relevant to the development (these include Natural England's standards on accessible green space and urban greening factor and Green Flag criteria). Where land has been identified as having potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes.*

2. *In considering applications for major development involving the provision of housing on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, substantial weight should be given to the importance of complying with the Golden Rules.*

9.3.32 The proposed development would deliver 50% affordable housing provision. It is noted that the 65%-35% split is not fully in accordance with Policy CP4 of the Core Strategy. In actual numerical terms a 65%-35% is equal to 31-16 unit split; whereas a compliant 70%-30% split equates to 33-14 unit split. Notwithstanding this, it would continue to deliver a significant amount of social rented properties and the difference is not significant. As such, the proposed development is acceptable in line with Policy GB8(1)(a)(i).

9.3.33 With regards to Criteria (b), the proposed development would make improvements to local infrastructure by widening and resurfacing of the footway. In addition, new pedestrian dropped kerbs and tactile / blister paving on the footway on either side of Dairy Way and easy access kassel kerbing and Real Time Information (RTI) screen for the northbound stop /west side of Bedmond Road are requested by the Highway Authority and agreed by the agent. The development would also provide monetary contributions towards off site infrastructure which would be secured by S106 obligations including monetary contributions towards education, waste transfer and healthcare facilities. The infrastructure provisions are set out in detail in Section 9.24 of this report. Whilst the applicant agrees to the principle of the contributions listed there are ongoing discussions on the exact figures being sought. The proposed development would therefore provide necessary improvements to local infrastructure in accordance with this policy.

9.3.34 Criteria GB8(1) (c) requires development to make provisions for green space or improvements to existing green space which is accessible to the public. This provision should make a positive contribution to the landscape setting of the development, support nature recovery and meet local standards for green space provision where they exist in the development plan. The proposal includes new areas of green space, which would be accessible via the existing PRoW network via the right of way Abbots Langley 029 to the south of the site. The supporting Planning Statement sets out that there is potential for the provision of a financial contribution to be made to the enhancement of the Love Lane Play Area which would also be directly accessible via the proposed PRoW link.

Summary

9.3.35 In summary, officers are of the view that the site is Grey Belt as it does not strongly contribute to purposes (a), (b) or (d). In addition to this, as outlined above, there is a clear demonstrable unmet need for residential development in view of the fact that TRDC is unable to demonstrate a five-year housing supply and that the site is located in a sustainable edge of settlement location in accordance with Policy GB7g). Furthermore, the site meets the 'Golden Rules' set out in Policy GB8 of the NPPF. Great emphasis should also be given to paragraph 2 of Policy GB8 of the NPPF, which states that:

'In considering applications for major development involving the provision of housing on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, ***substantial weight should be given to the importance of complying with the Golden Rules****.'*

9.3.36 As such, it is considered that the development represents an appropriate form of development within the Green Belt and consequently is acceptable in accordance with the provisions of the NPPF, Policy CP11 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

9.4 Housing Mix

9.4.1 Policies CP1 and CP3 of the Core Strategy (adopted October 2011) require new development to contribute a range of house types and sizes to reflect needs, Policy CP3 also seeks to cater for a range of housing needs which should include provision of housing for the elderly and supported and specialist accommodation.

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

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

9.4.3 The housing mix is yet to be finalised as Layout is to be dealt with at reserved matters stage when a detailed layout will be established. The supporting planning statement provides an indicative housing mix in the table below.

Fig. 7.3.1.1c Indicative proposed housing mix – 93-unit scheme

Proposed	1-bed	2-bed	3-bed	4+ bed
Market Housing	0	23	19	4
Affordable Home Ownership	6	8	2	0
Social / Affordable Rented Housing	10	12	9	0
Total	16	43	30	4

Above: Table taken from Section 7.3.0 (page 25) of the supporting Planning Statement

9.5 Affordable Housing

9.5.1 Core Strategy Policy CP4 states that in order to increase the provision of affordable homes in the district and meet local housing need, the council will seek an overall provision of around 45% of all new housing as affordable housing, incorporating a mix of tenures. All new development resulting in a net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. As a guide, 70% of affordable housing would be social rented and 30% intermediate.

9.5.2 For a major planning application such as this, it would be expected that all affordable housing is provided on site. This is reflected in Policy CP4 and the Affordable Housing SPD.

9.5.3 The development proposes the provision of up to 93 dwellings. The submitted Planning Statement details that 50% (47 units) of the housing provided would be affordable units. Although layout is a Reserved Matter, the Council would highlight its expectation that the affordable units would be pepper potted throughout the site to ensure that there is no distinction between affordable and market housing on site. This provision would exceed the 45% affordable housing requirement as set out within Policy CP4 of the Core Strategy. The development would also provide the tenure split for rented and ownership products as set out within Policy CP4 of the Core Strategy. The S.106 Agreement would be worded such to refer to the provision of affordable housing dwellings as 50% of the total number of dwellings. This would ensure that if the total number of units proposed at reserved matters stage is less than 93 there would still be a requirement for 50% of the revised total to be affordable. **The affordable housing must be secured at the outline stage.**

9.5.4 Whilst the details submitted are indicative due to Layout being a reserved matter, there is a firm commitment from the applicant that the tenure mix of 65% social rent and 35% intermediate/affordable ownership, and this would be secured via the completion of a S.106 Agreement. It is acknowledged that the proposed development would not be compliant with Policy CP4 of the Core Strategy. As mentioned above a 65%-35% is equal to 31-16 unit split; whereas a compliant 70%-30% split equates to 33-;14 unit split. Whilst officers acknowledge that the development would not be fully compliant with planning policy, it is emphasised that there is a pressing need for affordable housing within the district and this must be afforded significant weight in the decision making process. **The mix of affordable housing would be secured at the reserved matters stage.**

9.5.5 Whilst the housing mix in terms of unit sizes is to be confirmed at reserved matters stage the Housing Officer has raised no objection to the proposal in this regard.

9.5.6 The submitted Planning Statement sets out the affordable dwellings would be 'appropriately distributed throughout the site.

9.5.7 In summary, whilst the proposed development would provide 50% affordable housing provision, the tenure split would not deliver the 70% vs 30% split required by Policy CP4 of the Core Strategy. However, as already set out, officers consider that the pressing need for affordable housing within the district must be given significant weight in the decision making process.

9.6 <u>Impact on the character and appearance of the locality/landscape</u>

9.6.1 The National Planning Policy Framework encourages the effective use of land. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which seeks positive improvements in the quality of the built environment but at the same time balancing social and environmental concerns.

9.6.2 Chapter 12 of the NPPF states that; "The objective of the policies in this chapter is to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'. Chapter 14 relates to achieving well-designed places stating; 'The objective of the policies in this chapter is to promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes'.

9.6.3 Policy DP3 states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

9.6.4 Policy DP3 sets out a number of principles that development proposals should reflect. The application is in outline form only where all matters are reserved other than the access. The principles of the building heights will be approved as part of this application where the development would be required to be carried out in accordance with the Parameter Plan. However, the detailed aspect of the scheme including landscaping details, design and layout would be considered against NPPF Policy DP3 at reserved matters stage.

9.6.5 Notwithstanding this, as referenced in NPPF Policy DP3 the density of the development is material to the assessment of the outline application. Policy L3 of the NPPF states that outside of settlements, development footprint should make the best use of a site's potential. The application site area is 2.88 hectares resulting in a density of 32 dwellings per hectare. This is below the 45 dwelling per hectare threshold however consideration is to be had to the constraints of the site including the siting of open space and attenuation basins. In addition, it is noted that the proposed number of units at 93 is close to the indicative capacity for the site allocation H7 in the Emerging Local Plan. The proposed density is therefore considered to be acceptable taking into consideration the constraints of the site.

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

9.6.7 Policy CP3 of the Core Strategy (adopted October 2011) stipulates that the Council will promote high quality residential development that respects the character of the district and caters for a range of housing needs. In addition, Policy CP12 of the Core Strategy (adopted October 2011) states that development should have regard to the local context and conserve or enhance the character, amenities and quality of an area and should make efficient use of land whilst respecting the distinctiveness of the surrounding area.'

9.6.8 In terms of new residential development, Policy DM1 of the Development Management Policies LDD (adopted July 2013) advises that the Council will protect the character and residential amenity of existing areas of housing from forms of new residential development which are inappropriate or the area. Development will only be supported where it can be demonstrated that the proposal will not result in:

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

9.6.9 Policy AL4 of the Abbots Langley Neighbourhood Plan sets out 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. In addition, they should minimise their impacts on the natural and historic environment.

9.6.10 A Landscape and Visual Impact Assessment supports the application and details that the site benefits from surrounding existing vegetation and built form that provides an effective visual barrier to the site. In addition, receptors within proximity to the site and that have an

elevated, and unrestricted views are likely to appreciate a change by the introduction of residential housing. However, any changes are considered short-term until mitigation planting has matured and materials weathered. It concludes that the development of the site will be seen within the same context as the existing residential properties within the northern extents of Abbots Langley and is therefore not out of context within the surrounding landscape. The site is visually enclosed by dense vegetation with only a few localised instances where visibility into the site is possible where there is breaks in the boundary vegetation. For locations further away from the site no change would be appreciated.

9.6.11 As previously noted, this application has been submitted in outline with only the matter of access to be considered. Matters of appearance, layout, landscaping and scale are reserved for consideration as part of a future formal reserved matters application. Therefore, there is no detailed assessment available as part of this application in respect of the potential design of the proposal. Nevertheless. the application is supported by a Parameters Plan (ref. TRDC 001) which demonstrate the parameters of the building heights limiting the built form in the south-west corner of the site to 2.5 storeys given the location of a nearby heritage asset. In the event that Outline planning permission was granted, a condition would require that the subsequent Reserved Matters accords with the Parameter Plan. The wider area of this part of Abbots Langley consists of a variety of house types including three storey and four storey flatted development. In light of this, at this time there are no in principle objections to the heights proposed. The scale of built form would however be subject to careful consideration with regards to design, spacing, layout and orientation of the built form at reserved matters stage.

9.6.12 Officers recognise that the rural character would be impacted were the site to be developed. It is noted from the submitted indicative masterplan that the proposed dwellings would be street fronting with the majority benefitting from private amenity spaces to the rear and off-street parking. Whilst officers recognise that the development would be urbanising relative to the existing situation, given its edge of settlement location, it is not considered that the proposed development would result in harm to the character of the area or wider landscape. Overall, taking into consideration the enclosed nature of the site and surrounding development the proposal would not result in any significant unacceptable harm to the overall character of the surrounding area including street scene or landscape character. The proposal would be in accordance with Policies CP1, CP3 and CP12 of the Core Strategy, Policies DM1, DM7 and Appendix 2 of the DMP LDD and Policy DP3 of the NPPF.

9.7 Impact on Heritage Assets

9.7.1 The site is located in close proximity to Statutorily Listed Buildings and Locally Important Buildings including Tithe Barn – Grade II* Listed; Mansion House Farmhouse – Grade II Listed; Ovaltine Dairy Farm and Cecil Lodge Cottages– Locally Listed.



Above: Application site (outlined green) relative to Statutory Listed Buildings (dotted red) and Locally Important Buildings (dotted purple).

9.7.2 Policy HE5 of the NPPF advises the following with assessing effects on heritage assets:

'Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be referred to in making this assessment, and appropriate expertise employed where necessary.'

9.7.3 The application is supported by a Heritage Statement.

9.7.4 Policy HE6 of the NPPF relates to proposals 'affecting designated heritage assets' and states the following:

1. *When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.*
2. *Development proposals which would have a positive effect on a designated heritage asset should be supported.*
3. *Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy.*
4. *Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.*

9.7.5 Policy HE7 relates to 'decisions on non-designated heritage assets' and advises the following:

1. *Development proposals which would have a positive effect on a non-designated heritage asset should be supported.*
2. *Where a development proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage asset.*
3. *Where a development proposal would cause substantial harm to, or the total loss of, the significance of a non-designated heritage asset, it should only be supported where the harm or loss is outweighed by the benefits of the proposal, having regard to the scale of the harm or loss and the significance of the non-designated heritage asset.*

9.7.6 Development Plan Policy DM3 sets out that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets and to putting heritage assets to viable and appropriate uses to secure their future protection. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.

9.7.7 Policy AL6 of the Abbots Langley Neighbourhood Plan sets out that development proposals affecting designated heritage assets, either directly or indirectly, should conserve or enhance the significance of the asset and those elements of the setting that contribute to the significance. This could include, where appropriate, the delivery of development that will make a positive contribution to, or better reveal the significance of, the heritage asset, or reflect and enhance local character and distinctiveness with specific focus on the prevailing styles of design and use of materials in a local area. These details should be explained in a Heritage Statement. It further adds that proposals affecting the non-designated heritage assets, including those on the Abbots Langley Local List, will be determined based on national planning policy.

9.7.8 The Conservation Officer was consulted on the application and raised an objection to the proposal on heritage grounds, primarily due its impact towards the historic setting of Mansion House Farmhouse and the locally important buildings at Ovaltine Dairy Farm.

9.7.9 The application historically formed part of Mansion Farm and, although now separated from the farm complex, remains an open field that contributes positively to its historic semi-rural setting. The Conservation Officer identified that the setting of the farm buildings has already been diminished by the development at Notley Court, which in their view increases the importance of the application site in preserving their remaining rural character. The proposed development would further erode this setting through the fundamental change from open land to built development. The officer raised particular concern with the indicative layout, which included a three storey apartment building close to the historic farm outbuildings. Following these comments the applicant provided a parameter plan identifying a portion of the site where development would be restricted to 2.5 storeys akin to the development at Notley Court. Whilst this has been noted by the Conservation Officer, this does not overcome their principle objection to the change of use of the open field and the loss of the rural setting of Mansion Farmhouse and its associated outbuildings resulting in harm.

9.7.10 With regards to the Ovaltine Dairy Farm, although the Conservation Officer acknowledged that there is no known historical or functional relationship between the application site and Ovaltine Dairy Farm, they considered that the site contributes positively to the buildings' immediate rural setting. The proposed development would be partly screened by Notley Court, but they raised concern that taller buildings would likely remain visible. However; as discussed above, the height of the built form closest to Notley Court, identified on the Parameter Plan would be limited to 2.5 storeys. Nevertheless, the Conservation Officer considers that the development would erode the rural setting of the Ovaltine Dairy Farm locally important buildings, resulting in less than substantial harm to these non-designated heritage assets.

9.7.11 Regarding the Grade II Listed Tithe Barn, the Conservation Officer concluded that the application site does not form part of the Tithe Barn's setting due to its distance, position and existing screening. Thus, concluded that the proposal would unlikely cause harm to the significance of this heritage asset.

9.7.12 To summarise, the Conservation Officer considers that the proposed development would result in harm to the significance and setting of Mansion Farmhouse and its associated outbuildings, as well as the locally important buildings at Ovaltine Dairy Farm. The principal concern is the loss of the site's open, rural character and its contribution to the historic setting of the surrounding farm buildings.

9.7.13 Policy HE6 of the NPPF relating to designated heritage assets advises that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed. In addition, Policy HE7 relating to non-designated heritage assets advises that 'where a development proposal would cause substantial harm to, or the total loss of, the significance of a non-designated heritage asset, it should only be supported where the harm or loss is outweighed by the benefits of the proposal, having regard to the scale of the harm or loss and the significance of the non-designated heritage asset.

9.7.14 In this case, the proposed development would deliver up to 93 residential dwellings, with 50% provided as affordable housing. The Council is unable to demonstrate a five-year land housing supply and is only able to demonstrate a 1.2 year housing land supply. As such, there is a significant need for housing within the district. The scheme would deliver up to 93 residential dwellings and therefore would contribute to the housing supply. In addition, the development would deliver up to 47 affordable dwellings. In light of this, it is considered that public benefits exist that would outweigh the low level of harm that would result from the proposed development on the setting of the statutory listed and locally listed buildings.

9.8 <u>Impact on residential amenity</u>

9.8.1 Policy CP12 of the Core Strategy advises that development proposals should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that residential 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.

9.8.2 Residents have raised concerns regarding the impact of a three-storey apartment block towards those neighbouring plots of Notley Court which back onto the application site.

9.8.3 Loss of light, impact on visual amenities and overlooking is not a consideration under this application as the layout is indicative only and as such any harm cannot be identified as part of the outline application. As previously mentioned in this report, a Parameter Plan has been submitted during the course of the application which would restrict the height of the built form in the area of the site which is adjacent to Notley Court to 2.5 storeys. A full assessment of the impact of appearance, landscaping, layout and scale to be made as part of any subsequent Reserved Matters application.

9.9 <u>Pollution – Air Quality</u>

9.9.1 Policy P3 of the NPPF states:

1. *Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as*

a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

2. *Within this context development proposals should:*

a. *Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;*
b. *Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);*
c. *Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;*

9.9.2 In relation to air quality, Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that development will not be permitted where it would:

- Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or
- Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.

9.9.3 The application is accompanied by an Air Quality Report AQ14971 2025/11/07. The report has been reviewed by the Environmental Health Officer who has confirmed that they accept the findings of the report submitted which demonstrates that the residents/occupants are not expected to be exposed to any pollutants in excess of the National Air Quality Objectives. The report discusses impacts during construction. It identifies that mitigation measures would be required through the submission of a dust mitigation plan (DMP). This will be secured by condition.

9.10 <u>Pollution – Noise and Vibration</u>

9.10.1 NPPF Policy P3.2.d states development should:

d. Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);

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

9.10.3 The proposal would consist of residential development which would be compatible with the surrounding uses thus would not result in unacceptable noise and disturbance. It is not considered that the construction of the site would result in unacceptable noise and disturbance to those residential properties in the locality of the site.

9.11 Pollution – Light

9.11.1 Policy DM9 of the Development Management Policies LDD (adopted July 2013) sets out that development proposals which include external lighting should ensure that proposed lighting schemes are the minimum required for public safety and security, that there is no unacceptable impact on neighbouring or nearby properties or the surrounding countryside or wildlife.

9.11.2 As the application is in Outline, full details of lighting would be required at Reserved Matters stage or via condition if appropriate.

9.12 Pollution – Land Contamination

9.12.1 Policy DM9 of the Development Management Policies LDD (adopted July 2013) states that the Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land, and there will be no adverse impact on the quality of local ground water or surface water quality.

9.12.2 The located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) which corresponds to the Affinity Water abstraction boreholes (BRIC) for public water supply. Affinity Water initial raised an objection to the application and requested a ground investigation and a risk assessment be undertaken. This investigation and risk assessment was of particular importance due to the proposals for deep bore soakaways as the proposed method for surface water disposal in an SPZ1, as these are opening up potential pathways for pollutants into the aquifer.

9.12.3 In response, the applicant provided a Hydrogeological risk assessment which was reviewed by Affinity Water and concluded that they were satisfied to remove their objection subject to conditions relating to unexpected contamination and surface water drainage scheme.

9.13 Highways and Access

9.13.1 Core Strategy Policy CP10 relates to Traffic and Travel, and states that Development proposals will be expected to contribute to the delivery of transport and travel measures identified as necessary for the development, either on-site as part of the development or through contributions to off-site provision as appropriate. Provision for interchange and access by public transport, walking and cycling will be regarded as particularly important. The policy explains that all development should be designed and located to minimise the impacts of travel by motor vehicle on the district. The development subject of this application is specifically designed to cater for a variety of modes of travel including by motor vehicle but also proposes implementation of external enhancements that will encourage cycling and walking.

9.13.2 Policy CP10 states that ‘Development will need to demonstrate that it provides a safe and adequate means of access, is appropriate in scale to the existing transport infrastructure 26 and where necessary infrastructure can be improved. It is necessary for the impact of the proposal on transport to be fully assessed through a comprehensive Transport Assessment’.

9.13.3 NPPF Policy TR6 states:

1. *Development proposals that are likely to generate significant amounts of movement should be supported by:*

    a. *A transport statement or transport assessment (depending on the extent and significance of the transport issues involved), which is proportionate to the nature and scale of the development, so that the likely impacts of the proposal for transport can be assessed and monitored;*
    b. *A travel plan, which indicates how sustainable transport objectives will be delivered, monitored and managed over time.*

2. *Transport assessments and statements, and travel plans, should reflect the transport vision for the development and the transport strategy for the area in which it is located, and how these are intended to be achieved (including, in the case of travel plans, identifying fallback options if initial measures do not deliver the expected outcomes).*
3. *In assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Development proposals should be considered having regard to these potential impacts and the other policies in this Framework which are relevant (including TR3, TR4 and DP3(2)(d)).*
4. *Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.*

9.13.4 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.

9.13.5 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:

i) provides a safe and adequate means of access
j) It is appropriate in scale to the existing infrastructure…
k) It is integrated with the wider network of transport routes…
l) It makes adequate provision for all users…
m) It includes where appropriate, provision for public transport either within the scheme or through contributions
n) The impact of the proposal on transport has been fully assessed
o) The proposal is accompanied by a draft Green Travel Plan

9.13.6 In this case, the application is submitted in outline form, however, matters of access are for full consideration at this stage. The highways works include the following:

- Widening of the footway as indicated on drawing 1140-TA10A and resurfacing of the this length of footway.
- New pedestrian dropped kerbs and tactile / blister paving on the footway on either side of Dairy Way and relocation of the bollards as necessary to facilitate safe access.
- Easy access kassel kerbing and Real Time Information (RTI) screen for the northbound stop /west side of Bedmond Road.

9.13.7 The proposed development would be served by the existing simple T-junction access point on Bedmond Road which currently serves Notley Court. The junction is made up of a 5.5m

carriage width with 2m footways on either side. No alterations are proposed to this access point and the Highway Authority consider the provision to be acceptable to support access to the existing and proposed dwellings and is in accordance with HCC's Place & Movement Planning and Design Guidance (PMPDG).

9.13.8 The Highway Authority have confirmed that they raise no objection to the development, subject to a number of conditions. The site is considered to be located within an accessible location within the District with access to services, amenities and public transport routes that would facilitate the reduction in use of private modes of transport.

9.13.9 The Highway Authority have concluded that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway works. Therefore, HCC has no objections on highway grounds to the application, subject to the inclusion of conditions and a legal agreement. The conditions would relate to the submissions of a Travel Plan Statement and Construction Management Plan, offsite highway improvements and implementation of access roads, parking and service areas. Informatives for the applicant have also been suggested. The proposed development is therefore considered acceptable and in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and the NPPF (2026).

9.14 Drainage & Flood Risk

9.14.1 Policy CP1 of the Core Strategy (adopted October 2011) requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 of the Development Management Policies LDD (adopted July 2013) refers to Flood Risk and Water Resources, and states that development will only be permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.

9.14.2 Policy DM8 (Flood Risk and Water Resources) of the Development Management Policies LDD advises that development will only be permitted where it would not be subject to unacceptable risk of flooding and would not unacceptably exacerbate the risks of flooding elsewhere and that the Council will support development where the quantity and quality of surface and groundwater are protected and where there is adequate and sustainable means of water supply. Policy DM8 also requires development to include Sustainable Drainage Systems (SuDs).

9.14.3 A Flood Risk Assessment (FRA) has been submitted and reviewed by the Lead Local Flood Authority (LLFA).

9.14.4 The assessment confirms that the site is wholly within Flood Zone 1 as defined by the Environment Agency. Flood Zone 1 signifies areas with the lowest probability of flooding (less than a 0.1% annual probability of river or sea flooding, equating to less than 1 in 1000 chance). The assessment also indicates the site is at very low risk of surface water flooding and not at significant risk from reservoirs, groundwater or sewer flooding.

9.14.5 The FRA sets out a drainage strategy based on infiltration, including the use of permeable paving, rain gardens and an infiltration basin discharging to deep borehole soakaways within the underlying chalk strata. Infiltration testing presented in the FRA indicates that deep infiltration is feasible and is the preferred drainage solution in accordance with the drainage hierarchy.

9.14.6 As this is an outline application and detailed drainage design has not yet been provided, the LLFA have no objection in principle, subject planning conditions to secure the detailed design, implementation and long-term management of the surface water drainage system.

9.14.7 Thames Water have confirmed that they have identified an inability of the existing sewage treatment works infrastructure to accommodate the needs of the development proposal and require a condition be attached to any planning permission that does not allow the occupation of the development until all sewage works upgrades required to accommodate the additional flows from the development have been completed, or a development and infrastructure phasing plan has been agreed. Officers consider this approach to be acceptable.

9.14.8 With regards to both Foul Water network Thames Water were unable to determine the Foul water infrastructure needs of this application. Thames Water attempted to contact the developer to obtain this information and agree a position for foul water drainage, but have been unable to do so in the time available and as such, Thames Water request that a condition be added to any planning permission with regards to foul water capacity details.

9.14.9 Regarding the Surface Water network, the application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. This has been confirmed by the LLFA as the development includes attenuation basins on site.

9.14.10 Thames Water do not have any objection to the above planning application, based on the information provided.

9.14.11 In summary, subject to the conditions suggested by both the LLFA and Thames Water, the development is considered to be acceptable and in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

9.15 Parking

9.15.1 Three Rivers District Council are the Parking Authority. Appendix 5 of the Development Management Policies LDD sets out the requirements for off-street car parking provision as follows:

1 bedroom - 1.75 spaces (1 assigned space)
2 bedroom - 2 spaces (1 assigned space)
3 bedroom - 2.25 spaces (1 assigned space)
4 or more bedrooms- 3 spaces (3 assigned spaces)

9.15.2 As this is an outline application, the car parking details will be considered at reserved matters stage; however, at this outline stage it is required to demonstrate that car parking can be accommodated on site in accordance with the local standards. The plans submitted are indicative only and thus the provision of vehicular and cycle parking spaces have not yet been determined. Due to the scale of the site, it is reasonable to assume that sufficient parking could be provided to serve the development. The submitted Planning Statement sets out that the indicative masterplan is based on the provision of 1 car parking space for the 1-bed flats; 2 spaces for the 2 and 3-bed units and 3 spaces for the 4-bed units. In addition, 10 visitor spaces are shown. The Highway Authority have commented that the width of the parking spaces should be 2.5m by 5m for a standard space and increased to 2.7m if there is any obstruction on one side or to 2.9m if there is an obstruction on both sides. Any proposed perpendicular parking spaces would need to be provided at a size of 6m by 2.5m.

9.15.3 The Highway Authority commented that EV charging must be demonstrated as part of reserved matters stages and shown to be in line with Building Regulations.

9.16 Refuse and Recycling

9.16.1 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:

a) The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
b) ii) Waste/recycling areas can be easily accessed (and moved) by occupiers and by local authority/private waste providers
c) iii) There would be no obstruction of pedestrian, cyclists or driver site lines

9.16.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities take responsibility for waste management. This includes ensuring that development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and ensuring that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities and minimises offsite disposal.

9.16.3 HCC would require a Site Waste Management Plan (SWMP) to be submitted which should aim to reduce the amount of waste produced on site.

9.16.4 In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in HCC's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt', is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. Whilst the site falls within the Sand and Gravel Belt, British Geological Survey (BGS) data does not identify any potential superficial sand/gravel deposits beneath the application site. Given the lack of deposits beneath the site, the Minerals Planning Authority does not have any mineral sterilisation concerns.

9.17 In respect of domestic and commercial waste, it is considered that further details regarding the storage and management of waste on site would be considered at the reserved matters stage.

9.18 <u>Open Space</u>

9.18.1 Policy DM11 of the Development Management Policies LDD states that developments of 25 or more dwellings or 0.6ha (whichever is greater) should make provision on site for open space and play space. 10% of the site area should be set aside as open space, and where the development is likely to be occupied by families with children 2% of the site area should provide formal equipped play facilities. Where open space is provided on site, the Council will also seek to ensure the proper maintenance of the space and guidance on the provision and maintenance of open space and children's play space is set out in the Open Space, Amenity and Children's Play Space Supplementary Planning Document.

9.18.2 The application only provides indicative details of the layout of the site, and therefore a full assessment of the quality of the accommodation and quantum and quality of amenity space cannot be made at this time. The supporting Planning Statement sets out that the proposed development would provide around 15% of the Site as open space, including the attenuation basins, as open space in compliance Policy DM11. It is considered that given the nature of the site sufficient space would be available to provide acceptable levels of amenity space provision to serve new residential development. This would be fully considered as part of any subsequent Reserved Matters application.

9.18.3 The Planning Statement sets out that given the close proximity of the Love Lane Play Area, which will be easily accessed via the proposed footpath link to the south, it is proposed that a financial contribution be made to the enhancement of this existing facility.

9.19 <u>Impact on Trees</u>

9.19.1 Policy CP12 of the Core Strategy advises that development proposals should ensure that development is adequately landscaped and is designed to retain, enhance or improve

important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with adjoining networks of green open spaces.

9.19.2 Policy DM6 of the Development Management Policies LDD advises that development proposals for new development should be submitted with landscaping proposals which seek to retain trees and other landscape and nature conservation features. Landscaping proposals should also include new trees to enhance the landscape of the site and its surroundings as appropriate.

9.19.3 NPPF Policy N3 states:

1. In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:

a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;
b. Ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and 33
c. Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development.

9.19.4 The site consists of an open field used for grazing. There are no protected trees located within or nearby the application site; however, there are several trees which line the boundary of the site. An Arboricultural Impact Assessment & Method Statement has been submitted in support of the application. The AIA and Method Statement sets out that the development proposals are in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations'. Adequate protection can be provided to ensure all retained trees are protected throughout development in the form of barriers and/or ground protection. The development proposal incorporates the majority of the better, more sustainable specimens of trees on site. All of the 'A' and 'B' category trees are to be retained and protected throughout the development. All of the trees proposed for removal are in the lower two categories, 'C' and 'U', and are not of a quality that should represent any constraint to development.

9.19.5 The Number of trees to be removed as a direct result of the current design:

BS Category	Number of individual trees	Tree Groups
U	3	1
A	0	0
B	0	0
C	3	2

Above: Table taken from AIA (page 3) showing number of trees removed and their category.

9.19.6 The Method Statement sets out that where excavation for the drainage features are required within retained RPAs, a sensitive methodology is to be used. In addition, where proposed new hard surfaces encroach into the RPA of trees highlighted for retention, sensitive surface construction will be required. Lastly, the statement is support by a Tree Protection Plan referenced PR124773-03A.

9.19.7 The relationship between the buildings and retained trees is sustainable and does not result in any situations which may result in unreasonable pressure to prune requests from future occupants.

9.19.8 The Tree and Landscape Officer raised no principle objections on tree impact grounds. This application has been submitted in outline form, with landscaping to be considered as part of a later reserved matters submission. Any planting would be required to be sited and of a scale and density that would not overshadow the proposed properties and lead to future pressure to fell or lop the trees in the future.

9.20 Wildlife & Biodiversity

9.20.1 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.

9.20.2 NPPF Policy N2 states:

1. *To contribute positively to the natural environment, and support nature's recovery, development proposals should:*

a. *Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply);*
b. *Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible;*
c. *Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;*
d. *Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;*
e. *Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;*
f. *Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and*
g. *Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.*

2. *If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused.*

9.20.3 Policy CP1 of the Core Strategy (adopted October 2011) advises that; "all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to" (amongst other things) (f) "protect and enhance our natural, built and historic environment from inappropriate development and improve the diversity of wildlife and habitats". Policy CP9 of the Core Strategy (adopted October 2011) advises that; "The

Council will seek a net gain in the quality and quantity of Green Infrastructure, through the protection and enhancement of assets and provision of new green spaces".

9.20.4 Policy DM6 of the Development Management Policies LDD (adopted July 2013) advises that development should result in no net loss of biodiversity value across the District as a whole.

9.20.5 The site mostly comprises two fields of modified grassland that have been grazed by horses, bramble and mixed scrub, and lines of trees around the boundaries. The proposed development will lead to the clearance of the grassland, and sections of mixed scrub. Herts Ecology have confirmed that they raise no objections to the baseline calculations of the site. Furthermore, they have confirmed that sufficient surveys have been carried out to determine the outline application in regards to protected species. They added that method statements based on the mitigation within the Ecology Impact Assessment ("EcIA") including its Appendix for but not limited to badgers, reptiles, nesting birds, non-licensable mitigation for bats and great crested newts as well as standard best practice measures to protect commuting and foraging mammals such as badgers and hedgehogs should be submitted for approval to the LPA. Herts Ecology advised that these are best demonstrated within an ecological section of a Construction Environmental Management Plan which would be secured by condition.

9.20.6 With regard to enhancement measures, the EcIA notes that Statutory Biodiversity Metric calculations will be undertaken once design plans have been finalised, however, the BNG Report concludes that to ensure this development achieves a net gain in biodiversity, the loss of habitat units and trading down will be addressed through off-site habitat creation and/or enhancement measures.

9.20.7 The EcIA also recommends that integrated bird and bat boxes and hedgehog highways be incorporated into the proposed development.

9.20.8 The recommendations for species enhancements are considered necessary to be compliant with the provisions of the NPPF.

9.20.9 In summary, Herts Ecology recommend the proposed development is acceptable in accordance with Policy CP9 of the Core Strategy (adopted 2011) and Policy DM6 of the Development Management Policies document (adopted 2013) and NPPF (2026).

9.21 Mandatory Biodiversity Net Gain

9.21.1 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.

9.21.2 This application is subject to mandatory biodiversity net gain. A biodiversity metric and biodiversity net gain assessment have been submitted.

9.21.3 The Biodiversity Net Gain Assessment shows that the proposed development would result in a net loss of -10.66 Area Habitat Biodiversity Units (-42.19%) and a net gain of +0.4 Linear Biodiversity Units (+23.29%).

9.21.4 Herts Ecology have advised that as a net loss 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 are aware that the general biodiversity condition is a pre-commencement condition they will need to address the condition at post-determination of the application.

9.21.5 However, Herts Ecology have confirmed that the proposed enhancements on-site - the creation of 'good' condition 'Other Neutral Grassland and Mixed Scrub' and the planting of 47 new trees - would be considered 'significant' and therefore would need to be legally secured for 30 years.

9.21.6 At the biodiversity gain plan stage an updated metric will need to be submitted showing how a net gain can be delivered. This could be either by the provision of further onsite non-significant enhancements, onsite enhancements that can be secured at the post determination stage, or by the use of an off-site location or by purchase of third-party biodiversity units from a habitat bank. As a last resort if an off-site location or suitable units to purchase cannot be found Statutory Biodiversity Credits would need to be purchased. In this latter case the applicant must demonstrate to the satisfaction of the LPA that all other options have been fully explored and that the BNG hierarchy has been followed. Given that BNG for this site is significant, Herts Ecology have recommended that a Habitat Management and Monitoring Plan (HMMP) is secured by condition. This shall demonstrate how the habitat enhancement and creation, and subsequent target habitat conditions on-site will be created, enhanced, and monitored over 30 years following the completion of the capital works required to create them. Officers have calculated the monitoring fee to be £5,900.

9.21.7 In summary, officers consider that the development would secure a significant biodiversity net gain and would therefore be acceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 in this regard.

9.22 Safety & Security

9.22.1 Policy CP12 of the Core Strategy advises that all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to, for example promote buildings and public spaces that reduce opportunities for crime and anti-social behaviour. Policy CP12 also requires that development proposals design out opportunities for crime and anti-social behaviour through the incorporation of appropriate measures to minimise the risk of crime and create safe and attractive places.

9.22.2 The Community Safety Intervention Officer has been consulted on the application and provided some initial suggestions and recommendations which will be considered at Reserved Matters stage.

9.23 Energy Efficiency

9.23.1 NPPF Policy CC2 states:

1. In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

a. Accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport, and infrastructure is provided to support the transition to zero-emission vehicles;

b. Support good access to facilities in order to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities;

9.23.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

9.23.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon, and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

9.23.4 The application has been accompanied by an Energy and Sustainability Statement which details that the proposed development would provide a 63% carbon reduction which would exceed the 5% requirement to comply with Policy DM4. The strategy incorporates significant energy efficiency measures, including enhanced building fabric and passive design features, and is supported by low-carbon technologies such as Air Source Heat Pumps. Full details would be provided at reserved matters stage; however, the development is considered acceptable in respect of Policy DM4 of the Development Management Policies LDD and the NPPF.

9.24 Infrastructure Contributions

9.24.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) Charging Schedule sets out that the charge per sqm of residential development in this area is £120 (plus indexation).

9.24.2 In order to make the proposal acceptable in planning terms, a number of Heads of Term are required to be secured vis a S106 Agreement. These are set out in the relevant sections of the analysis above, however, are summarised in the table below.

Authority	Reason	Amount
HCC Highways	Evaluation and Support Fee for Travel Plan for 5 years post full occupation	£1,200 per annum (overall sum of £6000 and index-linked RPI March 2014)
HCC Growth & Infrastructure Unit	Secondary Education Contribution towards the delivery of the new secondary school and/or provision serving the development	£751,198 (which includes land costs of £14,835) index linked to BCIS 1Q2024 and BCIS Regional Factor*
HCC Growth & Infrastructure Unit	Special Educational Needs and Disabilities (SEND) Contribution towards new Severe Learning Difficulty (SLD) special school places (WEST) and/or provision serving the development	£137,722 index linked to BCIS 1Q2024 and BCIS Regional Factor*
HCC Growth & Infrastructure Unit	Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development	£9,920 index linked to BCIS 1Q2024*****

HCC Growth & Infrastructure Unit	HCC Monitoring Fees	These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI Jan 2024).
ICB	To provide additional primary healthcare services arising from the proposed development	£155,496 indexed from the date of the planning permission
National Health Service	Mental Health costs	£31,519.56
National Health Service	Community Healthcare costs	£322,799.25
TRDC	BNG Monitoring Fee (30 years)	£7,580
TRDC	Affordable Housing	50% Affordable housing split including 31 social rented dwellings and 16 affordable rented/intermediate dwellings.
TRDC	Affordable Housing Monitoring Fee	£673
TRDC	Local Lane Play Area Enhancement	TBC and shall be reported to Members if known at time of the meeting

*****As this is an outline application, the contribution figure provided at this stage is indicative only, and a recalculation of contributions will be required at the reserved matters stage when the development mix is confirmed.

9.24.3 It is noted that the Ambulance Service have requested contributions to facilitate infrastructure as a direct result of the development. The LPA consider that this falls within the CIL provisions where a bid can be made via the relevant process rather than being tied to the planning permission.

9.24.4 The applicant is aware of the above contributions; however, the applicant is currently in disagreement with the requested contributions sought by the HCC Growth and Infrastructure Unit (HCC GIU) referring to the Council's Annual Infrastructure Funding Statement (August 2025) within which it states that the Education and Healthcare Facilities will be covered by CIL contributions. As such, the applicant contends that the council has clearly set out that Education & Healthcare Facilities should be sought through CIL. The applicant therefore consider the Council should not be requesting both monies from CIL as well as other contributions which cover Education & Healthcare Facilities as part of S.106 agreement. The applicant is currently engaging with the HCC Growth and Infrastructure Unit on the financial contributions sought and Members will be updated verbally at the meeting.

9.25 <u>Presumption in favour of Sustainable Development and Planning Balances</u>

9.25.1 Although the NPPF maintains a presumption in favour of sustainable development, the previous Paragraph 11 has been replaced. Section 4 of the NPPF states that the objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including maximising the potential for growth on suitable land within settlements.

9.25.2 The application site falls both within and outside the settlement boundary of Abbots Langley, but it is only the access that falls within the settlement. In any event, Policy S3(2) states the following:

'Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal.'

9.25.3 In applying Policy S4, development proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assess against the national decision-making policies in the Framework. Having regard to S4(2) it is not considered that the development proposal would have a substantial adverse impact in relation to those listed at S4(2)a)-c).

9.25.4 NPPF Policy S5 'Principle of development outside settlements' applies to the application site outside the settlement. As the development is considered to represent appropriate development within the Green Belt NPPF Policy S5.5 is applicable which states:

'This policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and/or GB8 (as appropriate). However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals 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, and applying paragraph 2 of this policy.'

9.25.5 NPPF Policy S5.2 states:

'In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.'

9.25.6 The Council can only demonstrate a 1.2 year housing land supply and only has a 45% housing delivery test score. As a result, there is an evidenced unmet need for housing including affordable housing within the District. In respect of Policy S5 it has been identified that the proposed development would result in a low level of harm to the setting of the Grade II Listed Building. Heritage assets are an asset of particular importance. Although this harm would weigh against the proposal in the balancing exercise, as identified within Section 7.6 of this report, it is not considered that this identified level of harm would provide a reason to refuse the development and would not fail to comply with the national decision-making policies as set out in chapter 20 of the NPPF.

9.25.7 In accordance with NPPF Policy S5.(2) an assessment should be made as to whether the benefits of approving development proposals are likely to be substantially outweighed by adverse effects.

9.25.8 The planning application consideration is assessed (both harms and benefits) against the following weightings: substantial, significant, moderate and no weight.

9.25.9 With regard to any adverse effects the proposed development would result in low level harm to the setting of a Grade II Listed Building and locally listed buildings. In accordance with Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990 considerations are as follows:

'special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess'.

9.25.10 The NPPF advises that when considering the impact of a proposed development on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation and any harm to a designated heritage asset will be a matter of considerable importance and weight. The weight attached to the level of identified harm is a planning judgement.

9.25.11 In light of the policy and legislative context of the weight that should be attributed to the protection of heritage assets, significant weight would be attributed to the low level harm to the setting of the Grade II Listed building and locally listed buildings.

Benefits of the Scheme

9.25.12 Provision of Housing – The delivery of 93 homes will make a significant contribution to the Council's identified shortfall in housing delivery. Considering the 1.2-year housing land supply and the council's housing delivery test score there is a significant need for housing substantial weight is attributed to the delivery of 46 market houses. In accordance with NPPF Policy HO7 Substantial weight is attributed to the delivery of 2, 3 and 4 bed market houses. As such it is considered by officers that the need for housing within Three Rivers should be afforded **significant weight** in the decision-making process.

9.25.13 The need for Affordable Housing - In addition, the proposed development would also deliver 50% affordable housing. There is a commitment from the applicant that the tenure mix of 65% social and affordable rent and 35% intermediate ownership. Whilst this does not strictly comply with Policy CP4 there is a pressing need for affordable housing within the District. Whilst the housing mix has not yet been confirmed, it is considered that the proposal would still deliver a range of housing types across all tenures, with the Housing Officer being supportive in principle of the proposal. As such it is considered by officers that the need for affordable housing within Three Rivers should be afforded **significant weight** in the decision-making process.

9.25.14 Compliance with the Golden Rules - It is also emphasised that the development would comply with the 'Golden Rules'. Policy GB8 of the NPPF sets out that 'a development which complies with the Golden Rules should be given **significant weight** in favour of the grant of permission'.

9.25.15 Infrastructure – The proposed development will make contributions to infrastructure provisions which would be as a direct result of the proposed development as such **no weight** is attributed to the provision of contributions towards infrastructure provisions.

9.25.16 Sustainable development - The site is in a sustainable location, policies encourage the provision of development in sustainable locations as such **no weight** is attributed to the sustainable location of the site as this is considered to be compliant with the sustainability policies set out in the Development Plan and NPPF.

9.25.17 However, the proposal would include contributions to enhance existing bus services and will make improvements to existing bus stop which would be of a benefit to existing and future occupants. **Moderate weight** will be attributed to these contributions to improve the existing bus services that would also benefit other residents.

9.25.18 Energy Efficient Development - The energy efficiency of the proposed development which is shown to result in a 59.5% carbon reduction which would exceed the 5% requirement to comply with Policy DM4. This would assist in the council's aim to achieving net-zero emissions by 2045 for the District. It is officers view that this should be afforded **moderate weight**.

9.25.19 Economic Benefits - Officers acknowledge that the development would generate economic benefits both short term during the construction phase and during the lifetime of the scheme

as it would create investment locally. It is officers view that this should be afforded **moderate weight**.

9.26 Conclusion

9.26.1 Whilst officers consider the site Grey Belt and accords with clauses (a) – (d) of Policy GB8 of the NPPF, having regard to the above, it is the view of officers that the benefits of approving development are not substantially outweighed by the adverse effects. Thus, in accordance with NPPF Policy S5.5 the development should be approved.

9.26.2 Notwithstanding the above, if Members reached an alternative view that the site was not grey belt and the proposed development constituted inappropriate development in the Green Belt, officers consider that there are material considerations which amount to very special circumstances which outweigh the harm caused to the Green Belt and any other harm.

Benefits	Harms
• Deliver 93 residential dwellings • Delivery of 50% affordable housing • Compliance with the 'The Golden Rules' • Provision of 15% of new public open space and enhancement to Love Lane play area • Local highway improvements • Short and long-term economic benefits • Energy efficient development	• Impact on setting of heritage assets • Not fully policy in accordance with Policy CP4 (65%-35% tenure split)

9.27 Referral to Secretary of State

9.27.1 The Town and Country Planning (Consultation) (England) Direction 2024 requires Local Planning Authorities to consult the Secretary of State before granting planning permission for certain types of development. The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under section 77 of the Town and Country Planning Act 1990. If a planning application is called in, the decision on whether or not to grant planning permission will be taken by the Secretary of State.

9.27.2 Applications required to be referred to the Secretary of State include inappropriate developments in the Green Belt that by reason of their scale or nature or location would have a significant impact on the openness of the Green Belt. Whilst officers consider the site to be Grey Belt and therefore not inappropriate in the Green Belt, in the event that Members conclude that the development subject of this application is acceptable although contrary to the Development Plan, or that very special circumstances exist which are considered to outweigh the harm to the Green Belt by inappropriateness and any other harm, it would be necessary for the LPA to consult the Secretary of State prior to a decision being issued.

10 Recommendation

10.1.1 That authority is delegated to the Associate Director of Planning and Regulatory Services to grant planning permission subject to the completion of a S106 agreement securing the Heads of Terms (set out in 9.24 of the report) and planning conditions (set out at section 10.1.2) AND to make any minor amendments necessary to the Heads of Terms and planning conditions and to grant planning permission subject to those amendments.

10.1.2 Conditions:

C1 Time Limit – Reserved Matters (TRDC)

An application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

C2 Reserved Matters Details (TRDC)

Details of the appearance, landscaping, layout, scale and internal access (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act.

C3 Time Limit – Commencement (TRDC)

The development hereby permitted shall commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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.

C4 Parameter Plan (TRDC)

The reserved matters application(s) pursuant to this permission shall be made in general accordance with the approved plan Parameter Plan – (TRDC 001).

Reason: For the avoidance of doubt and in the proper interests of planning in accordance with Policies PSP2, CP1, CP2, CP3, CP4, CP8, CP9, CP10, CP11 and CP12of the Core Strategy (adopted October 2011), Policies DM1, DM2, DM3, DM4, DM6, DM8, DM10, DM11, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013), the Abbots Langley Neighbourhood Plan and the NPPF (2026).

Prior to/or in conjunction with Reserved Matters application(s)

C5 Surface Water Drainage (Lead Local Flood Authority)

Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted FRA and Drainage Strategy (Flood Risk Assessment, Ref: 1140-FRA-01, November 2025) and drawing number 1140-FRA03 (Proposed Drainage Strategy, REV D), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

i. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s.
ii. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).
iii. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.

- 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

iv. The design of the infiltration basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.

v. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

vi. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

vii. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

Pre-commencement conditions

C6 Internal Road Layout & Visibility (HCC Highway Authority)

No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

a. Main internal access roads with a carriageway width of 5.5m and 2m wide pedestrian footways and designed to support a maximum 20mph speed limit and necessary visibility splays at all junctions. Any shared surface areas within the site would only be acceptable to serve up to 25 dwellings;
b. Visibility splays of 2.4m by 25m illustrated on a scaled plan at any junctions / vehicles accesses within the site.
c. The link between the site and public footpath Abbots Langley 029 to be provided at a width of a minimum of 2m.
d. Layout and dimensions of all parking spaces and associated manoeuvring areas designed in accordance with HCC's Place & Movement Planning and Design Guidance (PMPDG), Part 4, Chapter 6.
e. Turning areas and swept path analysis to illustrate that the largest anticipated vehicles to use site (e.g. refuse vehicle) would be able to safely access the site, turn around on site and egress to the highway network in forward gear.
f. Provision for an on-site refuse/recycling store(s) within 30m of each dwelling and 25m of any collection point;
g. Turning areas and swept path analysis to illustrate that a fire tender (at least 8.1m in length/ 2.9m in width for a standard fire tender and 10.4m in length / 2.9m in width for an aerial ladder appliance) would be able to safely access the site, turn around on site and egress to the highway network in forward gear. The swept path would need to illustrate that a fire tender would be able to get to within 45m of all parts of the footprint of any dwellings / community

buildings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. This is to ensure that the proposals are in accordance with MfS and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates).

Reason: In the interests of highway safety in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and the NPPF (2026).

C7 Construction Management Plan (HCC Highway Authority)

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

a. Construction vehicle numbers, type, routing;
b. Access arrangements to the site;
c. Traffic management requirements
d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
e. Siting and details of wheel washing facilities;
f. Cleaning of site entrances, site tracks and the adjacent public highway;
g. Timing of construction activities (including delivery times and removal of waste);
h. Provision of sufficient on-site parking prior to commencement of construction activities;
i. Post construction restoration/reinstatement of the working areas and any temporary access to the public highway;

Reason: This is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies CP10 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C8 Dust Management Plan (TRDC)

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

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

C9 Preliminary Risk Assessment (TRDC - Environmental Health Officer)

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP12 of the Core Strategy (adopted October 2011), Policy DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C10 Intrusive Ground Investigation (Affinity Water)

Prior to the commencement of the development, no works involving excavations (e.g. for foundations (e.g. piling), drainage (e.g. infiltration), geothermal system etc.) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.
- A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.
- A Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
- Acknowledgement of the need to notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply

Reason: To ensure that the development does not impact public water supply in accordance with Policy DM9 of the Development Management Policies LDD (July 2013) and the NPPF (2026).

C11 Surface Water Drainage (Affinity Water)

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

- A Surface Water Drainage Scheme demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

Reason: To ensure that the development does not impact public water supply in accordance with Policy DM9 of the Development Management Policies LDD (July 2013) and the NPPF (2026).

C12 Interim/Temporary Drainage (Lead Local Flood Authority)

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

Reason: To prevent flooding and pollution off site to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

C13 Construction Environmental Management Plan (Herts Ecology)

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP): Biodiversity has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity 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 (Ecological Impact Assessment (EcIA) by ACD Environment Ltd (report date 18/09/2025).
2. Risk assessment of potentially damaging construction activities.
3. Identification of ‘biodiversity protection zones’.
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

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

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C14 Biodiversity Species Enhancement Plan (Herts Ecology)

Prior to the commencement of development, a Biodiversity Species Enhancement Plan for Protected and Priority Species shall be submitted to and approved in writing by the Local Planning Authority.

The Plan should be informed by section 8.2 of the ecology report by ACD Environmental, 18/09/2025. With the exception that the sparrow or starling terraces are replaced by universal swift bricks. Bat roosting features and Swift Bricks should be Integrated (built "into" rather than "onto" buildings). Features should be installed in a ratio of one for every two buildings and located according to ecological best practice.

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

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

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

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

C15 Site Waste Management Plan (HCC Waste & Minerals Team)

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

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

C16 Habitat Management and Monitoring Plan (Herts Ecology)

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP) aligning with the HMMP template produced by DEFRA and prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

1. A non-technical summary;
2. The roles and responsibilities of the people or organisation(s) delivering the HMMP;

3. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
4. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

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

Prior to any works above slab level

C17 Off-site Highway Improvements (HCC Highway Authority)

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

- Widening of the footway as indicated on drawing 1140-TA10A and resurfacing of this length of footway. New pedestrian dropped kerbs and tactile / blister paving on the footway on either side of Dairy Way and relocation of the bollards as necessary to facilitate safe access.
- Easy access kassel kerbing and Real Time Information (RTI) screen for the northbound stop /west side of Bedmond Road;

B: Highway Improvements – Offsite (Implementation / Construction)
Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies CP10 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

Prior to Occupation

C18 Travel Plan (HCC Highway Authority)

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

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

C19 Foul Water Drainage (Thames Water)

No development shall be occupied until a foul water infrastructure strategy has been submitted to and agreed in writing with the Local Authority in consultation with Thames Water. The strategy shall demonstrate that the development would not have an unacceptable impact on the capacity or operation of the relevant sewage treatment infrastructure. The development shall be carried out in accordance with the approved strategy.

Reason: In order to ensure that sewage flooding and/or potential pollution incidents associated with foul drainage are prevented, to comply with Policies Policy DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C20 Sewage Works Upgrades (Thames Water)

No part of the development shall be first occupied until confirmation has been provided that either: all sewage works upgrades required to accommodate the additional flows from the development have been completed; or a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C21 Drainage Maintenance & Management (Lead Local Flood Authority)

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

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

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C22 Verification Report (Lead Local Flood Authority)

Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface

water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

C23 Remediation Scheme (TRDC – Environmental Health Officer)

Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

Other

C24 Unexpected Contamination (Affinity Water)

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

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

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water in accordance with Policy DM9 of the Development Management Policies LDD (July 2013) and the NPPF (2026).

C25 Biodiversity Net Gain Plan (TRDC / Herts Ecology)

The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment dated 7th November 2025

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

C26 Notification that Habitat Management & Monitoring Plan has been implemented (TRDC)

Notice in writing shall be given to the Local Planning Authority when the agreed Habitat Management and Monitoring Plan ("the HMMP") as secured by Condition 16, has been implemented.

Reason: This is to ensure that the Local Planning Authority have knowledge when the habitat enhancement and creation works have been implemented to enable effective monitoring 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).

C27 Compliance – Maintenance of the Habitat Management & Monitoring Plan (TRDC)

The created and / or enhanced habitat specified in the approved HMMP (as secured by Condition 16), shall be managed and maintained in accordance with the approved HMMP for 30 years from the date of first operation of the development.

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

C28 Flood Risk Assessment (Lead Local Flood Authority)

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Ref: 1140-FRA-01, November 2025), this includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any design flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with Policy CP1 of the Core Strategy (adopted October 2011), Policy DM8 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2026).

10.2 Informatives:

I1 Standard Advice: 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.

I2 Positive & Proactive: 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.

I3 Biodiversity Net Gain (BNG): 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.

There are statutory exemptions and transitional arrangement which mean that the biodiversity gain conditions does not always apply..

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun

because the following statutory exemption or transitional arrangement is considered to apply.

The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out applies).

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.

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.

I4 Hours of Work: 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.

I5 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

I6 Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: *https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx* or by telephoning 0300 1234047.

I7 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made-up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

I8 Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.

I9 Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: *https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx* or by telephoning 0300 1234047.

I10 Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx.

I11 Ecology: In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

I12 Ecology: If great crested newts, or evidence of them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

I13 Ecology: To avoid the killing or injuring of wildlife during development, best practice should keep any areas of grass as short as possible and any longer, ruderal

vegetation should be cleared by hand. To avoid creating refugia that may be utilised by wildlife, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Any trenches on site should be covered at night or have ramps to ensure that any animals that enter can safely escape, and this is particularly important if excavations fill with water. Any open pipework with an outside diameter greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

I14 S106 Agreement: The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.