PLANNING COMMITTEE – Thursday 19 November 2026

26/0849/FUL – Change of use of land to use as a residential caravan site comprising 2no. Gypsy/Traveller pitches, each accommodating 2 caravans including no more than 1 static caravan/mobile home, together with the laying of hardstanding and construction of new access at Land at Long Spring, Sarratt Lane, Loudwater, Hertfordshire.

Parish: Sarratt Parish Council
Expiry of Statutory Period: 09.10.2026
Extension of time agreed: 27.11.2026

Ward: Chorleywood North and Sarratt
Case Officer: David Heighton

Recommendation: That planning permission be refused.

Development Type: Minor development - Gypsy and Traveller

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?	This application had been called in by three members of the Planning Committee for the following reasons: That it is inappropriate development in the Green Belt; highways concerns - particularly the lack of sustainable transport links to/from the site and that the site also lies within the Outer Loudwater Conservation Area.
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 for reasons that it is a site within the Green Belt and it raised social and environmental issues of significance to the local area.

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=TFLKBKQFL7A00

1. Relevant Planning and Enforcement History

1.1 22/0346/RSP: Retrospective: Erection of a timber fence on boundary and removal of earth bank to create access to Land to the East Side of Sarratt Lane – Withdrawn.

1.2 26/0048/COMP: Enforcement Investigation: Unauthorised tree works within woodland and erection of gate – A Temporary Stop Notice was initially served and followed by a Stop Notice and Enforcement Notice, served on 20.10.2026. In respect of trees, officers are continuing to investigate the incident with support from the council's legal team.

2. Description of Application Site

2.1 The application site relates to a parcel of land within Long Spring; a deciduous woodland located on the eastern side of Sarratt Lane in Loudwater. The application site comprises of an area of approximately 1,000 sqm whilst the wider woodland has a site area of 1.18Ha.

2.2 The application site is currently served by an unauthorised double swing timber gate with Sarratt Lane, sited immediately opposite Ladywood Close, a residential cul-de-sac. There are mature trees/vegetation within the site and on the boundary adjacent to Sarratt Lane forming part of the woodland.

2.3 The application site is located within the Outer Loudwater Conservation Area, Metropolitan Green Belt, the Long Spring and Upper Plantation Local Wildlife Site (LWS) and forms part of the mapped area of Priority Deciduous Woodland Habitat. The woodland is described as exhibiting characteristics associated with long-established ancient or semi-natural woodland.

2.4 To the west of the site, is a residential development at Ladywood Close with mature trees to the northern, eastern and southern boundaries of the application site.

2.5 All adjacent trees/those within the site are protected by virtue of their siting within the Outer Loudwater Conservation Area and Woodland Tree Preservation Order TPO141.

3. Description of Proposed Development

3.1 This application seeks full planning permission for the change of use of the land for the stationing of caravans for residential purposes for 2 gypsy pitches including no more than 2 static caravan/mobile homes, and the formation of hardstanding and creation of a new access.

3.2 A single Gypsy or Traveller pitch can include two stationed caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, although only one of these can be a residential mobile home. This latter Act and the Social Landlords (Permissible Additional Purposes) (England) Order 2006 (Definition of Caravan) (Amendment) (England) Order 2006 defines a residential mobile home as being no larger than 20 metres in depth 6.8 metres in width and 3.05 metres internal height.

3.3 Two pitches are proposed in total, each pitch would comprise a static caravan and touring caravan, with the total provision across the site for four caravans. The static caravans would be approximately 12m in depth and 6m in width (to fall within the definition of a caravan).

3.4 A new access is also proposed which has, in part, been created and includes a set of unauthorised gates, which measure up to 7m in width with posts up to 2m in height, set back approximately 0.5m from the edge of the adjacent road. These gates are not shown on the submitted plans.

3.5 Within the site, the submitted plans indicate that a permeable hardstanding area and track would be laid from the access, approximately 65m into the site and would include the provision for four parking spaces and turning space for emergency and service vehicles.

3.6 To facilitate the development within the woodland 4 trees, labelled as T3, T8, T9 and T11 within the submitted Arboricultural Assessment would be removed. The proposal confirms that 3 replacement trees would be replanted.

4. Consultation

4.1 Statutory Consultation

4.1.1 Sarratt Parish Council: [Objection]

Sarratt Parish Council wish to strongly object to this planning application and would ask that the local planning authority refuse the application. We set out below our reasons for this position which we believe justifies the request to refuse. If the officers are minded to approve this application we request that it is called into the Planning Committee for further consideration.

Inappropriate development in the Green Belt
The proposed site at Long Spring is unsuitable as a traveller site under Policy H of the Planning Policy for Traveller Sites (PPTS), paragraphs 25 – 27. Additionally the proposal is inappropriate development in the Green Belt in accordance with paragraph 16 of the PPTS. The proposed site harms the openness of the Green Belt i.e. the site is currently devoid of any development or utilities infrastructure, and conflicts with the purposes of the Green Belt. No very special circumstances exist to allow such inappropriate development in the Green Belt (GB6 NPPF 2026). Furthermore, none of the exceptions in GB7 of the NPPF (August 2026) apply and the Green Belt boundaries can only be altered (NPPF 2026 GB3) in response to the plan-making process and not in response to a planning application.

The proposed site often floods in the autumn and winter months and so would contravene paragraph 14 of the PPTS which states that traveller sites should not be located in areas of high risk of flooding particularly given the particular vulnerability of caravans.

The site of the proposed development is in the Green Belt and forms part of Parcel LW5 in the Arup Stage 4 Green Belt Review. This review was adopted by the Council on 27th January 2026 as part of its evidence to the new Local Plan, when it decided to proceed to put the new Local Plan to Regulation 19 Consultation and subsequent submission. As such, this should be considered as the established position of the District Council with regard to the Green Belt status of the overall Parcel. The Review states that development of the LW5 Parcel would have a Significant Impact on the Green Belt under Purpose a) stating that "Loudwater is close enough to more contiguous urban development to the south to be considered to constitute part of the large built-up area extending out from Greater London. The parcel is open, largely undeveloped and has a strong sense of distinction from the urban edge by woodland within the south of the parcel. With the exception of Mickelfield Hall to the north, the parcel is predominantly uncontained. Therefore, development would be considered sprawl of the large built up area."

It is accepted that the relevant site only forms part of the overall parcel but, with the site having no defensible boundaries between it and the wider Parcel, it is reasonable to apply the same criteria to the site as the Parcel.

Alternatively, looking at the criteria for contribution to Green Belt Purpose a) for the site alone, it must be considered to make a Strong contribution to the Purpose as;
• it is free from existing development,
• lacks physical feature(s) in reasonable proximity that could restrict and contain development,
• is adjacent to a large built-up area, and
• if developed would result in an incongruous pattern of development (such as an extended 'finger' of development into the Green Belt).

As such, the site cannot be considered grey belt.

The proposed development is not within the categories of development given in GB7 1 of the 2026 NPPF. As the site is not grey belt, the terms of GB7 2 do not apply to the site. The site is not within reasonable walking distance of a well-connected station and therefore does not match the criteria of GB7 3. Taken together, this means that the site must be considered as inappropriate development in the Green Belt.

Heritage and conservation status
The proposed development is located within the Outer Loudwater Conservation Area. The Character Area Appraisal for the Conservation Area describes it as follows: "Loudwater is a wooded, undulating part of the Chess Valley with narrow lanes and leafy tracks. The original settlement of large, detached houses in spacious plots developed along the banks of the river, taking advantage of the breathtaking views across the valley. In some parts, very large Edwardian houses, each with many acres of land, have been replaced by several large, detached houses of character still on generous plots with trees and gardens all around them."

The Site makes a positive contribution to the character of the Conservation Area as one of the wooded areas surrounding the housing which contributes to the tranquil and semi-rural character of the Conservation Area.

The proposal would comprise a material change of use for two Gypsy/Traveller pitches, each accommodating two caravans and one static caravan/mobile home. It would also include the laying of hardstanding and construction of a new access.

The change of use would result in a major alteration and reduction in the positive woodland character of the Site, from purely open woodland to a residential character. The low density of development, set back from the road and retention of trees would mitigate the impact to some extent but there would still be a fundamental change in character. This would be harmful to the positive semi-rural character of the Site which contributes positively to the Conservation Area. Even the applicant, in their Heritage Statement, accepts that there would be an impact on the character and appearance of the area.

According to HE6.4 of the NPPF, "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."

Regarding NPPF policy HE6.1: 'Proposals Affecting Designated Heritage Assets' 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. Regarding NPPF policy HE9: 'Conservation Areas' the proposal would not retain and conserve features which make a positive contribution to the character or appearance of the conservation area.

The Council has recently commenced the Regulation 19 Consultation on a new Local Plan which contains sufficient provision of Gypsy & Traveller sites to accommodate the identified need for these sites. As the District has identified sufficient supply of pitches, there is no clear public need for the pitches nor is any other public benefit is asserted by the applicant for the development.

As there is no public benefit, there is no rationale to overcome the harm that would be caused by the development.

Sustainability of the site
The proposed site is not in a sustainable location. The site is 2.0 miles from Rickmansworth town centre and station, is 2.3 miles from Chorleywood town centre and station, 2 miles from Sarratt Village and services and 1 mile from the A404, where the nearest regular bus service can be found.

The site is accessed from Sarratt Lane, a relatively narrow road which is unlit and has no pavements for pedestrians. To access public transport and local shops, facilities and amenities would then require pedestrians and cyclists to use either Loudwater Lane or Solebridge Lane, both of which are narrow single-track lanes in places and which lack street lighting or pavements.

To access the site with a caravan would require the use of Sarratt Lane, Solesbridge Land and / or Loudwater Lane. None of these lanes are suitable for vehicles towing caravans, which will result in conflict with other road users, particularly as visibility along these roads tend to be very poor.

We note that Hertfordshire County Council, as the Highways Authority, has recommended that this planning application 26/0849/FUL be refused given the sustainable travel options to and from the site are "limited and not satisfactory" (HCC ref: TR/30133/2026 date 1st September 2026).

Local wildlife site and ancient woodland
The proposed site is a designated Local Wildlife Site and is therefore not suitable for development. In N6 1 c), the 2026 NPPF makes clear that "A site of local importance, which for the purpose of this policy is one designated as a Local Nature Reserve or identified as a local wildlife site, local geological site or equivalent in the development plan, should only be supported if:
i. There would not be a significant adverse effect on the integrity of the site; or
ii. The benefits of development in the location proposed clearly outweigh the likely impact on the features which make the site valuable for nature conservation."

Development of a large proportion of the site into hardstanding and human occupation will undoubtedly have a significant adverse effect on the integrity of the site. As the District can now demonstrate, through its draft Local Plan, a sufficient supply of sites for the gypsy and traveller community, there are no obvious benefits that can outweigh the harm to the Local Wildlife Site. As such, in accordance with national policy, this application should not be supported.

The site is officially listed as being Ancient Woodland. N6 2 of the 2026 NPPF makes clear that "Irrespective of a site's status in nature conservation terms, development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists."

Significant damage has already been done to the site given the clearing of trees, not only by a previous owner of the land in 2022, but also in March 2026 which we understand is the subject of ongoing investigation by Three Rivers District Council.

There are no wholly exceptional circumstances, such as a nationally significant infrastructure project, proposed by this application and therefore, for this reason alone, the application should be refused.

4.1.2 Hertfordshire County Council: Highway Authority: [Objection]

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

1) The potential to support and promote sustainable forms of travel to and from the site is limited and unsatisfactory. The proposals are therefore contrary to policy guidelines as outline in National Planning Policy Framework and Hertfordshire's Local Transport Plan 2018, specifically policy 1: Transport User Hierarchy and Policy 5 – Development Management 5a)

Comments

The development site is located on Sarratt Lane, an unclassified local access road considered highway maintainable at public expense and subject to a 30mph speed limit. On Hertfordshire County Council's Place and Movement network, Sarratt Lane is categorised as P1/M1 (e.g. Rural Lane).

The Highway Authority was consulted on a previous planning application nearby - 25/1294/FUL: Construction of 9no. residential dwellings (Use Class C3), with associated rerouting of public footpath, access, parking and landscaping works - to which a recommendation of refusal (for the same reason) was submitted.

The potential to promote and encourage sustainable forms of travel (including cycling, walking and public transport) to and from the proposed residential development is poor and limited.

The development site is located in Loudwater, a small private housing estate north of Rickmansworth. No public services, including shops or schools are located within Loudwater. Residents would therefore be expected to travel into Rickmansworth to reach regular services. The nearest bus stop - Harewood - is an approximate 1.6km walk from the site, the majority of this route contains no segregated footway and requires vulnerable network users to walk within the carriageway. Rickmansworth is the nearest train station and is a further 1.5km walk.

The NPPF (updated August 2026) TR3.1a states:
"So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location: Development proposals... should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users".

Hertfordshire County Council's Local Transport Policy 4, Policy 1 states:
"To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:
• Opportunities to reduce travel demand and the need to travel;
• Vulnerable road user needs (such as pedestrians and cyclists);
• Passenger transport user needs;
• Powered two wheeler (mopeds and motorbikes) user needs;
• Other motor vehicle user needs."

Policy 5 states:
"The county council will to work with development promoters and the district and borough councils to:
a) Ensure the location and design of proposals reflect the LTP Transport User Hierarchy and encourage movement by sustainable transport modes and reduced travel demand."

Conclusion
Following consideration of the above points, HCC as Highway Authority is therefore recommending that the application be refused. The sustainable travel options to and from the site are limited and not satisfactory.

4.1.2.1 Further details were requested with regards to the access and the following comments were received: [Access in principle considered acceptable but no information submitted to demonstrable that the access as proposed is safe / further trees required to be removed to make safe]

The Highway Authority (HA) has been notified that works have been undertaken to establish a vehicular access at the proposed location of this application. The HA continues to recommend refusal only in the case of sustainability but would caveat that should the Local Planning Authority be minded to approve the application we would recommend the imposition of the following condition:

COND1): Provision of Visibility Splays
Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m by 43m shall be provided to each side of the access where it meets the highway and such splays shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Comments
We refer to the application 22/0346/RSP, whereby the Highway Authority recommended refusal due to the unachievable visibility at the proposed access point. That access point was to be sited at the same location as the access proposed in this application and the unauthorised access that has since been constructed.

No information has been provided within this application to demonstrate that these visibility splays are achievable, no speed or volume data has been provided either.

It is our contention that a vehicular access is possible at this location, but only after removing any vegetation or boundary features between 0.6m and 2m within a visibility splay of 2.4m x 43m. This splay would be congruent with Manual for Streets guidance on Stopping Sight Distances (See Table7.1) and in line with the posted 30mph speed limit. This would also be subject to approvals from relevant parties - those responsible for any protected trees and/or biodiversity issues that could be caused by removing vegetation to achieve the necessary visibility splay.

The unauthorised access is therefore unsafe as it has not achieved these visibility splays and no information has been provided to support a reduced visibility splay. These splays may also be unachievable when considering the damage to biodiversity.

Additionally, plans do not show any gates adjacent to the highway. Despite this being implemented in the unauthorised access which has been built. Should gates be proposed in the submitted plans we would request swept path plans that show a vehicle and horse box can enter the site as this is not evident at this time.

4.1.3 TRDC Local Plans Section: [Advisory comments]

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

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

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

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

Policy HO12 relating to Traveller sites sets out:

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

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

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

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

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

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

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

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

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

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

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

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

4.1.4 Herts Ecology – [Objection]

Following review of the submitted ecological and Arboricultural information including the Preliminary Ecological Appraisal and Biodiversity Net Gain Report, Biodiversity Metric, Woodland Condition Assessment and Arboricultural Assessment. The submitted information identifies that the application site is located within the Long Spring and Upper Plantation Local Wildlife Site (LWS) and forms part of the mapped area of Priority Deciduous Woodland Habitat. The woodland is described as exhibiting characteristics associated with long-established semi-natural woodland, including abundant bluebell ground flora. It should be noted that the survey date (26th February 2026) for the woodland is at a suboptimal time for botanical surveys and so it cannot be ruled out that notable floral species are under recorded. Historic Hertfordshire Habitat Survey information recorded 15 ancient woodland indicator species and concluded that the woodland met Wildlife Site criteria on the basis of its semi-natural canopy, woodland indicator flora and field evidence suggesting an ancient origin. Whilst the woodland is not included within the Ancient Woodland Inventory, historic ecological survey information described the woodland as ancient semi-natural broadleaved woodland and recorded 15 ancient woodland indicator species. The woodland was considered to meet Wildlife Site criteria on the basis of its semi-natural canopy, woodland indicator flora and field evidence suggesting an ancient origin.

The ecological information submitted is considered sufficient to determine the application. However, following review of the submitted ecological information and a site inspection undertaken by Hertfordshire LEADS on 18 September 2026, we conclude that the woodland affected by the proposal should be considered ***Ancient Woodland and therefore irreplaceable habitat****, notwithstanding its omission from the Ancient Woodland Inventory.*

The proposed development would result in the direct loss and deterioration of ancient woodland, an irreplaceable habitat, together with harm to the Long Spring and Upper Plantation Local Wildlife Site and a 100% loss of on-site biodiversity units. The identified harm cannot be adequately avoided, mitigated or compensated. Planning permission should therefore be refused

Comments
Ancient Woodland / Irreplaceable Habitat

The application site is located within the Long Spring and Upper Plantation Local Wildlife Site and forms part of a wider parcel of Priority Deciduous Woodland habitat. The applicant's ecological assessment identifies the woodland as exhibiting characteristics consistent with ancient woodland, including abundant bluebell ground flora, whilst historic habitat survey information recorded at least fifteen ancient woodland indicator species and concluded that the woodland exhibited field evidence suggestive of an ancient origin.

Since submission of the application, a site visit has been undertaken by Hertfordshire LEADS to further assess the woodland habitat and determine whether it displays characteristics of ancient woodland. During this inspection, the woodland was found to comprise a semi-natural stand and the Long Spring area was observed to be enclosed by historic earth bunds upon which stood laid hornbeam boundaries. These features are highly indicative of historic woodland management and long-term woodland continuity and provide strong evidence in support of an ancient woodland origin.

There was also evidence of tree removal in the form of brash heaps and log stacks, some of this might have been associated with work carried out under a woodland grant scheme for the site which ran between February 2004 and February 2009. The clearance of sections of the hedgerow adjacent and to Sarrat Lane, which is shown as being still present in photos available on Google Street View (image capture 2024), however has taken place recently and appears to be associated with apparent access to the site associated with the present application.

We also note that the applicant's ecological survey was undertaken on 26 February 2026, outside the optimum survey season for woodland botanical assessment. Furthermore, the Hertfordshire LEADS site inspection was undertaken following a prolonged period of summer drought. Consequently, the woodland flora interest may have been under-recorded during both assessments. Despite these limitations, the Hertfordshire LEADS site inspection identified both Bluebell (Hyacinthoides non-scripta) and Wood Melick (Melica uniflora) within the application site, both recognised ancient woodland indicator species. Taken together with the historic record of fifteen ancient woodland indicator species, the semi-natural woodland structure and the presence of historic laid hornbeam boundaries on earth bunds, the evidence strongly indicates long-standing woodland continuity consistent with ancient woodland.

When considered collectively, the semi-natural character of the woodland, the presence of ancient woodland indicator species, the historic survey evidence, and the presence of historic woodland boundary features provide compelling evidence that the site is ancient woodland notwithstanding its absence from the Ancient Woodland Inventory. It is well recognised that the Ancient Woodland Inventory is not comprehensive and that omission from the Inventory does not demonstrate that ancient woodland is absent.

Accordingly, Hertfordshire LEADS considers that the woodland should be treated as ***Ancient Woodland and therefore irreplaceable habitat*** *for the purposes of planning determination.*

Designated Sites and Priority Habitats

The applicant's ecological assessment identifies the site as comprising woodland habitat of high ecological value in a County context. The woodland condition assessment concludes that the wider woodland habitat parcel is in Good condition, achieving 33 out of 39. The woodland is described as exhibiting characteristics associated with ancient woodland, including abundant bluebell ground flora. At least six veteran trees were identified within the woodland parcel.

Whilst the site comprises a woodland clearing, the submitted UKHab plan and Biodiversity Metric classify the entire application site as broadleaved woodland habitat in good condition

and forming part of the wider woodland parcel comprising the Long Spring and Upper Plantation Local Wildlife Site.

The ecological report acknowledges that the proposal would result in:
An unavoidable negative impact on the Local Wildlife Site.
An unavoidable impact on Priority Deciduous Woodland habitat.
Loss of habitat considered to be of high ecological value in a County context.
Significant residual ecological impacts at County level into the long term

The proposal comprises the introduction of residential development, hardstanding, access infrastructure and associated domestic activity within a woodland habitat of recognised ecological importance. The submitted information does not demonstrate that harm to the Local Wildlife Site or woodland habitat can be avoided and the applicant's ecological assessment concludes that significant residual effects would remain.

The National Planning Policy Framework states that development affecting a site of local importance for biodiversity, including a Local Wildlife Site, should only be supported where there would not be a significant adverse effect on the integrity of the site, or where the benefits of the development in the location proposed clearly outweigh the likely impact on the features which make the site valuable for nature conservation. The applicant's own ecological assessment concludes that the proposal would result in unavoidable adverse impacts to the Long Spring and Upper Plantation Local Wildlife Site and significant residual effects at County level. Consequently, the proposal fails to demonstrate compliance with this policy test.

<u>Protected Species</u>
The ecological report identifies the surrounding woodland as supporting habitat suitable for a range of protected and notable species including bats, nesting birds, reptiles and hedgehogs. The report acknowledges the presence of mature and veteran trees with bat roost features in the surrounding woodland and identifies the woodland as important bat foraging habitat.

Furthermore, the Arboricultural Assessment identifies Tree T3 as containing potential bat roost features and recommends further bat assessment prior to removal. Whilst T3 is classified as a Category U tree and unsuitable for long-term retention, its removal may nevertheless require consideration of impacts to roosting bats should the recommended further assessment identify bat use.

Whilst mitigation measures have been proposed, these do not overcome the fundamental issue of permanent habitat loss and degradation within ancient woodland and associated woodland habitats.

<u>Biodiversity Net Gain</u>
The submitted Biodiversity Metric confirms that the application site comprises broadleaved woodland habitat in good condition and predicts the complete loss of this habitat as a result of the proposed development. The metric demonstrates a baseline value of 1.173 habitat units and a net biodiversity change of -100%, with no on-site biodiversity retained and no secured off-site compensation proposals.

However, following review of the submitted information and the findings of the Hertfordshire LEADS site inspection, we consider the woodland should be treated as ***Ancient Woodland and therefore irreplaceable habitat****. As such, the impacts of the development cannot be appropriately considered through the application of the standard Biodiversity Metric alone.*

Government guidance is clear that irreplaceable habitats cannot be recreated, restored or replaced within a meaningful timescale due to their age, rarity, species diversity and ecological significance. Ancient woodland is specifically identified as irreplaceable habitat

for the purposes of Biodiversity Net Gain. Where development results in the loss or deterioration of irreplaceable habitat, the standard 10% biodiversity gain objective does not apply to that habitat because its biodiversity value cannot simply be offset elsewhere. Instead, any impacts require a ***bespoke compensation strategy agreed with the Local Planning Authority*** *as part of the planning determination process.*

Government guidance advises that planning permission for development resulting in the loss or deterioration of irreplaceable habitat should only be granted in exceptional circumstances. Whilst the Biodiversity Net Gain framework provides for bespoke compensation where impacts to irreplaceable habitat are exceptionally permitted, such an approach is generally intended for those rare cases where development can be justified notwithstanding the harm. No evidence has been provided to demonstrate that wholly exceptional reasons exist in this case.

Consequently, whilst no bespoke compensation strategy has been submitted, we consider that the absence of such a strategy is not the principal issue. Rather, the fundamental concern is that the proposal would result in the direct loss and degradation of irreplaceable habitat and has not demonstrated the exceptional circumstances necessary for such harm to be considered acceptable.

Accordingly, Hertfordshire LEADS considers that the proposal conflicts with national policy relating to the protection of irreplaceable habitat and should be refused.

Conclusion
We consider that sufficient ecological information has been submitted to determine the application.

Evidence from historic ecological surveys, the applicant's own ecological assessment and the Hertfordshire LEADS site inspection indicates that the affected woodland should be considered ***Ancient Woodland and therefore irreplaceable habitat****. The absence of the site from the Ancient Woodland Inventory does not outweigh the substantial ecological and historical evidence indicating an ancient origin. The woodland displays multiple characteristics associated with ancient woodland, including a semi-natural woodland structure, the presence of numerous ancient woodland indicator species, and historic woodland boundary features comprising earth bunds and laid hornbeam boundaries.*

The submitted ecological survey was undertaken outside the optimum period for woodland botanical assessment. Furthermore, the subsequent Hertfordshire LEADS site inspection was undertaken following a prolonged period of summer drought. Both factors are likely to have constrained the recording of woodland ground flora. Despite these limitations, the Hertfordshire LEADS site inspection recorded both Bluebell (Hyacinthoides non-scripta) and Wood Melick (Melica uniflora) within the application site, both recognised ancient woodland indicator species. These observations further support historic records identifying at least fifteen ancient woodland indicator species and reinforce the conclusion that the woodland is of ancient origin.

The proposed development would result in the direct loss and deterioration of part of this irreplaceable habitat through the construction of residential pitches, hardstanding and associated infrastructure.

Whilst the Biodiversity Net Gain framework provides a mechanism for agreeing bespoke compensation where impacts to irreplaceable habitat are exceptionally permitted, Government guidance is clear that such habitats cannot be adequately replaced through conventional biodiversity offsetting and that proposals resulting in their loss should only be permitted in exceptional circumstances. Any compensation strategy would need to be specifically agreed by the Local Planning Authority and would not alter the fact that ancient woodland is irreplaceable.

No wholly exceptional circumstances have been demonstrated that would justify the loss or deterioration of irreplaceable habitat. The harm identified cannot be adequately avoided, mitigated or compensated.

Accordingly, Hertfordshire LEADS objects to the proposal and recommends that planning permission is refused. The proposal would result in the loss and deterioration of Ancient Woodland, an irreplaceable habitat, and associated adverse impacts to the Long Spring and Upper Plantation Local Wildlife Site. No wholly exceptional circumstances have been demonstrated that would justify such harm and it has not been shown that the impacts can be adequately avoided, mitigated or compensated.

4.1.5 TRDC Landscape Officer: [Objection]

Recommend: Refusal

The proposed site location is within the woodland area of Long Spring, which is protected by W1 of TPO141. The proposal seeks to remove 4x TPO trees and would house new hard standing within the RPAs of several others. The Arboricultural Impact Assessment is lacking data about the precise species types and condition of these trees, along with the potential RPA impacts. However, in any case, this development would result in deterioration of the protected woodland in contrast to development management policy DM6, and would increase the management pressures on the remainder of the trees to be retained.

Technical refusal – the supplied information does not meet the BS 5837 standard of tree surveys and impact assessments, as information is missing with respect to the species types, the condition of the trees, and the impact of the proposed development on their root protection areas (RPAs). As a result, there is insufficient information for the council to make a determination as informed by the proposal's treatment of the surrounding protected trees.

Refusal in principle – The land in question is protected by W1 of TPO141. As taken directly from UK government guidance: 'Orders covering a woodland protect the trees and saplings of whatever size within the identified area, including those planted or growing naturally after the Order was made. This is because the purpose of the Order is to safeguard the woodland as a whole, which depends on regeneration or new planting.'. This development seeks to install new structures and hard surfacing within the protected woodland area, including necessary tree removals, and which would prevent natural regeneration. Disrupting natural regeneration would damage the ecological function of the woodland and its landscape value would be deteriorated. This is in direct contrast with CP1 and CP12 of the core strategy which seek to protect natural environments and retain natural features, respectively. Development Management Policy 6 (DM6) also states that: 'Planning permission will be refused for any development resulting in the loss or deterioration to protected woodland (including ancient woodland), protected trees (including aged or veteran trees) and hedgerows, unless conditions can be imposed to secure their protection.'.

The removal of 4 trees is proposed to facilitate the development, and the future living conditions for residents is likely precipitate additional tree removals in the future due to shading, bird mess, leaf litter, and fears over safety. Although it may be argued that the trees are protected by TPO, which allows future removals to be controlled by the Local Planning Authority, in refusing the application the LPA would be exercising those powers to protect trees with significant public amenity value.

The land in question is also designated Green Belt. CP5 of the core strategy seeks to avoid adverse impact on the openness of the Green Belt when considering planning applications of this type i.e., Gypsy/Traveller sites.

4.1.6 TRDC Conservation Officer: [Objection]

The application is for Change of use of land to use as a residential caravan site comprising 2no. Gypsy/Traveller pitches, each accommodation 2 caravans including no more than 1 static caravan/mobile home, together with the laying of hardstanding and construction of new access.

The Site is in the Outer Loudwater Conservation Area, with a Conservation Area Appraisal (CAA) adopted in 2010. This states: 'Loudwater is a wooded, undulating part of the Chess Valley with narrow lanes and leafy tracks. The original settlement of large, detached houses in spacious plots developed along the banks of the river, taking advantage of the breath-taking views across the valley. In some parts, very large Edwardian houses, each with many acres of land, have been replaced by several large, detached houses of character still on generous plots with trees and gardens all around them'.

The CAA emphasises the relationship between buildings and their associated plots and surrounding planting, which are as important as the buildings themselves and defines the character of the Conservation Area.

The application site is located within Sub-Area 3 – Sarratt Lane. The CAA does not explicitly refer to the Site but notes that Sarratt Lane moves "gently through densely wooded countryside and gardens". It highlights Sarratt Lane as a single-track lane with leafy canopies that will not have changed much in the last three hundred years. The Site has historically been a wooded area and has been shown as 'Long Spring' woodland in historic OS mapping. The Site makes a positive contribution to the character of the Conservation Area as one of the wooded areas surrounding the housing which contributes to the tranquil and semi-rural character of the Conservation Area.

The Site has recently been altered with installation of gates and some site clearance whereas previously it was enclosed by greenery.

The proposal would comprise a material change of use for two Gypsy/Traveller pitches, each accommodating two caravans and one static caravan/mobile home. It would also include the laying of hardstanding and construction of a new access.

A Heritage Statement has been submitted with the application. This has noted that the character of Sarratt Lane adjacent to Ladywood Close makes a less positive contribution to the character of the Conservation Area than other parts of Sarratt Lane. This is due to the more open character and later suburban development of Ladywood Close, which differs from the Edwardian and mid-twentieth century homes elsewhere in the Conservation Area which contribute more positively in terms of character.

In relation to the proposal, the Heritage Statement emphasises the low-density nature of the proposal, set back from Sarratt Lane in an existing clearing, with protected trees retained, which would provide an end-stop to views along Ladywood Close. It concludes that the proposal would have little, if any effect on the Conservation Area and would protect its character and appearance.

The change of use would result in a major alteration and reduction in the positive woodland character of the Site, from purely open woodland to a residential character. The low density of development, set back from the road and retention of trees would mitigate the impact to some extent but there would still be a fundamental change in character. This would be harmful to the positive semi-rural character of the Site which contributes positively to the Conservation Area. This would be exacerbated by the new gate, access and hardstanding required for the development.

In addition, it is acknowledged that the houses on Ladywood Close are of less architectural interest than in more historic parts of the Conservation Area. However, in terms of their form

and architectural style, many have Arts and Crafts form and detailing: they are generally larger detached dwellings within external landscaping with steeply pitched roofs, front dormers and gables, exposed timber decorative elements, use of red brick and clay tiled roofs which are in keeping with local character.

Proposed elevations or images have not been provided, but based on the development description, the character of the proposed development would be different to the characteristic architectural interest found elsewhere in the Conservation Area.

However, the main concern is the fundamental change in character of the Site described above.

In regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the proposal would fail to preserve the character and appearance of the Conservation Area.

Regarding NPPF policy HE6.1: 'Proposals Affecting Designated Heritage Assets' 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. Regarding NPPF policy HE9: 'Conservation Areas' the proposal would not retain and conserve features which make a positive contribution to the character or appearance of the conservation area.

4.1.7 Affinity Water: [No response received].

4.1.8 Thames Water: [No response received].

4.1.9 National Grid: [No response received].

4.2 **Public/Neighbour Consultation**

4.2.1 Site Notice: Posted: 28.08.2026 Expired: 19.09.2026.
Press Notice: Published: 28.08.2026 Expired: 19.09.2026.

4.2.2 Neighbours consulted: 28.

4.2.3 Responses received: 299 (299 objections)

4.2.4 Summary of response received:

- Inappropriate site for development
- Harm to character of the area
- Out of keeping for the area
- Heritage harm
- Harmful Green Belt impact
- Encroachment into the countryside
- Ancient or semi-natural woodland
- Local Wildlife Site
- Covered by TPO's
- Woodland loss - Trees felled, trees cleared
- Ecological harm - Natural Habitat lost
- Priority habitat deciduous woodland
- Abundant ancient woodland indicators
- 100% loss of on-site habitat
- Outer Loudwater Conservation Area
- Urbanisation of a tranquil and rural setting

- Narrow Lane, no footway or local amenities
- Highways Safety
- Sustainability of the location
- Highway capacity
- Lack of services infrastructure
- Poor visibility for access
- Drainage concerns

5. **Reason for Delay**

5.1 New planning committee procedure, gateway test required to be passed.

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

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

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

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

The Environment Act 2021.

6.1 <u>The Three Rivers Local Development Plan</u>

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

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

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM2, DM3, DM6, DM7, DM8, DM9, DM10 and DM13 and Appendix 5.

Sarratt Neighbourhood Plan (Referendum Version) (December 2025). Relevant policies include: Policy 2.

6.2 <u>Other Material Considerations</u>

In August 2026 the NPPF was updated. Relevant policies include: S3, S5, GB6, GB7, DP3, HO12 and HE6.

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

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

Human Rights Act 1998.

Equalities Act 2010.

Housing Act 2004.

Children Act 2004.

7. Planning Analysis

7.1 Principle of Development

7.1.1 Core Strategy Policy CP5 states that in considering planning applications for sites for Gypsies or Travellers, a criteria-based approach will be used. Criteria include avoiding an adverse impact on the openness of the Green Belt, be located within or near to existing settlements with access to local services, provide adequate on-site facilities for parking, storage, play and residential amenity, provide adequate levels of privacy and the circumstances of the applicant and their need for pitches on the application site.

7.1.2 The Council's Planning Policy team (Local Plans) have confirmed that the most recent Three Rivers Gypsy and Traveller Accommodation Assessment (July 2025) concluded that there is a need for 41 additional pitches, over the period 2025-2041, for Gypsy and Traveller households that meet the planning definition. It is recognised that traveller sites have been permitted since the assessment was published and these are set out in more detail below.

7.1.3 Having regard to Policy CP5, the site is not at risk of flooding. Impacts on Green Belt are assessed below. In respect of the need to be in or near existing settlements, the site is located on the edge of Loudwater which is not defined as a settlement in the Local Plan but is referred to as a small suburban settlement in the Emerging Local Plan. Notwithstanding, the site is located near to the settlements of Chorleywood, Sarratt and Rickmansworth. Other relevant matters to be considered by Policy CP5 such as access, adequate levels of on-site facilities and personal circumstances are considered below.

7.2 Impact on the Green Belt

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

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

7.2.2 The NPPF at Policy GB6 sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness Policy GB6 goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very

special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.2.3 Policy GB7 of the NPPF sets out a number of categories of development which are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Gren Belt or required to demonstrate very special circumstances. One such category includes GB7(f) which states that other forms of development, provided that the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt Purposes', such as:

i. mineral extraction and processing, engineering operations, and transport electricity network, water and telecommunications infrastructure required in a Green Belt location;
ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
iii. **Material changes in the use of land** (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.

7.2.4 Policy CP5 of endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. Officers also note that due to the make-up of the district, with a substantial percentage covered by the Green Belt designation, the majority of future proposals for gypsy traveller provision are likely to be within the Green Belt and thus will conflict with Policy CP5.

7.2.5 Core Strategy CP11 also sets out that there is a general presumption against inappropriate development in the Green Belt. Policy DM2 of the Development Management Policies document also advises that within the Green Belt, except in very special circumstances approval will not be given for new buildings other than those specified in national policy and other relevant guidance. Policy DM2 is silent in respect of change of uses.

7.2.6 The proposal involves the material change of use of the land to provide two gypsy/traveller pitches and new access. Harm to openness can take a number of forms; spatial, visual impacts and impacts arising from increased activity. The change of use would involve the introduction of four urbanising structures and a large extent of hardsurfacing, on a site which is at present void of any built form and is wholly wooded in character, with the exception of the unauthorised works. There is no other built form within the site and wider site, which would offset this perception and further increased activity and residential paraphernalia would result which would be notable in respect of a spatial and visible perspective.

7.2.7 The existing partially constructed access into the site and the erection of a new set of timber gates are also readily apparent given the extent of vegetation and trees that have been removed adjacent to the highway. This clearance around the site entrance has in turn allowed for an increased visibility into the site. When applied to the development proposal, there would be visibility of the proposed mobile homes, caravans and associated vehicles and paraphernalia, the latter of which could spread towards the highway resulting in both visual and spatial impacts to the openness of the Green Belt.

7.2.8 The material change of use would also involve the introduction of an area of hardstanding into the site from the highway. Given the nature of the hardstanding, there would be some spatial impact due to its expanse, which would impact the openness of the Green Belt. As above, there is an increased visibility of the land within the site, given the removal of the existing trees and soft landscaping. Furthermore, the expanse of hardstanding would result in an adverse effect on the openness of the Green Belt and would result in

perceptible urbanisation, which would not be wholly mitigated by the existing trees and vegetation forming the woodland.

7.2.9 For the above reasons the development would cumulatively have both a spatial and visual impact on the openness of the Green Belt, the latter due to the removal of trees to the site boundaries and despite the proposed replacement of three trees, the visual impact would also be significant; given the existing site circumstances, free from development and considering the increase in activity. As such, the development would have a significant impact on the openness of the Green Belt.

7.2.10 In respect of Policy GB7 (f)(iii) for reasons stated above the impact on the openness of the Green Belt is significant and cannot be minimised. Further the development would also conflict with one of the purposes of the Green Belt, namely the encroachment into the countryside. On the basis that the impact on the openness is not minimised, the development would fail to accord with (f)(iii).

7.2.11 Notwithstanding the above, part (g) of Policy GB7 of the NPPF states that the development should also not be regarded as inappropriate where all of the following (i – iv) apply. It is considered that the change of use of the land would fall within 'development' in the Green Belt, which includes all other associated development which are intrinsically linked to the use of the land as residential:

i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
ii. There is an evidenced unmet need for the type of development proposed;
iii. The development would be in a sustainable location, with particular reference to Policy TR3 of this Framework; and
iv. In the case of major development involving the provision of housing, the development proposed complies with Policy GB8 (The Golden Rules).

7.2.12 For the purposes of plan-making and decision-making, Annexe B of the NPPF defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Policy GB2. These are taken in turn below:

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

7.2.13 The Planning Policy Guidance (PPG) on Green Belt and Annex E of the NPPF sets out how Green Belt assessments should be applied.

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

7.2.14 In this regard the site is clearly demarked from the surrounding landscape and bound by established mature trees which form woodland and forms part of a relatively isolated and enclosed parcel of land. As part of the Council's Green Belt Stage 4 Review, the application site forms only a very small part of the wider parcel, LW5, which is considered to strongly contribute to purpose (a). However, when applied to the development site, it is considered that the woodland (as protected woodland) can restrict and contain development. It is also recognised that if developed, the development would be at odds with the prevailing pattern of development along Sarratt Lane, however given the extent of the site it is not considered that this would form 'an extended finger' of development in the Green Belt. It is considered that the site could be treated as being adjacent to a large built up area, with the development of Loudwater forming part of the contiguous area of Chorleywood and Rickmansworth. However, given the scale of the development, the fact

it is adjacent to a large built-up area and the physical features that can restrict and contain development, the development site would make a moderate or weak contribution to purpose a) and therefore meets this aspect.

b) to prevent neighbouring towns merging into one another;

7.2.15 The application site and development proposal represent relatively small-scale development with residential development within the vicinity along Sarratt Lane, which is clearly distinct. As such, the proposal would not contribute to the merging of neighbouring towns. As such, the development would not make a contribution to purposes b) and therefore meets this aspect.

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

7.2.16 The development is not within a historic town so would make no contribution to purpose d).

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

7.2.17 Overall, it is considered that the application site does not strongly contribute to any of purposes (a), (b) or (d). With regards to purpose (c) to assist in safeguarding the countryside from encroachment; a conflict would occur given the development site is currently undeveloped, with the exception of the unauthorised gates. The development would not result in conflict with purposes (d) or (e). As a result, whilst recognising the conflict with purpose (c), the development would not fundamentally undermine the purposes of the remaining Green Belt when taken together. As such, it is considered that the application site constitutes 'grey belt' land and would satisfy the first point of paragraph (g) of Policy GB7.

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

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

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

7.2.20 As part of this application the Local Plans team confirmed that The Council's Gypsy and Traveller Accommodation Assessment (July 2025) identified a total need of 41 pitches for gypsy and traveller households from 2025-2041, including a need of 37 pitches arising from those households who meet the planning definition and a need of 4 pitches arising from households with undetermined. Further permissions have been granted since the need assessment, which include a net gain of 1 pitch at land south of Old House Lane and Keepers Cottages respectively, 4 pitches at land north of Toms Lane and 2 pitches at Harthall Lane. Despite this, it is clear that there is still an evidenced need for the type of development proposed (gypsy/traveller pitches) within the district. The development would therefore meet this aspect of GB7(g).

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

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

Traveller sites should be located so that they:

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

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

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

7.2.22 When taking into account Policy HO12, the site is located a short distance from services and facilities, including those in the closest settlements of Chorleywood, Croxley Green, Rickmansworth and Sarratt including shops, pubs, bus services and schools. It is considered that the site would provide a settled base, which would contribute to the sustainability of the wider area. It is acknowledged that this Policy states that it may also mean that locations not well-related to existing settlements may be appropriate.

7.2.23 Whilst access to the site would almost certainly all be by car, the abovementioned settlements would be within a 5-minute, 1.5-mile drive, which would enable access to frequency used services and therefore the application site is considered would be situated within a sustainable location in context of this Policy, which is solely for traveller sites. It is recognised that an appeal at Land at Sarratt Lane (6006827) was dismissed in August 2026 (prior to the publication of the new NPPF) for the erection of nine residential dwellings. That particular site is located further down Sarratt Lane, to the south of the application site. In reaching the decision to dismiss the appeal the Inspector concluded that the site was not in a sustainable location, given the nature of Sarratt Lane and reliance on private vehicles to services. However, housing is now assessed against Policy TR3 of the NPPF whereas traveller sites are assessed against HO12. Further, Policy CP5 of the Core Strategy seeks that traveller sites can be located in or near settlements with access by foot and or public transport to local services, including shops, schools and healthcare. Accordingly, whilst the different approaches to the development on whether they fall within a sustainable location may be hard to quantify, the development would accord with Policy HO12 and the relevant part of CP5 of the Core Strategy.

7.2.24 With specific regard to Policy HO12 of the NPPF, given the above, it is considered that the application site is in a sustainable location for Gypsy and Traveller pitches – as there would be access to health services, schools and other basic services within the adjacent settlements.

7.2.25 Officer's note that in the case of the Bucks Hill appeal decision (6004957), the Inspector considered that the creation of an unsafe access meant the scheme involving new traveller pitches failed to comply with paragraph 115 of the previous NPPF and thus concluded it could not be in a sustainable location and was as a result inappropriate development in the Green Belt. However, this appeal was considered in the context of the previous NPPF and paragraph 115 which specifically referred to creating places that are safe. In respect of this development proposal, there is no reference to creating safe places in Policy HO12 and thus there is a policy distinction between this application and the appeal decision. In

this instance, as set out below, it has not been demonstrated that the creation of the existing access is safe, although it is recognised that the Highway's Officer notes that a suitable access, subject to appropriate visibility splays could be achieved. Nevertheless, for the purposes of whether the application site falls within a sustainable location, the fact the access may be unsafe at present given the lack of information, does not render the site unsustainable when applied to Policy HO12. As such, it is considered that the points in Policy HO12 can be achieved, which would mean that the location is considered as a sustainable location as set out in the context of Policy GB7(g)(iii).

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

7.2.26 The Golden Rules do not apply to traveller sites and is therefore not applicable in the assessment of this application in respect of Policy GB7 (g)(iv).

7.2.27 In conclusion, it is considered that the proposed change of use and associated development would satisfy all the requirements of Policy GB7(g)(i to iv). Accordingly, the development is considered to be appropriate development within the Green Belt and would also comply with Policy GB6.

7.2.28 It is accepted that the enforcement notice served recently at the site refers to a Green Belt reason in why the council served the notice, however, this was assessed in the context of that development which solely related to the access and associated development including new gates, rather than in the context of a material change of use.

7.2.29 In summary, the change of use of the site for use as a Gypsy/Traveller Site would meet the exceptions of Policy GB7 of the NPPF and therefore would represent appropriate development in the Green Belt and therefore would not harm the openness of the Green Belt as a result.

7.3 Impact on the Character and Appearance of the Streetscene:

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

7.3.2 Policy 2 of the Sarratt Neighbourhood Plan requires all development proposals to be of the highest design and take account of the Sarratt Design Code (January 2020) which states that proposals should respect the rural character of views and gaps.

7.3.3 Policy DP3 of the NPPF states that development proposals should respond to their context, so that they integrate with and enhance their surroundings.

7.3.4 The application site prior to unauthorised tree removal early in 2026 was densely vegetated up to the highway boundary and was heavily wooded in character. The woodland plays an important role in defining the character of the immediate area, with the eastern side of the road displaying rural characteristics given its dense wooded nature and absence of development, creating a clear defined rural edge.

7.3.5 The location of the proposed development in respect of caravans would be set back from the highway by approximately 30m, and would be viewed against the backdrop of woodland trees. However, given the recent clearance works, the application site would be very apparent from views via the access, thus providing clear views of the development which would include a significant area of hardsurfacing, structures and associated

paraphernalia. Such forms of development regardless of their woodland backdrop would represent a form of development that was wholly out of character with the site's rural characteristics and would appear incongruous within its setting, eroding the clear defined rural edge which is created by the woodland from the built up area of Loudwater.

7.3.6 Policy CP12 of the Core Strategy expects development proposals to 'have regard to the character, amenities and quality of an area', to 'conserve and enhance natural and heritage assets' and to 'ensure the development is adequately landscaped and is designed to retain, enhance or improve important existing natural features.

7.3.7 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards.

7.3.8 The Landscape Officer was consulted during the application and advised that the proposed development would result in deterioration of the protected woodland and would increase the management pressures on the remainder of the trees to be retained.

7.3.9 The proposed development would include the removal of 4 trees. Whilst the clearance of other tree/ vegetation was noted from a site visit. The adverse impacts from the proposed removal of trees from an ancient/semi-natural woodland would result in the further degradation of irreplaceable woodland species and harm its verdant character

7.3.10 The development would therefore result in an urbanising and incongruous form of development to the detriment of the visual amenity and rural characteristics of the site, eroding the clear defined rural edge which is created by the woodland from the built up area of Loudwater contrary to Policies CP1 and CP12 of the Core Strategy, Policy DM6 of the Development Management Policies LDD, Policy 2 of the Sarratt Neighbourhood Plan and Policy DP3 of the NPPF.

Impact on Landscape:

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

7.3.12 It is not considered that the proposal will have any significant or detrimental impact on the wider landscape. The proposal would be sited within a woodland, which would be contained and not in a prominent position within the wider landscape and would not be visible from long views. It is therefore not considered that the proposed development would not have an adverse impact on the wider landscape character.

Impact on heritage assets:

7.3.13 The application site falls within the Outer Loudwater Conservation Area.

7.3.14 Policy DM3 of the Development Management Policies LDD also states that within conservation area, development will only be permitted if the proposal is of a design and scale that preserves or enhances the character or appearance of the area…protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area.

7.3.15 Policy HE9 sates that development proposals within or affecting the significance of conservation areas should…conserve features which make a positive contribution to the character or appearance of the conservation area. Policy HE6(1) of the NPPF states that

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. This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm or total loss of its significance.

7.3.16 Whilst Long Spring is not mentioned in the Outer Loudwater Conservation Area Appraisal, its omission does not weaken its contribution to the character and appearance of the conservation area. Sarratt Lane is identified as 'Sub-Area 3' within the Appraisal which states:

'From its junction with Loudwater Lane, Sarratt Lane rises gently westwards, winding gently through densely wooded countryside and gardens."

7.3.17 The significance of this part of the conservation area is its wooded character which provides a buffer to the residential development which is present at Ladywood Close. The absence of development along the eastern side of Sarratt Lane is a key rural characteristic and positively contributes to the character and appearance of the conservation area.

7.3.18 The Outer Loudwater Conservation Area Appraisal specifically sets out that the relationship between buildings and their associated plots and surrounding planting are as important as the buildings themselves and defines the character of the Conservation Area.

7.3.19 The introduction of a caravan site would fundamentally erode the contribution the site makes by virtue of its wooded verdant nature, to the overall character of the Outer Loudwater Conservation Area. It is considered that any development on the application site would erode its current character owing to (prior its clearance and) its existing nature of being ancient/semi- natural woodland. The cumulative impact of the development on the site would result in the erosion of the woodland to a residential nature and would result in its character being fundamentally changed, with further tree clearance, provision of hardstanding and creation of an access. Further, the associated paraphernalia would further harm the character of the area. Thus, the site would no longer retain any of its current positive semi-rural character and contribution as a woodland parcel of land. Whilst it is acknowledged that there is existing boundary vegetation along the lane, which would provide a degree of mitigation to the views of the development from Sarratt Lane, owing to the existing site clearance, the development would be largely visible. The development would not therefore be totally screened from public vantage points. The access would enable views into the site and of the proposed caravans, which would be considered as in stark contrast to the wooded environment and would be incongruous features. Overall, the proposed development would fail to preserve the character of the site and the positive contribution it currently makes to the overall setting of the Conservation Area. As set out above the application site makes a positive contribution to the setting of the Conservation Area. This is in part due to the landscape visual amenity of the site and the number of trees/mature vegetation.

7.3.20 By virtue of the site circumstances and its significance, there would be limited opportunities on the site to provide significant re-planting. In any event the positive character of the site is attributed to its absence of built form and semi-natural woodland nature. The significant removal of trees has and would further erode the contribution the site makes to the setting of the Conservation Area.

7.3.21 With regards to Policy HE9 and HE6 of the NPPF, given the harm to the significance of the heritage asset, it is not considered that there are any public benefits and that the need for gypsy/traveller pitches, two in this case, would outweigh the harm to the Conservation Area, which would be considered as significant. . The proposal would result in significant harm given the proposed deterioration of the woodland feature on the character and appearance of the Conservation Area. Furthermore, the recent appeal decision under reference 25/0597/FUL at Land Adjoining Westwood End, Bucks Hill; the inspector stated

that the need did not outweigh the heritage harm. In this case, the level of harm is considered greater and as such, the same conclusion is drawn.

7.3.22 The proposal would therefore fail to preserve or enhance to the character of the Conservation Area. It would not retain or conserve the woodland feature, which makes a positive contribution to the character or appearance of the Conservation Area. As per Policy HE6 of the NPPF substantial weight should be given to the identified harm to the Outer Loudwater Conservation Area. The development would therefore be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013), The Outer Loudwater Conservation Area Appraisal (2007) and Policies HE6 and HE9 of the NPPF (2026).

7.4 Impact on Amenity of Neighbours

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

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

7.4.3 The proposed mobile homes would be set back a minimum of 30m from the highway, however, would be visible from the neighbouring dwellings and at No 1 and No. 2 Ladywood Close, given the existing and proposed tree removal. However, given the separation distance at a minimum distance of approximately 55m, that alone is considered sufficient mitigation to prevent harm or result in unacceptable overlooking. Notwithstanding this, the application site is well contained and whilst some views would be available to the front, the other boundaries would still largely be defined by a dense row of vegetation including mature trees, which would provide screening from other neighbouring properties. Thus, given the location of the proposed plots, it is not considered to result in harm by virtue of a loss of light or through an overbearing impact.

7.4.4 It is noted that the proposed development would result in additional comings and goings/increase intensification of the use of the site. It is not considered that there would be such increased level of activity that the development would result in demonstrable harm to adjacent neighbours.

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

7.5 Biodiversity and mandatory Biodiversity Net Gain

7.5.1 Policy N6 of the NPPF outlines that development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused.

7.5.2 The site in question is a protected woodland falling within a woodland preservation order (Tree Preservation Order 141) and is a Local Wildlife Site.

7.5.3 Whilst the site is not listed as Ancient Woodland on the Ancient Woodland Inventory, the adjoining woodland to the north west on the opposite side of Sarratt Lane known as Beechengrove Wood is. Notwithstanding, Herts Ecology when responding to the current planning application 26/0849/FUL have commented that the submitted information

identifies that the site forms part of the mapped area of Priority Deciduous Woodland Habitat, which exhibits characteristics associated with long-established semi-woodland, including abundant bluebell ground flora. Herts Ecology also confirmed that habitat survey information recorded 15 ancient woodland indicator species and concluded that the woodland met wildlife site criteria on the basis of its semi-natural canopy, woodland indicator flora and field evidence suggesting an ancient origin. In conclusion, Herts Ecology conclude that the woodland should be considered Ancient Woodland and therefore irreplaceable habitat.

7.5.4 Policy N6 of the NPPF outlines that development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused.

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

7.5.6 The protection of biodiversity and protected species is a material planning consideration in the assessment of this application in accordance with Policy CP9 of the Core Strategy and Policy DM6 of the Development Management Policies document. National Planning Policy requires Local Authorities to ensure that a protected species survey is undertaken for applications where biodiversity may be affected prior to the determination of a planning application. A Preliminary Ecological Appraisal and Biodiversity Net Gain Report (Denny Ecology May 2026) was submitted with the application and has been reviewed by Hertfordshire Ecology. It states that the site comprises priority deciduous woodland and has the characteristics similar to ancient woodland including having an abundance of ancient woodland indicator ground flora; there is potential for foraging by bats and is a Local Wildlife Site and therefore officially recognised to be of County importance. Furthermore, no exterior lighting is recommended, and any ancient woodland species should be translocated. A Biodiversity Enhancement and Habitat Management Plan is also recommended, which would be recommended as a condition of any approval. Furthermore, there would be opportunities exist for the provision of ecological enhancements including bat and bird boxes.

7.5.7 Herts Ecology have reviewed the application, raised an objection and advised the application is unacceptable. The woodland is considered to meet the criteria on the basis of its semi-natural canopy, woodland indicator flora and field evidence, which suggests it is of an ancient origin. As such, the woodland is considered as Ancient Woodland and therefore irreplaceable habitat. The proposed development would therefore result in the loss and deterioration of an ancient woodland including harm to a Local Wildlife Site and 100% loss of biodiversity units. Herst Ecology have considered the proposed development would result in harm that cannot be avoided, migration or compensated in any way.

7.5.8 It is therefore considered that on this basis that the woodland should be treated as Ancient Woodland and therefore irreplaceable habitat. The mitigation measures proposed would not overcome the permanent habitat loss and deterioration of the woodland and associated woodland habitats. The ecological assessment also concludes that the proposal would result in an unavoidable adverse impact on the Local Wildlife Site the application site forms part of. The development would therefore fail to comply with Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and Policy N6 of the NPPF 2026.

7.5.9 In respect of mandatory Biodiversity Net Gain, Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the

'biodiversity gain condition' requiring development to achieve a net gain of 10% biodiversity value. This is subject to exemptions as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7.5.10 In this case the biodiversity net gain condition is considered to apply. A BNG Assessment has accompanied the application, which has been reviewed by Hertfordshire Ecology. The proposed development would not be able to meet a 10% biodiversity net gain on site with a 100% loss and no secured off-site compensation is proposed. Herts Ecology note that the development would result in the direct loss and deterioration of part of this irreplaceable habitat through the proposed works. Whilst the BNG framework provides a mechanism to agree bespoke compensation where impacts to irreplaceable habitats are exceptionally permitted, guidance is clear that proposals should only be permitted in exceptional circumstances. Herts Ecology advise that no wholly exceptional circumstances have been demonstrated that would justify the loss or deterioration of irreplaceable habitats. Owing to the nature of the site and proposal, it is considered that securing the biodiversity net gain through conditions is not appropriate in this instance and therefore is unacceptable, given the habitat, which is considered as irreplaceable. With no compensation strategy proposed and that it has not been demonstrated that exceptional circumstances exist for such harm to be considered as acceptable.

7.5.11 In summary, it is considered that the proposed development would not secure a biodiversity net gain and is therefore unacceptable and in accordance with Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

7.6 Highway Safety, Parking and Access

7.6.1 Core Strategy Policy CP10 requires development to provide a safe and adequate means of access and to make adequate provision for all users, including car parking. Policy DM13 in the Development Management Policies document states that development should make provision for parking in accordance with the Parking Standards set out within Appendix 5.

7.6.2 Policy CP5 of the DMP LDD sets out that when considering planning applications for sites for Gypsies and Travellers, the provision of safe and convenient vehicular and pedestrian access to the site and adequate on-site facilities for parking will be considered.

7.6.3 Policy TR6(4) of the NPPF states that 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.

7.6.4 The Highways Officer has reviewed the proposal; whilst the access as constructed and as proposed on the application could be acceptable this would require the provision of visibility splays, which are not currently in effect. It is the required visibility splays that would result in the further removal of protected woodland trees and vegetation, which would not be considered as acceptable. Further, no vegetation is proposed to be removed within the required visibility splays and touring caravans would need to enter the site and need a wider access than a car. No vehicle tracking or visibility splays have been provided as part of the application and as such, it has not been demonstrated that the existing access would be able to facilitate safe access.

7.6.5 The Highway's Officer further objects to the principle of development in this location owing to its lack of sustainability. Whilst their comments are noted, if the proposal was for residential dwellings their comments would be applicable and relevant, such as at the site

to the south, for 9 dwellings, which was dismissed at appeal under reference 25/1294/FUL. In this case, the proposal is for a traveller site, where particular regard must be had to Policy HO12 of the NPPF and not Policy TR3, as explained above.

7.6.6 In terms of parking, there are no specific parking standards for traveller sites; however, the submitted layout of the site shows that there would be four parking spaces. This is considered to be sufficient, and the proposal is considered to be acceptable in this regard.

7.6.7 In summary, it has not been demonstrated that acceptable visibility splays can be achieved and even if they could be achieved, for reason expressed above, this would require the removal of trees and vegetation which would further undermine the character and appearance of the woodland. It is therefore considered that given the lack of visibility splay, that the access would not be safe on the grounds of highway safety. The proposed development would therefore be contrary to Policy CP10 of the Core Strategy and Policy TR6 of the NPPF.

7.7 Refuse and Recycling

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

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

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

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

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

7.8 Drainage and Waste Water

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

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

7.9 Other material considerations:

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

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

7.9.2 The existing number of traveller sites includes 41 pitches across five permanent sites; The Oaklands in Bedmond (12 pitches), Rear of 59 Toms Lane in Kings Langley (9 pitches); Fir Trees (2 pitches), the Land at Langleybury (17 pitches) and the Land South of Old House Lane (1 pitch). This is further outlined within the table below:

Current level of gypsy pitches in TRDC	Number of pitches granted	Number of pitches implemented	Status	Expiry date
The Oaklands, Bedmond	12	12	Permanent	N/A
Fir Trees, Sarratt	2	2	Permanent	N/A
Rear of 59 Toms Lane	9	21	Permanent	N/A
Langleybury Lane	17	17	Permanent	N/A
Land South of Old House Lane (*Current application 26/1017/FUL pending consideration for 5 more pitches*)	1	1	Permanent	N/A
Land Adjacent 321B Uxbridge Road	1	0	Permanent	Expired
Land North of Toms Lane	4	0	Permanent	03.06.2029
Keepers Cottage	2	2	Permanent	N/A
Land South of Harthall Lane	2	0	Permanent	23.10.2029

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

Alternative Sites

7.9.4 The existing pitches with planning permission in the district are private sites and there are substantial waiting lists for pitches on public sites within Hertfordshire.

7.9.5 Policy CP5 of the Core Strategy endorses support for gypsy provision but advises against development which harms the openness of the Green Belt. As such, it is likely that any development which comes forward in the Green Belt, which is highly likely given the make-up of the district, would fall foul of this policy. Given that the above assessment considers that the site is not Green Belt land, other sites in the district could potentially fall on Green Belt land which could have a greater harmful impact.

7.9.6 Policy HO12 further refers to taking into account the existing level of local provision and the need for additional traveller sites, of which there is in the district.

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

Needs of the applicant and their personal circumstances

7.9.8 Annex B of the NPPF defines Gypsies and Travellers as:

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

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

Policy CP5 considerations

7.9.10 In regard to Policy CP5 of the Core Strategy, the proposed development is considered to conflict with part (b), (d) and (e). This is due to no safe and convenient pedestrian access to the site and the lack of adequate on-site facilities for storage purposes, play and residential amenity. The proposed development also does not provide any day room provision, given the constraints of the site. This would therefore weigh against the proposed scheme.

Engagement with Human Rights Act

7.9.11 When considering an application for planning permission for gypsy pitches, the Council needs to consider whether Article 8(1) of the European Convention on Human Rights (ECHR) is engaged. Article 8(1) provides that everyone has the right to respect for his private and family life, his home and his correspondence. Case law has established that Article 8(1) of the ECHR is engaged in applications for planning permission for residential Gypsy caravan pitches irrespective of whether the applicants are occupying the site as their home at the time the application is made.

7.9.12 Article 8(2) of the ECHR allows interference by a public authority with the right to respect for private and family life where the interference accords with the law and is necessary in a democratic society for the wider public interest, in terms of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of rights and freedom of others.

7.9.13 Case law has also established that the greater interference with ECHR rights, the greater will be the need to justify the interference by reference to necessity and proportionality. The concept of proportionality can be equated to the balancing exercise which should be undertaken by all decision makers and in the case of applications for Gypsy sites, any action must be evenly balanced and fully considered in order to avoid the criticism that it is disproportionate relative to the harm caused. These cases suggest that legally it will not be sufficient for local authorities to rely on a breach of Development Plan policies in refusing planning permission. Rather there must be clear evidence of demonstrable harm which outweighs the consequences of the Council's decision for Gypsies. There is thus a need for the Council to weigh demonstrable harm against the consequences of a refusal

for the applicant, including health, education, other social issues and the availability of alternative sites.

7.10 Planning Balance

7.10.1 Policy S5 of the NPPF (2026) relating to the principle of development outside of settlements sets out that "only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework: 1(g) Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12".

7.10.2 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.

7.10.3 Having regard to all matters raised above it is also necessary to ascertain whether any other harm, if found, is clearly outweighed by material considerations, to justify the grant of planning permission.

7.10.4 Summary

Adverse impacts	**Weight**
Heritage (contrary to Policy HE6)	Substantial
Streetscene character / loss of trees	Significant
Impacts on Ecology (contrary to N6) and no BNG	Substantial
Highways Safety (safe access not demonstrated)	Significant
Conflict with Policy CP5	Moderate
Benefits	**Weight**
Unmet need for gypsy and traveller pitches	Significant
Lack of 5-year-supply of deliverable sites	Significant
Long term social/economic benefits	Limited
Lack of alternative sites	Limited

7.10.5 It has been found during the assessment that the development would fail to preserve or enhance to the character of the Conservation Area; would fail to provide a safe access; would have an adverse impact on the rural character of the area, result in the permanent habitat loss and deterioration of the ancient/semi-natural woodland and conflict with parts of Policy CP5 of the Core Strategy. There would also be an unavoidable adverse impact on the Local Wildlife Site and a Biodiversity Net Gain would not be provided on or off site. Nevertheless, it is still considered important to review the circumstances and benefits of the development.

7.10.6 During the planning assessment it was found that various factors weigh in favour of the development. These include meeting an identified need for gypsy and travellers meeting the definition (which has been confirmed) within the district, the lack of 5-year-supply of deliverable sites, current lack of alternative sites and the fact that other sites are also likely to fall within the Green Belt. Additionally, the grant of permanent planning permission would count towards the district's need.

7.10.7 To conclude, when considering the above factors, it is considered that the above identified harm would cumulatively have substantial weight, which would outweigh the benefits associated with the proposed development.

7.10.8 In reaching this recommendation, regard is had Article 8(1) and Article 8(2) of the ECHR given the potential implications of refusing planning permission. The above assessment has clearly demonstrated that significant demonstrable harm would result from allowing the development. This harm is considered justifiable to refuse planning permission for two traveller pitches when balanced against the above requirements. It is also not considered that the grant of a temporary planning permission would be acceptable given the impact and irreversible harm that would arise.

8. Recommendation

That PLANNING PERMISSION BE REFUSED for the following reasons:

R1 The proposed development, by virtue of the change of use and associated structures, paraphernalia and operational development within the woodland of Long Spring would fundamentally undermine the positive contribution that the existing parcel of ancient/semi-natural woodland makes to the verdant setting and significance of the Outer Loudwater Conservation Area, which would be further exacerbated by the removal of a number of protected of trees to facilitate the development. The proposed development would fail to preserve or enhance the character of the conservation area thus leading to harm to a designated heritage asset. The identified public benefits do not outweigh the identified harm. The proposal would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policies DM3 and DM6 of the Development Management Policies LDD (adopted July 2013), The Outer Loudwater Conservation Area Appraisal (2007) and Policy HE6 of the NPPF (2026).

R2 The proposed development, by virtue of the change of use and associated structures, paraphernalia and operational development within the woodland of Long Spring would result in an urbanising and incongruous form of development to the detriment of the visual amenity of the area and rural characteristics of the site, eroding the clear defined rural edge which is created by the woodland. The proposal would be contrary to Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DP3 of the NPPF (2026).

R3 It has not been demonstrated that the vehicular access would provide a safe and useable access to the site for all vehicles associated with the proposed development. The proposed development would be harmful to highway safety and the free flow of traffic. As such the development would be contrary to Policy CP10 of the Core Strategy (adopted October 2011) and Policy TR7 of the NPPF (2026).

R4 It has not been demonstrated that the development would not have a detrimental impact on the ancient/semi-natural woodland, an irreplaceable habitat, its biodiversity and protected species on the site. The development would also fail to provide biodiversity net gain. Therefore, the necessary consideration and appropriate mitigation cannot be given to the impact of the development on biodiversity and protected species, which is contrary to Policy CP9 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and Policy N6 of the NPPF (2026).

8.1 Informative

I1 The Local Planning Authority has been positive and proactive in considering 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 Local Planning Authority encourages applicants to have pre-

application discussions as advocated in the NPPF. The applicant and/or their agent did not have formal pre-application discussions with the Local Planning Authority and the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.