

LAND EAST OF OXHEY LANE, CARPENDERS PARK



PROOF OF EVIDENCE OF ADAM RALTON BA (HONS) MSc MRTPI

For: THREE RIVERS DISTRICT COUNCIL

Call-in application: APP/P1940/V/26/3378268

Date: 11 June 2026

THREE RIVERS DISTRICT COUNCIL

Qualifications and Experience

My name is Adam Ralton. I have been employed by Three Rivers District Council on a full time basis since November 2017 and I have occupied the post of Team Leader within the Development Management department throughout that time.

I have a Bachelor of Arts in Geography and a Masters Degree in Spatial Planning.

I am also a Chartered Member of the Royal Town Planning Institute (53583).

I am familiar with the site and its surroundings.

Involvement With the Project

I was instructed in June 2026 to assist with proving a factual account of the status of applications and planning permissions within the Council's area.

I was not involved in the consideration of the proposal at application stage or pre-call-in.

I confirm that my evidence provides a factual account.

Professional Endorsement:

The evidence I have prepared, in this Proof of Evidence, is true and accurate and is given in accordance with the Code of Professional Practice of the Royal Town Planning Institute. I confirm that the opinions set out in my evidence are my professional opinions and are based on my skills, experience and professional judgement.

Contents:

1	Background	Page 4
2	Scope of Evidence	Page 5
3	Declaration	Page 9
4	Appendix 1	Page 10

1. Background:

1.1 The Applicant's Statement of Case ("SOC") at Section 3, Paragraph 3.1 states that, in addition to the main issues as set out in the Secretary of State's Call-in Letter dated 25 March 2026...

"...the Council's position on S106 mortgagee in possession clauses [...] is having serious negative implications for the delivery of the proposed affordable housing in [the] District".

1.2 At Section 3(f), Paragraph 3.98 of the Applicant's SOC it also states:

"...the Applicant will make the case that the affordable housing units shall be subject to a S106 mortgage protection clause to provide for a moratorium period of 3 months."

1.3 The purpose of this proof is solely to respond to the Applicant's above statement at Paragraph 3.1 of their SOC and provides a factual account of the status of applications and planning permissions within the Council's area.

1.4 This proof sets out the Council's records on:

- (A) Sites with planning permission granted with a MIP clause greater than 3 months, where the permission has lapsed
- (B) Sites where the consideration and determination of a current planning application incorporating the provision of on-site affordable housing has stalled due to the Council's MIP clause requirements
- (C) Sites where a planning application for residential development incorporating the provision of on-site affordable housing has been made and remains under consideration as at the date of this proof
- (D) Sites with permission granted for residential development which secure on-site affordable housing which remain capable of implementation where works have not commenced as at the date of this proof
- (E) Number of affordable houses delivered in the district in 2023/24
- (F) Residential developments currently being built out with a MIP clause greater than 3 months
- (G) Residential developments currently being built out by Registered Providers

2. Scope of Evidence

2.1 The information provided below is a factual account of the position at the time of writing my proof, using the available Council planning systems which can extract data relating to developments and also my local knowledge.

A) Sites with planning permission granted with a MIP clause greater than 3 months, where permission has lapsed

2.2 From my knowledge and from searches through the relevant planning systems, I am not aware of any planning permissions that have secured on-site affordable housing and that are subject to a 3+ month MIP clause which have lapsed.

B) Sites where the consideration and determination of a current planning application incorporating the provision of on-site affordable housing has stalled due to the Council's MIP clause requirements

2.3 From my knowledge I am only aware of one specific proposed development which may have 'stalled' as a direct result of the MIP clause following a resolution to grant planning permission.

2.4 Application 22/1912/OUT sought outline planning permission for "Outline application: Demolition of existing buildings and erection of up to 50 dwellings with associated access, parking, amenity space, landscaping and SuDs basin (Appearance, Layout, Landscaping and Scale as reserved matters)" on an unallocated, Green Belt site at No. 24 Denham Way and land to the rear. The application was recommended for approval by Planning Officers and the Planning Committee resolved to grant planning permission subject to the completion of a S106 agreement to secure (amongst other contributions) an on-site affordable housing contribution. The application proposed 50% of all dwellings to be affordable.

2.5 Initial discussions were had the same year to progress with a S106. The 5-month MIP clause and BNG were topics of discussion at the time. Following the provision of a draft S106 in December 2023, I have been informed that no further correspondence was received until 2025 when the appointed planning agent contacted officers and sought to discuss the scheme's viability and changes to the NPPF. Officers advised that given the length of time and policy changes the application would need to be reassessed. Further, the best course of action would be for a fresh application be submitted. In early 2026 Officers were advised that the applicant was considering their position and would provide a further update in due course. Despite further updates being sought by officers later in March and June 2026, I understand that no response or further instruction has been received.

2.6 From my knowledge, I am not aware of any current live major development applications at the time of this proof which are pending consideration, but which have stalled due to the Council's position on MIP clauses. There is one application for major development at Catlips Farm, Berry Lane, Chorleywood where the 5 month MIP clause is disputed as part of the application. Outline application 26/0194/OUT seeks permission for 333 houses (of which 50% would be affordable), a care home, a GP surgery and other development (set out in the table within Appendix 1 below). As part of that application, the applicant raises concerns regarding the imposition of a MIP clause greater than 3 months in length. The evidence submitted as part of that dispute, and the application itself, is under consideration with no determination reached by the Local Planning Authority (LPA) in respect of the scheme.

C) Sites where a planning application for residential development incorporating the provision of on-site affordable housing has been made and remains under consideration as at the date of this proof

2.7 The table at **Appendix 1** below includes all current major planning applications proposing new housing, where there is no resolution to grant and no formal decision issued (and excluding the current called-in application). These would, if all granted, result in a total of between 1143 and 1518 new dwellings.

D) Sites with permission granted for residential development which secure on-site affordable housing which remain capable of implementation where works have not commenced as at the date of this proof

2.8 Other planning permissions which have been granted and are yet to commence but are not, as far as I am aware, 'stalled' sites due to MIP clause, include:

Land To The Rear Of 76-78 Church Lane, Sarratt (21/2896/OUT): Construction of up to 20 residential dwellings (Use Class C3) with new access to Church Lane and proposed pedestrian link to existing public footpath (appearance, landscaping, layout and scale reserved) – Permitted 20 affordable units. Allowed at appeal, subject that reserved matters shall be made not later than 3 years from 19 July 2023, with development taking place no later than 2 years from the date of approval (19 July 2023).

2.9 This applicant currently has a Reserved Matters application pending consideration (26/0462/AOD) for 20 houses.

- 2.10 This site is also subject to a refused planning application 25/1028/FUL which was refused by the Council's Planning Committee and sought full planning permission for 20 houses, of which 50% would be secured as affordable. The MIP clause is a matter of dispute in that appeal, (5 months or 3 months) which is proceeding by written representations (PINS appeal ref 6002930).
- 2.11 An application to vary the S106 agreement attached to the outline planning permission has been submitted (reference 26/0240/VAR) and is currently with officers. The submission seeks to 1) varying the MIP clause and 2) altering the approved tenure of the affordable housing.

Land at rear of 17-49 Church Lane, Sarratt (22/0601/OUT): Outline application: Erection of up to 83 new dwellings and a new Doctors Surgery with vehicular access onto Sarratt Road (Appearance, Layout, Landscaping and Scale as reserved matters) Allowed at appeal, subject that reserved matters shall be made not later than 3 years from 3 May 2024, with development taking place no later than 2 years from the date of approval (3 May 2024).

- 2.12 There have been limited pre-application discussions in respect of reserved matters for this site, but no formal application has been lodged. I understand there is a public inquiry scheduled to deal with the proposed cycle track upgrade which may be impacting the delivery of the site. The MIP clause has also been raised as an issue by the developer (the same developer as this call-in application) and subject of an application for a variation to the S106 agreement which was refused by the LPA.

(E) Number of affordable houses delivered in the district in 2023/24

- 2.13 The number of affordable housing units delivered was **3** during year 23/24 as set out within the Annual Monitoring Report 2023/2024 (December 2024).

(F) Residential developments currently being built out with a MIP clause greater than 3 months

- 2.14 I am aware that a number of major developments which secured on-site affordable housing and are subject to a 4+month MIP are currently being built out by developers Hill and Taylor Wimpey. These developments include:

Reference	Site	No. of houses [Affordable]	MIP Clause length
20/1881/FUL	Killingdown Farm	160 [72]	5 months
21/1271/OUT 24/0788/AOD	Former Little Furze School	70 [18]	4 months

25/0896/FUL	Land at Woodside Road	192 [96]	5 months
-------------	-----------------------	----------	----------

(G) Residential developments currently being built out by Registered Providers:

2.15 I am aware that the following major developments are currently being built out by RPs. These include:

Reference	Site	No. of houses [Affordable]	MIP Clause length
19/2419/OUT 23/0699/AOD	Land at Foxgrove Path	53 [53]	4 months
23/2015/FUL	Grove Court, Grove Crescent	42 [42]	5 months

3. Declarations

- 3.1 I am employed by Three Rivers District Council as a Development Management Team Leader and set out above facts to assist in relation to the proposed development at Land East of Oxhey Lane, Carpenders Park.

Statement of Truth

- 3.2 I confirm that, in so far as the facts stated in my Evidence, are within my own knowledge, I have made clear which they are and I believe them to be true, and that the opinions expressed represent my true and complete professional opinion.

Declaration

- 3.3 I confirm that my Proof of Evidence includes all facts which I regard as being relevant to the opinions which I have expressed and that attention has been drawn to any matters which would affect the validity of those opinions.
- 3.4 I can confirm that my duty to the Planning Inspector as an Expert Witness overrides any duty to those instructing or paying me, that I have understood this duty and complied with it in giving my evidence impartially and objectively, and that I will continue to comply with that duty as required.
- 3.5 I can confirm that none of the evidence has been produced with the use of AI technology.

4. Appendix 1 – Current major planning applications with no recommendation or resolution

Reference	Address	Proposal	Dwellings
24/0476/OUT	Land East Of Green Street And North Of Orchard Drive Green Street Chorleywood Hertfordshire	Outline Application: Comprehensive development of the Site, delivering up to 300 no. residential dwellings (Use Class C3), associated access, and supporting amenity space, landscaping, green infrastructure and sustainable drainage systems (all matters reserved except for access).	300
24/0538/OUT	Land East Of Green Street And North Of Orchard Drive Green Street Chorleywood Hertfordshire	Outline Application: Demolition of the existing farm building and comprehensive development of the Site, delivering up to 675 no. residential dwellings (Use Class C3), a new two-form entry primary school, associated access, and supporting amenity space, landscaping, green infrastructure and sustainable drainage systems (all matters reserved except for access).	675
24/0925/FUL	Kebbell House Delta Gain Carpenders Park Hertfordshire	Demolition of existing commercial buildings and construction of 4 x 5 storey blocks comprising 129 flats and 513sqm of Class E floorspace with associated access, basement parking and landscaping works.	129
24/1833/OUT	The Royal British Legion Church Lane Sarratt Rickmansworth Hertfordshire WD3 6HL	Outline Application: Demolition of existing buildings and construction of up to 18 residential dwellings, including on land to north west of buildings, with access onto Church Lane (Appearance, Layout, Landscaping and Scale reserved)	18

Reference	Address	Proposal	Dwellings
25/0196/FUL	Fir Trees Dawes Lane Sarratt Rickmansworth Hertfordshire WD3 6BG	Redevelopment of site and erection of 20 dwellings (Use Class C3) with associated parking, cycle storage and landscaping, served by new vehicular access and pedestrian access to Dawes Lane.	20
25/2168/OUT	Land Adjacent Woodlands Cottages Oxhey Lane Carpenders Park Hertfordshire	Outline application: Construction of up to 70 residential dwellings (Use Class C3) with associated access onto Oxhey Lane and infrastructure (Appearance, Layout, Landscaping and Scale as reserved matters)	70
25/2215/OUT	Land At Dawes Lane Sarratt Rickmansworth Hertfordshire WD3 6BA	Outline application: Demolition of existing structures and erection of up to 44 new homes with associated access, parking, open space, landscaping and ancillary works (Appearance, Layout, Landscaping and Scale as reserved matters)	44
25/2154/FUL	Green End Farm Church Lane Sarratt Rickmansworth Hertfordshire WD3 6HH	Demolition of no. 93a Church Lane, commercial units and private livery yard and erection of 16no. dwellings with associated access, parking and landscaping works	16

Reference	Address	Proposal	Dwellings
25/2197/OUT	Land Adjoining Notley Farm Bedmond Road Abbots Langley Hertfordshire	Outline application: Erection of up to 93 dwellings with associated access, parking, amenity space and landscaping (Appearance, Layout, Landscaping and Scale as reserved matters)	93
26/0194/OUT	Catlips Farm Berry Lane Chorleywood Rickmansworth Hertfordshire WD3 5EU	Outline Application: Demolition of existing development and redevelopment of the Site, including the construction of up to 333 dwellings (Use Class C3) of which 50% affordable housing, 66 bed Care Home (Use Class C2), Medical Centre (Use Class E (e)), Local Centre [containing Retail (Use Class E (a-c)), Community Facilities (use Class F2) and Cafe (Use Class E(a))] and associated play space, parking and associated infrastructure. New vehicular access onto Shepherds Lane and pedestrian and cycle accesses onto Shepherds Lane and Berry Lane, bus stop, bike station, landscaping, pedestrian / cycleway access routes, green infrastructure including community amenity space, allotments, play areas, outdoor gym trail / equipment and associated infrastructure including sustainable urban drainage systems (all matters reserved except for access).	333
26/0711/OUT	Land Between Ferndale, Church Lane And Sarratt Road Church Lane Sarratt Hertfordshire	Outline application: Construction of up to 54 residential homes (Use Class C3) with associated access (appearance, landscaping, layout, scale as reserved matters)	54

Reference	Address	Proposal	Dwellings
26/0601/OUT	Land South Of The White House, East Lane, And Between Bedmond Road And East Lane Bedmond Abbots Langley Hertfordshire WD5 0QE	Outline application: Erection of up to 66 residential dwellings including access (appearance, landscaping, layout and scale as reserved matters).	66