

# **STATEMENT OF COMMON GROUND**

**Land to North of Little Green Lane,  
Croxley Green, WD3 3SP**

LPA Planning Application Reference: 24/2073/OUT

LPA Appeal Reference: 26/0012/REF

PINS Appeal Reference: 6004972

Prepared by Tetra Tech Consulting Ltd on behalf of Richborough and agreed with Three Rivers District  
Council as Local Planning Authority

**07 July 2026**

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## 1.0 INTRODUCTION

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared by Tetra Tech Consulting Ltd (“TT”)<sup>1</sup> acting on behalf of Richborough (“the Appellant”) and Three Rivers District Council as the Local Planning Authority (“the Council”).
- 1.2 This statement sets out the matters agreed planning, technical, design and environmental issues relating to an appeal against the refusal of the LPA to grant planning permission (reference number: 24/2073/OUT).
- 1.3 The application was recommended for approval by Officers. The application was refused by Members of the Planning Committee on 22 January 2026.
- 1.4 The site address is:
- “Land to North of Little Green Lane, Croxley Green, WD3 3SP”***
- 1.5 The description of development is as follows:
- “Outline Application: Development of up to 600 residential dwellings (Use Class C3(a)), construction of a 5-bedroom property for children’s social care and supported living (Use Class C3(b)). Two vehicular access points from Little Green Lane and further pedestrian / cycleway accesses. A one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school). A mixed use local centre including provision for NHS health and social care services (Use Class E(e)), community building (Use Class F2), retail and café provision (Use Class E(a-c)), car parking and associated infrastructure. A country park, areas for play and recreation, allotments, community orchard and landscaping with associated infrastructure including sustainable urban drainage systems. (Layout, scale, appearance and landscape as reserved matters).”***
- 1.6 The application was submitted by the Appellant on 19 December 2024. The Application forms an Outline Planning Application (Layout, scale, appearance, and landscape are reserved matters). Access into the site is sought to be secured by condition, all other access matters remain to be considered as part of the layout reserved matters for the purposes of the description of development.
- 1.7 This statement sets out the matters that are agreed and those that are disagreed between the Appellant and the Council; the structure of this SoCG is set out as follows:
- Section 2 describes the application site and summarises the application submission, including the original and amended plans and reports;
  - Section 3 summarises the relevant planning history;

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<sup>1</sup> In March 2026, RPS rebranded to Tetra Tech

- Section 4 sets out the Council's consideration of the application, including the reasons for refusal and subsequent changes to the Council's position;
- Section 5 identifies the relevant development plan policies;
- Section 6 sets out the agreed planning matters;
- Section 7 identifies the principal benefits and harms of the appeal proposal and records the parties' respective positions on weight where these differ;
- Section 8 identifies the remaining areas of disagreement; and

Section 9 sets out the parties' agreed conclusion.

- 1.8 This SoCG has been drafted in accordance with the 'Procedural Guide: Planning Appeals – England' (updated 28 May 2024) ("the Procedural Guide").
- 1.9 Under Section 78 of the Town and Country Planning Act 1990, the appeal is to be dealt with by the Public Inquiry procedure with the Inquiry opening on 18<sup>th</sup> August 2026. However, both parties recognise that this position may alter or the number of planned Inquiry sitting days may be reduced.
- 1.10 Since the appeal was submitted and started as required by the regulations, the Council has reviewed its position and informed the Appellant and Inspector that subject to the imposition of suitable conditions and the completion of a satisfactory S106 obligation, that it will not be inviting the Inspector to dismiss the appeal.

## 2.0 THE APPLICATION SITE CONTEXT AND SUBMISSION

### Description of Application Site

- 2.1 The site has an area of approximately 40 hectares. It is a greenfield site predominantly used for agriculture, with existing woodland comprising approximately 7% of the site area. Little Green Lane borders the site to the south, with the existing residential streets of Croxley Green and existing Little Green Junior School beyond this. To the north and east of the site is Rousebarn Lane, a predominantly single track route which runs between the site and Whippendell Woods. To the west of the site is woodland and agricultural fields. A public footpath (Sarratt 017) runs through the site between Rousebarn Lane to the east and Dell Wood to the west.
- 2.2 The site is located to the northern edge of Croxley Green and falls within Sarratt Parish area. The centre of Croxley Green is located approximately 2km to the south with Watford approximately 4km to the east.
- 2.3 The site is less than 2km from Croxley Station (Metropolitan Line) which provides regular services to central London via Northwood and Harrow. The closest bus links are on Baldwins Lane to the south. Junction 18 of the M25 is approximately 6km from the site.
- 2.4 In terms of site constraints, the site is situated wholly within the Metropolitan Green Belt. There are Ancient Woodlands (Dell Wood and Long Newlands Spring) adjoining the site to the west and north-west and within the site (Green Lane Wood). These are also Local Wildlife Sites. Public footpath (Sarratt 017) runs through the site. A Tree Preservation Order (TPO) TPO935 was confirmed on the 14 October 2025. This comprises of 10 individual trees (9 x English Oak and 1 x Common Holly) and 1 group (mixed woodland) all located within the application site. Six individual trees are located to the west of Green Lane Wood (the group protected), 2 are located to the northern site boundary and 2 are located to the southern site boundary with Little Green Lane.
- 2.5 Whippendell Wood Site of Special Scientific Interest ("SSSI") is sited to the east and north-east, separated by Rousebarn Lane. Cassiobury Park (Registered Park Grade II, NHLE 1000219) is also sited to the east. Durrants House (Listed Building Grade II, NHLE 1403581) is directly opposite the site boundary on Little Green Lane. It is a Tudor/Jacobean revival-style country house built in 1866-7. The Croxley Green Conservation Area is to the west, south-west of the site – the site does not adjoin the conservation area boundary. The site is wholly within Flood Zone 1 as defined by the Environment Agency. Flood Zone 1 signifies areas with the lowest probability of flooding (less than a 0.1% annual probability of river or sea flooding, equating to less than 1 in 1000 chance).

### Application Plans

- 2.6 The detailed application drawings 001 Rev E (Proposed Site Access Durrants Drive) and 002 Rev D (Proposed Site Access Links Way) show the position of the two proposed points of vehicular access to the site across Little Green Lane from Durrants Drive and Links Way.

- 2.7 The application is accompanied by a Land Use Parameters Plan (ref. P24-1200\_DE\_0014\_S1\_Rev F) which demonstrates how the different components of the scheme can be incorporated. The Parameters Plan identifies areas for residential development; open space; mixed use local centre; 1FE primary school; and school expansion land. The Land Use Parameters Plan also illustrates indicative areas for access to the site and within the site. In the event that Outline planning permission was granted, a condition would require that subsequent Reserved Matters accord with the Land Use Parameters Plan.
- 2.8 The application is accompanied by an illustrative masterplan (page 57 of Design and Access Statement) which accords with the Land Use Parameters Plan and demonstrates how the site could be developed, with open space and sustainable drainage to the east and built development to the south and west with a series of roads and walking/cycling routes. It is important to note that the masterplan is submitted for illustrative purposes only to demonstrate how the site could be developed at the quantum proposed.
- 2.9 A Design Code has been submitted with the application. The purpose of the Design Code is to provide a series of clear instructions/rules to inform subsequent Reserved Matters applications.

### **Original Plans/reports**

- 2.10 The application was initially accompanied by the following plans/reports:
- Application Form
  - Land Use Parameters Plan (P24-1200\_DE\_0015 Sheet 1 Rev C)
  - Location Plan (P24-1200\_DE\_001 Rev E)
  - Proposed Site Access Links Way (T24544.001 Rev C)
  - Proposed Site Access Durrants Drive (T24544.002 Rev C)
  - Affordable Housing Statement (Tetlow King Planning, December 2024, M24/0511-01.RPT)
  - Agricultural Land Classification and Soil Resources Report (Reading Agricultural Consultants, July 2024)
  - Air Quality Assessment (BWB, December 2024, 233574-01-AQA)
  - Biodiversity Calculation Metric
  - Biodiversity Checklist
  - Design and Access Statement and Design Code (Richborough, January 2025, Rev A)
  - Ecological and Biodiversity Impact Assessment (RammSanderson, December 2024, RSE\_8239\_R1\_V4\_EclA)
  - Education Report (EFM, December 2024)
  - Energy Statement (Greengage, December 2024)
  - Flood Risk Assessment (BWB, December 2024, 233574\_FRA)
  - Health Impact Assessment (RPS, December 2024, 1.0)
  - Heritage Statement (Pegasus Group, December 2024, P24-1200)
  - Landscape and Visual Impact Assessment (iceni, December 2024)
  - Local Centre Capacity Statement (Lambert Smith Hampton, December 2024)
  - Noise Impact Assessment (BWB, December 2024, 233574\_002)

- Phase 1 GEO-Environmental Assessment (BWB, December 2024, 233574)
- Planning Statement (RPS, December 2024)
- Preliminary Arboricultural Impact Assessment (Tyler Grange, December 2024, 11702\_R02\_NC RevD)
- Sports and Leisure Strategy (Sports Planning Consultants, December 2024)
- Statement of Community Involvement (Catus Group, December 2024)
- Sustainability Statement (Greengage, December 2024)
- Sustainable Drainage Strategy (BWB, December 2024, 233574-SDS)
- Transport Assessment (hub, January 2025, Rev A)
- Travel Plan (hub, December 2024)
- TRDC 5 Year Housing Land Supply Assessment (Emery Planning, December 2024, 24-305)
- Utilities Statement (BWB, December 2024, 233574)

### **Amended Plans/Reports**

#### **2.11 Amendments/additional information submitted during the application include:**

- Response to TRDC Heritage Officer comments (Pegasus Group 27/03/25 received 28/03/25).
- Response to Lead Local Flood Authority comments (BWB Ref. 233574-BWB-ZZ-XX-T-W-0005\_LLFA received 07/05/25).
- Response to Sport England comments (RPS 22/05/25).
- Green Belt Addendum Assessment (Iceni, March 2025).
- Amend Travel Plan (hub Transport Planning Ltd, 26/6/2024) (NB. The agent has confirmed that the amended travel plan received July 2025 should be dated 26/6/2025).
- Amended Transport Assessment and Appendices (hub Transport Planning Ltd, Rev C 3/7/25).
- Active Travel Route Audit (hub Transport Planning Ltd, 2/7/25).
- Technical Note TN2 – Impact on the SRN (hub Transport Planning Ltd, 18/8/25).
- Green Belt: Purpose A Note (Iceni, August 2025).
- Technical Note TN3 – All Modes Travel Demand (hub Transport Planning Ltd, 1/9/25).
- Stage 1 Road Safety Audit Report (hub Transport Planning Ltd, July 2025).
- Woodland Recreational Management Plan (Outline), ref. RSE\_8239\_R2\_V2 October 2025.
- Planning Statement Addendum (RPS October 2025). Including (2) 'Planning Policy Changes and Implications' such as the Sarratt Neighbourhood Plan and (3) Response to themes and matters raised at the preliminary Planning Committee, by consultees and public consultation.
- Amended Transport Assessment and Appendices (hub Transport Planning Ltd, Rev E 23/10/25).
- Amended Preliminary Arboricultural Impact Assessment (Tyler Grange, 11702\_R02\_NC, 9 October 2025).

- Amended Design and Access Statement and Design Code (Revision C, October 2025).
- Amended Landscape Strategy (Iceni, ref. DL02 G – previously Appendix 11 of LVIA).
- Response to TRDC Stage 4 Green Belt Review (iceni, September 2025).
- M1 Junction 5 VISSIM Model Tests Technical Note (WSP, 13/11/2025).
- Transport Assessment Addendum (hub Transport Planning Ltd, 10/12/2025).
- Addendum to M1 Junction 5 VISSIM Model Tests Report (12/12/2025, WSP).
- Updated Affordable Housing Position Statement (Email from RPS, 15/12/2025).
- Parameter Plans – Various (6/1/26). NB. No changes were made to the parameter plans they have simply been provided as standalone drawings (previously contained within D&A).

### 3.0 RELEVANT PLANNING HISTORY

3.1 The site has been considered as a potential allocation in the emerging Local Plan and twice recommended for allocation by Officers. The merits of this will be addressed in the respective parties' cases.

3.2 There have been no previous planning applications submitted on the site. An Environmental Impact Assessment ("EIA") Screening Opinion request was submitted as set out below.

*24/1220/EIA - EIA Screening Request: Up to 600 new residential dwellings (Use Class C3), 1FE Primary School plus expansion land, mixed use local centre including Doctor's surgery, open and green space and associated infrastructure.*

3.3 The Council determined the proposals did not constitute EIA development.

## 4.0 COUNCIL'S CONSIDERATION

- 4.1 The proposed development was presented to the Council's Planning Committee on 22 January 2026 with an Officer Recommendation ("OR") for Approval subject to a Section 106 legal agreement. The recommendation as per the Committee Report was as follows:

*"The APPLICATION BE DELEGATED TO THE HEAD OF REGULATORY SERVICES TO GRANT PLANNING PERMISSION 24/2073/OUT following the completion of a S106 Agreement to secure the Heads of Term set out at section 7.20 below and subject to the conditions set out at section 8 below."*

- 4.2 The Members disagreed with the Officer Recommendation. A decision notice (dated 12th January 2026) included three reasons for refusal ("RfR"). The RfRs are set out below.

### **Reason for Refusal 1 – Green Belt**

- 4.3 RfR 1 reads as follows:

*"The proposed development constitutes inappropriate development within the Green Belt which is by definition harmful to the Green Belt. In addition the development would also result in actual harm to the openness of the Green Belt and would conflict with purposes (a) and (c) of including land within the Green Belt. No Very Special Circumstances exist to clearly outweigh the harm that would be caused by the proposed development by virtue of its inappropriateness and other harm it would cause. The proposed development would therefore be contrary to Policy CP11 of the Core Strategy (adopted October 2011), Policy DM2 of the Development Management Policies LDD (adopted July 2013) and Section 13 of the NPPF (2024)."*

### **Reason for Refusal 2 – Impact on Ancient Woodland**

- 4.4 RfR 2 reads as follows:

*"The proposed development by virtue of intensification of use, would result in the deterioration of Ancient Woodland within and adjacent to the site. There are no wholly exceptional reasons to justify the deterioration of these irreplaceable habitats and it has not been demonstrated that the impacts can be mitigated. The development is therefore contrary to Policy CP1 of the Core Strategy (adopted October 2011), Policy DM6 of the Development Management Policies LDD (adopted July 2013), Policy 6.3 of the Sarratt Neighbourhood Plan (2025) and paragraph 193 of the NPPF (2024)."*

### **Reason for Refusal 3 – No S106 Agreement to Secure Necessary Mitigation**

- 4.5 RfR 3 reads as follows:

*"In the absence of a signed agreement or undertaking under the provisions of S106 of the Town and Country Planning Act 1990 the development fails to secure necessary infrastructure obligations towards: Primary Education; Secondary Education; Special Educational Needs and Disabilities (SEND); Children's Home; Waste Transfer Station; Highways; Medical Centre; Mental Health Care; Community Healthcare; step free access at Croxley Green Station; Affordable Housing; Biodiversity*

*Net Gain; Sports Provision; Country Park and Woodland Management and associated monitoring fees. The application therefore fails to provide obligations necessary to make the application acceptable in planning terms and fails to meet the requirements of Policies CP1, CP4, CP8, CP9 and CP10 of the Core Strategy (adopted October 2011), Policies DM6, DM10, DM11 and DM12 of the Development Management Policies LDD (adopted July 2013), Policy 5 of the Sarratt Neighbourhood Plan (2025) and the NPPF (2024)."*

- 4.6 On 24 April 2026, the Council notified both the Appellant and PINS that it does not intend to pursue Reason for Refusal No. 2.
- 4.7 On the 24 June 2026, the Council notified both the Appellant and PINS that it does not intend to pursue Reason for Refusal No. 1.
- 4.8 It remains that subject to the imposition of suitable conditions and the completion of a satisfactory S106 obligation, the Appeal should not be dismissed.

## 5.0 THE DEVELOPMENT PLAN

### The Three Rivers Local Development Plan

- 5.1 The planning merits of the application are to be assessed against the policies of the Development Plan, namely, the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013), the Site Allocations Local Development Document (adopted November 2014), the Sarratt Neighbourhood Plan (adopted 2025) and the Croxley Green Neighbourhood Plan (adopted 2018). The policies of Three Rivers District Council reflect the content of the NPPF.
- 5.2 **The Core Strategy** was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1 (Overarching Policy on Sustainable Development), CP2 (Housing Supply), CP3 (Housing Mix and Density), CP4 (Affordable Housing), CP6 (Employment and Economic Development), CP7 (Town Centres and Shopping), CP8 (Infrastructure and Planning Obligations), CP9 (Green Infrastructure), CP10 (Transport and Travel), CP11 (Green Belt) and CP12 (Design of Development).
- 5.3 **The Development Management Policies Local Development Document** (“DMLDD”) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1 (Residential Design and Layout), DM2 (Green Belt), DM3 (Historic Built Environment), DM4 (Carbon Dioxide Emissions and On Site Renewable Energy), DM6 (Biodiversity, Trees, Woodland and Landscaping), DM7 (Landscape Character), DM8 (Flood Risk and Water Resources), DM9 (Contamination and Pollution), DM10 (Waste Management), DM11 (Open Space, Sport and Recreation Facilities and Children’s Play Space), DM12 (Community, Leisure and Cultural Facilities), DM13 (Parking), Appendix 2 (Design Criteria) and Appendix 5 (Parking Standards).
- 5.4 **Sarratt Neighbourhood Plan** (adopted 2025). Relevant Policies include: Policy 2 (Design Principles); Policy 4 (Housing Mix); Policy 5 (Affordable Housing); Policy 6 (Biodiversity); Policy 7 (Landscape); Policy 8 (Public Right of Way); Policy 9 (Community Facilities); Policy 10 (Car Parking); and Policy 12 (Renewable Energy & Green Infrastructure).
- 5.5 **Croxley Green Neighbourhood Plan** (adopted 2018). As previously noted, the majority of the application site falls within Sarratt Parish area. It is only the two access points proposed from Little Green Lane that fall within the Croxley Green Neighbourhood Plan area and that can be assessed against the Neighbourhood Plan. Policy H03 (Connections to existing footpaths and cycle ways in new developments) advises that all new development should connect into the existing networks and improve their connectivity.
- 5.6 **Hertfordshire County Council’s adopted Minerals Local Plan 2002 – 2016.**
- 5.7 **The Waste Core Strategy and Development Management Policies 2011–2026.**
- 5.8 **The Waste Site Allocations Development Plan Document 2011–2026.**

- 5.9 It is accepted that the strict application of development plan policies, especially 'place-shaping' or spatial policies such as Policy PSP4, as well as Policy CP4 on affordable housing, is not leading to sufficient housing of all types being provided in accordance with the Framework and are restricting development.

## 6.0 AGREEMENT PLANNING MATTERS

- 6.1 The parties agree on the following matters.

### **Tilted Balance and Overall Position**

- 6.2 Following further discussion, the Council no longer wish to challenge the Appeal and those substantive areas of disagreement in respect of RfR 1 and RfR 2 between parties has fallen away.
- 6.3 Given the Council's lack of a five-year housing land supply, it is agreed that paragraph 11(d) of the NPPF is engaged, and there are no Footnote 7 matters which would provide a strong reason for disengagement. The Council no longer contends that Reason for Refusal 1 (Green Belt) or Reason for Refusal 2 (Ancient Woodland) provides a basis on which the Inspector should dismiss the appeal.
- 6.4 Subject to the completion of a satisfactory S106 obligation and the imposition of suitable planning conditions, the Council will not invite the Inspector to dismiss the appeal. The remaining matters between the Appellant and Council therefore relate to the final form of the planning obligations and conditions. The parties agree that, subject to the completion of the S106 and the imposition of suitable conditions, Reason for Refusal 3 will fall away, and the Council will not invite dismissal of the appeal. There are however presently matters of disagreement in relation to the content and drafting of the s106 obligation and discussions continue in relation to conditions (see matters of disagreement below).

### **Locational Sustainability**

- 6.5 Both parties agree that the development is located at the edge of a sustainable settlements in the District and future residents would be more able to walk or cycle to services in Croxley Green and access essential shops, services, secondary schools, and employment. They would also have access to a public transport network which provides access to a wider range of services and facilities.

### **Green Belt/Grey Belt**

- 6.6 The parties agree that the need for housing cannot be purely met within the existing settlement extents and that other land will need to be built on to meet this unmet need.

### **Baseline Evidence**

- 6.7 The parties agree that the Three Rivers District Council & Watford Borough Council, Green Belt Review: Strategic Analysis (2017), predates the 2024 NPPF revision and the 2025 PPG revisions, and the Study was not written for the purpose of considering of whether the Site is grey belt.
- 6.8 The parties agree that the Stage 2 Green Belt Assessment for Three Rivers District and Watford Borough (2019) pre predates the 2024 NPPF revision and the 2025 PPG revisions, and the Assessment was not written for the purpose of considering whether the Site is grey belt.
- 6.9 The parties agree that the Stage 4 Green Belt Review (2025) seeks to review the earlier findings to ensure alignment with the NPPF and PPG, however it is presently in draft form. The evidence remains

untested at Examination and therefore carries limited weight in decision making at this time. It does represent the most up to date evidence on the Green Belt in Three Rivers.

#### **Contribution**

- 6.10 The parties agree that the Site does not strongly contribute to purpose (b) the Green Belt. It makes a moderate contribution to this purpose.
- 6.11 The parties agree that the Site does not strongly contribute to purpose (d) the Green Belt. It makes no contribution to this purpose.

#### **Purpose (a)**

- 6.12 The parties agree to the points below in relation to the PPG on Green Belt, in order to consider if a site is grey belt.
- 6.13 While Croxley Green is best described as a village, it is contiguous with Watford and to a lesser extent, Rickmansworth, and can therefore be seen to form part of a large built-up area.
- 6.14 The Site is free from existing development.
- 6.15 The Site is bound to the north and east by Rouseburn Lane with Whippendell Wood SSSI located beyond. These are considered permanent physical features in reasonable proximity that could restrict and contain development.
- 6.16 The Site is bound to the north west and west by Ancient Woodland (Dell Wood and Long Newlands Spring), and these are considered to form permanent physical features in reasonable proximity that could restrict or contain development.
- 6.17 If developed, the development would form a northwards extension to Croxley Green, which would continue the development south of Little Green Lane, which the development adjoins.
- 6.18 The development at the Site would not result in an incongruous pattern of development (such as an extended 'finger' of development into the Green Belt).
- 6.19 If developed, the new development would be contained by physical features which would prevent further outward expansion of the settlement in this location.
- 6.20 The Site is subject to some urbanising influences due to the visibility of the adjoining settlement to the south.

#### **Footnote 7**

- 6.21 Footnote 7 assets of relevance to the Site and this Application are SSSIs (Whippendell Wood), irreplaceable habitats (Ancient Woodlands), designated heritage assets (Durrants House and Cassiobury Park).
- 6.22 No impacts to these assets are considered to provide a strong reason for refusing or restricting development.
- 6.23 For this reason, the presumption in favour of sustainable development remains engaged.

#### **NPPF paragraph 155**

- 6.24 The parties agree that the proposals would not undermine the purposes of the remaining Green Belt in the District, and that it complies with part (a) of paragraph 155 of the NPPF.
- 6.25 The parties agree that there is a demonstrable unmet need for housing development in the District, and that the proposal complies with part (b) of paragraph 155 of the NPPF.
- 6.26 The parties agree that development at the Site would be sustainably located, and that the proposal complies with part (c) of paragraph 155 of the NPPF.
- 6.27 The parties agree that the proposals comply with the 'Golden Rules' requirements set out in paragraphs 156-157 of the NPPF, including affordable housing provision at 50%, the necessary improvements to local infrastructure and the provision of new, green spaces that are accessible to the public.
- 6.28 Both parties agree that in line with Paragraph 158 of the NPPF sets out that 'a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission'.

#### **Other Green Belt Purposes Matters**

- 6.29 The parties agree that there will be limited harm to purpose (a) of the Green Belt within the District as a result of the proposed development, due to the well contained nature of the Site.
- 6.30 The parties agree that there will be no harm to purpose (b) of the Green Belt within the District as a result of the proposed development, as there are no other towns in near proximity to the north of the Site.
- 6.31 The parties agree that there will be limited harm to purpose (c) of the Green Belt within the District as a result of the proposed development, due to the well contained nature of the Site.

#### **Openness**

- 6.32 The parties agree that there will be a high level of harm to the physical openness of the Site as a result of the proposed development.
- 6.33 The parties agree that the effects on the openness of the wider Green Belt around the Site is limited.
- 6.34 The parties agree that there will be a high level of harm to the visual openness of the Site as a result of the proposed development.
- 6.35 The parties agree that the level of harm to the visual openness of the wider Green Belt around the Site is limited.

#### **Housing Land Supply**

- 6.36 The parties agree that the Council cannot demonstrate a five-year housing land supply and that paragraph 11(d) of the NPPF is engaged. The Council's published position remains that it cannot demonstrate a five-year supply with 1.18yr supply shown in the most recent AMR. The Appellant considered this supply to be 0.59yrs. In either case the shortfall is substantial

- 6.37 Given the Council's position that it has not had sufficient time to review the Appellant's detailed 5YHLS evidence, received on the 26 June 2026. The parties will address any further 5YHLS detail in a topic-specific Proof of Evidence and do not presently anticipate calling a separate expert planning witnesses on 5YHLS matters.

### **Affordable Housing**

- 6.38 Core Strategy Policy CP4 states that in order to increase the provision of affordable homes in the district and meet local housing need, the council will seek an overall provision of around 45% of all new housing as affordable housing, incorporating a mix of tenures.
- 6.39 Table 1.2 of the South West Hertfordshire Local Housing Needs Assessment Update (2024) identified a need for 527 affordable homes per annum in Three Rivers.
- 6.40 The scheme proposes to deliver 50% (300 units) of the dwellings as affordable units, with the remaining 50% (300 units) being provided as open market dwellings. 50% Affordable Housing (300 units) is proposed comprising:
- 70% (210 units) for Rent (70% (147 units) Social Rent / 30% (63 units) Affordable Rent
  - 30% (90 units) for Affordable Ownership (e.g. Shared Ownership)

### **Affordable Housing - need and delivery**

- 6.41 It is agreed that there is an acute national housing crisis and that there is an acute, on-going and pressing need for more affordable housing in Three Rivers District.
- 6.42 It is agreed that the appeal site proposes to deliver 50% (300 affordable dwellings) of the total proposed number of homes as affordable homes which exceeds the requirements of Affordable Housing Policy CP4 (45%) of the adopted Core Strategy (2011) and meets the NPPF Golden Rules requirements.
- 6.43 The parties agree that the provision and delivery of affordable housing can be secured by suitably worded planning obligations.
- 6.44 The parties agree that in the 24-years since the start of the Core Strategy period in 2001/02 and 2024/25, the delivery of affordable housing in Three Rivers District has totalled 35 net affordable dwellings per annum, equivalent to 16% of the total number of net housing completions per annum (224 dwellings).
- 6.45 It is agreed that the 2024 LHNA forms part of the housing evidence base for the emerging Three Rivers District Local Plan and provides the most up to date assessment of need for affordable housing in Three Rivers District.
- 6.46 Combining the affordable/social rented need and the home ownership need figures, the parties agree that the 2024 LHNA identifies a net need for 527 affordable homes per annum over the 2021 to 2041 period, equivalent to a total of 10,540 net affordable dwellings over the 20-year period.
- 6.47 It is agreed that when comparison is drawn between net affordable housing delivery and the need identified by the 2024 LHNA between 2021/22 and 2024/25, that there has been an accumulated

shortfall in the delivery of affordable housing of some -1,942 gross affordable homes against an identified need for 2,108 net dwellings.

- 6.48 It is agreed that there has not been enough affordable homes built per year and there isn't sufficient affordable housing stock in Three Rivers District.
- 6.49 The parties agree that the provision of up to 300 much needed affordable dwellings at the appeal site is a material consideration weighting in favour of this appeal, as a benefit of the appeal proposal, subject to it being secured by an appropriately worded s106 obligation.

### **Self-build and Custom Housebuilding - need and delivery**

- 6.50 The appeal scheme would provide 12 serviced plots for self-build and custom housebuilding. Subject to appropriate Section 106 provisions, those plots would be secured by reference to the statutory definition of self-build and custom housebuilding in the Self-build and Custom Housebuilding Act 2015, as amended.
- 6.51 The parties agree that Three Rivers District Council has no adopted policies for the provision of self-build and custom housebuilding within the Core Strategy, the Development Management Policies Local Development Document, the Site Allocations Local Development Document or the Croxley Green Neighbourhood Plan. The Sarratt Neighbourhood Plan encourages self-build and Policy 4.2 states that the provision of bungalows, accessible homes and all types of self-build properties as part of the housing allocations mix will be looked upon favourably.
- 6.52 The Council is subject to the statutory duties contained in the Self-build and Custom Housebuilding Act 2015, as amended. The parties agree that the grant of planning permission for the appeal scheme, with the self-build and custom housebuilding plots secured through an enforceable mechanism, would create a qualifying development permission for the purposes of contributing towards meeting demand.

### **Countryside, Landscape, Visual Amenity and Settlement Character**

- 6.53 The site does not fall within any statutory landscape designations and is not a valued landscape (as set out in NPPF Paragraph 180a).
- 6.54 Vegetation to the site's boundaries, as well as the woodland within it, would be retained (other than the removal of two small sections of hedgerow to facilitate access). The existing Public Right of Way running east-west across the northern portion of the site, beyond the proposed built development, would be retained.
- 6.55 The character of the site itself would change as a result of the proposed development, with the loss of a greenfield site.

## Public Open Space Provision

- 6.56 The proposals for a new country park, areas for play and recreation, allotments and community orchard, with approximately 60% of the site area to be set aside as open space, with play space included are supported. Subject to appropriate S106 provisions, Sport England raised no objections to the proposals.
- 6.57 The parties agree that the proposed open space, play and sport provisions would meet the needs arising from the development and would also provide wider public benefits.

## Local Centre and Community Facilities

- 6.58 The scheme proposes construction of a 5-bedroom property for children's social care and supported living (Use Class C3(b)); a one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school); a mixed use local centre including provision for NHS health and social care services (Use Class E(e)), community building (Use Class F2), retail and cafe provision (Use Class E(a-c)); a country park, areas for play and recreation, allotments and community orchard.
- 6.59 It is agreed that the proposed **local centre and community building** meets the needs that arise from the proposed development and will offer some benefit to the wider local area. The local centre includes provision for a convenience store which is of an appropriate scale and would not compete with existing services within Croxley Green. A community building is also proposed, which will be available as a multi-functional building.
- 6.60 It agreed the **1FE primary school** will serve the new development directly, ensuring that the pupil yield generated by the site is met without placing additional pressure on existing schools. This self-sufficient approach supports the strategic goal of delivering infrastructure that is proportionate and responsive to the specific impact of development. The LEA are supportive of the new on-site school provision.
- 6.61 The **medical facility** within this development would allow the co-location of New Road, Baldwins Lane and Sarratt branch surgery to a new, purpose-built premises in line with the needs of a modern General Practice. The HWE ICB are supportive in principle to a new medical centre but require approval of a full business case from the HWE ICB Primary Care Commissioning Committee.
- 6.62 The inclusion of a **children's home** on the site was requested at the pre-application stage and is supported by both the County and District Councils.

## Biodiversity, Ecology, Ancient Woodland and Veteran Trees

- 6.63 Biodiversity Net Gain calculations detail that the development can result in a 34.41% increase in habitat units and 42.54% increase in hedgerow units. This is significantly in excess of the statutory 10% BNG provision for habitats. This net gain is owed to the creation of other neutral grassland, modified grassland, mixed scrub, allotments, bioswale, shrubs, vegetated gardens, and urban trees. Herts Ecology have advised that sufficient information has been provided to determine the application. Achieving the gains would be secured by the mandatory condition, S106, and alongside a requirement to provide a habitat management and monitoring plan. Subject to such provisions it is considered that

the proposed development meets the requirements of Policy CP9 of the Core Strategy (2011), Policy DM6 of the Development Management Policies LDD (2013) and the NPPF (2024).

- 6.64 In respect of protected species, Herts Ecology have reviewed the submitted reports and do not consider that protected species would represent a fundamental ecological constraint to the proposals. Mitigation measures are proposed and these could be secured by planning condition.
- 6.65 The parties agree that the development would not result in the loss of Ancient Woodland, ancient or veteran trees, or other irreplaceable habitats. The Council no longer pursues Reason for Refusal 2 and will not contend that the appeal should be dismissed on Ancient Woodland grounds. No areas of ancient woodland will be lost to the development, and that no existing trees or groups of trees on site will require removal. Herts Ecology note that a 30m buffer (which exceeds the 15m standing advice) has been implemented from the areas of built development to Green Lane Wood Local Wildlife Site. In relation to Whippendell Wood Site of Special Scientific Interest (SSSI), Herts Ecology do not consider there will be any adverse impacts on this important habitat, similarly to the adjacent Dell Wood, Jacotts Hill/West Herts Golf Course, and Merlin's Wood and Newland's Spring. Herts Ecology request appropriate condition(s) to ensure that no indirect impacts occur on the above important habitats.
- 6.66 It is agreed that the S106 would allow for appropriate options to come forward for the management of on-site ancient woodland and proposed 24ha country park.

### **Agricultural Land**

- 6.67 The application site is predominantly greenfield and in agricultural use. The appellant has submitted an Agricultural Land Classification and Soil Resources Report (CD1.16 - Reading Agricultural Consultants, July 2024) which concludes the entire site is Grade 3B land which is not considered best and most versatile land. The loss of existing 'good to moderate quality' agricultural land is not, therefore, considered a reason to restrict the development and its loss to the development would not be contrary to the Development Plan or the NPPF (2024).

### **Transport Matters and Accessibility**

- 6.68 Highway infrastructure works proposed include: Two proposed points of vehicular access to the site across Little Green Lane from Durrants Drive and Links Way; Footpath and cycleway connections throughout the scheme; and retention of the existing public right of way (017) and incorporation into the scheme.
- 6.69 The off-site works propose the provision of a 20mph zone in the wider area which will prioritise pedestrians and cyclists. Sustainable transport measures include:
- Contributions towards surrounding active travel links, such as the signage of routes.
  - The provision of Beryl Bikes docking stations on site. HCCHA anticipate 15 such ebikes.
  - The introduction of a dedicated bus service within and surrounding the site, including to key destinations such as Rickmansworth, Watford Station, Croxley Station, and Watford Junction.

- A seasonal bus pass to each dwelling on initial occupation.

- 6.70 In relation to car parking this would form part of the consideration of any subsequent Reserved Matters application. However, based on the illustrative Masterplan it is considered that sufficient space could be accommodated within the site to provide adequate parking to serve the development in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).
- 6.71 There would not be an unacceptable highway safety reason nor a severe road network reason to justify the recommendation of dismissal of the proposals from a highways or transport perspective. The Local Highway Authority raise no objection and do not wish to restrict the grant of planning permission subject to relevant planning conditions and planning obligations.

### Flooding and Drainage

- 6.72 In relation to **surface water flooding**, there are pockets of localised surface water flooding that are addressed within the Drainage Strategy.
- 6.73 The site is wholly within Flood Zone 1 as defined by the Environment Agency. Flood Zone 1 signifies areas with the lowest probability of flooding (less than a 0.1% annual probability of river or sea flooding, equating to less than 1 in 1000 chance).
- 6.74 Access/egress via Little Green Lane to the south is located entirely within Flood Zone 1 and is at a very low risk of surface water flooding. Therefore, safe access and egress is considered achievable for the proposed development. Both parties agree that the proposal would not increase flood risk elsewhere, and would satisfy the requirements of NPPF 175, avoiding the need for a sequential test to be undertaken.
- 6.75 The application was accompanied by a Flood Risk Assessment (FRA) (BWB, December 2024, 233574\_FRA) and Sustainable Drainage Strategy (BWB, December 2024, 233574-SDS). These were reviewed by the Lead Local Flood Authority (LLFA) who requested additional information be provided. Additional information (BWB Ref. 233574-BWB-ZZ-XX-T-W-0005\_LLFA) was received and the LLFA reconsulted.
- 6.76 The LLFA raises no objections, subject to appropriate surface water conditions.
- 6.77 In relation to **foul water**, Thames Water raises no objections, subject to appropriate conditions regarding appropriate foul water network and sewage work upgrades.

### Heritage and Archaeology

- 6.78 The proposed development will impact upon Durrants House and Cassiobury Park through changes to their settings. The scale of effect has been minimised by changes to the design which have retained views to and from the rear of Durrants House and retained an extensive buffer of open space in the areas adjacent to Cassiobury Park. The scale of effect is assessed as being less than substantial harm

at the low end of this spectrum. Parties agree that, in accordance with NPPF 215, these harms are outweighed by the public benefits secured through this development.

- 6.79 Subject to conditions, there would be no adverse impacts on heritage assets of archaeological interest. The proposed development in this respect complies with the NPPF (2024) and Policy DM3 of the Development Management Policies LDD (adopted July 2013).

### **Place-making and Design**

- 6.80 With the exception of access, all matters of design will be dealt with as part of a subsequent Reserved Matters scheme.
- 6.81 Prior to submission of the planning application, a Design Review Panel (DRP) presentation was carried out in September 2024. A DRP is a group of independent, expert professionals (like architects, urban planners, landscape architects) who provide impartial advice on new development and public realm proposals to help improve design quality. DRPs are encouraged by the NPPF (paragraph 138). The DRP applauded the emerging designs and commended the aspirations to design a development of high quality.
- 6.82 The Design and Access Statement sets out how the recommendations made by the DRP have been addressed during subsequent design iterations and how the process informed the Design Code and based on the Illustrative Masterplan and high-quality scheme can be secured at the reserved matters stage. The Illustrative Masterplan demonstrates one way in which the development could come forward within the established parameters. It does not preclude alternative layouts at the Reserved Matters stage, provided these accord with the Parameter Plan and the principles set out in this Design and Access Statement and accompanying Design Code.
- 6.83 Both parties agree that there would be no reason to justify the recommendation of dismissal of the proposals from a design perspective, specifically with regard to placemaking and reiterating no issue with CP12 (Design of development), DM1 (Residential Design and Layout) and SNP Policy 2 (Design Principles).
- 6.84 Both parties agree that to secure high quality design, a condition can require that subsequent Reserved Matters accord with the Land Use Parameters Plan (from (Condition 5) committee report) and that an appropriately worded planning condition requiring compliance with the Design Code (Condition 6 committee report) (or an agreed code to be submitted with the first RMA).

### **Amenity of Existing and Future Residents**

- 6.85 The application was submitted in outline, with matters of access for consideration. However, the application was accompanied by an illustrative masterplan which suggests a form of development where a buffer would be maintained between the development and the closest existing properties to the opposite side of Little Green Lane. Whilst impact on neighbouring amenity would be fully assessed at reserved matters stage, it is considered that the illustrative masterplan demonstrates how the site could be developed to ensure no demonstrable harm to the amenity of existing residents through matters such

as overshadowing, loss of light or overlooking. The impact on the amenity of future occupiers would also be assessed at reserved matters stage.

## Building Sustainability

6.86 The application was accompanied by an Energy Statement (Greengage, December 2024). This sets out that the proposed development is predicted to exceed Part L 2021 carbon emission reduction requirements. Key aspects of the strategy include:

- Prioritisation of high-performance building fabric to significantly reduce energy demand.
- Implementation of low-carbon heating solutions using heat pumps for all buildings within the development.
- Adoption of an all-electric strategy, eliminating reliance on fossil fuel based systems.
- Maximisation of onsite renewable energy generation through installation of roof mounted photovoltaic ("PV") panels.

6.87 The submitted details demonstrate that consideration has been given to sustainability, decarbonisation and energy efficiency at outline stage and illustrate how the development would exceed the requirements of Policy DM4. The Energy Statement is also considered to closely align with the Council's Climate Change and Sustainability Strategy, contributing to the target of achieving net zero carbon emissions by 2045.

## Noise and Air Quality

6.88 The application was accompanied by a **Noise Impact Assessment** (BWB, December 2024, 233574\_002). Environmental Health ("EHO") have reviewed the submitted report and consider the main impacts associated with the application to be: (1) Increased traffic flows resulting in higher noise levels. The EHO notes that this has been considered within the report and the impact on existing residents has been deemed insignificant. The EHO does not have grounds to consider this to be inaccurate; (2) Noise associated with the school; and (3) Noise associated with the community centre and café.

6.89 The application was accompanied by an **Air Quality Assessment** (BWB, December 2024, 233574-01-AQA) which has been review by the Environmental Protection Officer ("EPO"). They note that a construction phase dust assessment was undertaken to evaluate the potential impact of construction activities (including construction vehicles on public highways up to 250m from the site entrances) on local air quality. The assessment indicates that with the implementation of the recommended mitigation measures, the residual impacts from the construction phase will be not significant. The EPO notes that an operational phase road traffic emissions assessment was also undertaken to consider the impact of development generated road traffic at identified existing receptor locations. This concludes that the development is not predicted to result in any new exceedances of the air quality objectives and that the impacts of the development are considered to be negligible at all modelled receptor locations.

- 6.90 Subject to conditions there would be no adverse impacts with regards to air quality as a result of the development. The proposed development in this respect complies with the NPPF and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

### **Land Contamination**

- 6.91 The application is accompanied by a Phase 1 **GEO-Environmental Assessment** (BWB, December 2024, 233574) which has been reviewed by the EPO. They note that the preliminary risk assessment undertaken has identified a number of plausible contaminant linkages that require further investigation. As such, an assessment of the potential risks associated with the site is considered necessary and the EPO therefore recommends the standard contaminated land condition be attached in the event that planning permission were to be granted.
- 6.92 Subject to conditions there would be no adverse impacts with regards to contaminated land as a result of the development. The proposed development complies with the NPPF and Policy DM9 of the Development Management Policies LDD (adopted July 2013) in this regard.

- 6.93 It is agreed that there are no geo-environmental constraints that prevent development of the Appeal Site.

### **Public Rights of Way**

- 6.94 It is agreed that the Appeal Proposal is acceptable in terms of impact on the Public Rights of Way within and adjacent to the Site.

### **Waste**

- 6.95 Subject to conditions and obligations (which are agreeable to the Appellant) it is agreed that the Appeal Proposal is acceptable in terms of waste management.

### **Consultation Comments**

- 6.96 It is agreed that no objections from statutory consultees relating to technical matters existed or remained unresolved at the date of the Planning Committee.

### **Community Facilities & Infrastructure Impacts and Developer Contributions**

- 6.97 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy ("CIL") Charging Schedule sets out that the charge per sqm of residential development in this area is £180 (plus indexation).
- 6.98 In order to make the proposals acceptable, a number of Heads of Term are required to be secured via a S106 Agreement. These are set out in paragraph 7.20.2 of the Committee Report. It is agreed these contributions will be addressed through the S106 and will fully mitigate the infrastructure impacts of the development.

### **Planning Conditions**

- 6.99 A set of planning conditions is set out within the Committee Report [CD4.4]. The parties agree that these conditions represent the starting point and we will review in order to agree by 21<sup>st</sup> July 2026.

### **Prematurity**

- 6.100 It is agreed that the emerging development plan is not at an advanced stage and no weight can be placed upon the emerging policies of the Local Plan.

## 7.0 IDENTIFIED BENEFITS, HARMS AND PARTIES' WEIGHTINGS

- 7.1 This section is included to assist the Inspector and to support the efficient management of the Inquiry. It records the principal benefits and harms, and where weight is not agreed it identifies the parties' respective positions. It does not seek to enlarge the issues between the parties.

### Identified Benefits

- 7.2 Housing delivery. The scheme would deliver up to 600 dwellings in circumstances where the Council cannot demonstrate a five-year supply of housing land.
- 7.3 Affordable housing. The scheme would deliver 50% affordable housing, comprising up to 300 affordable homes, with the tenure mix secured through the S106 obligation.
- 7.4 Custom and self-build housing. The scheme would provide custom and self-build dwellings.
- 7.5 Children's social care and supported living. The scheme includes a 5-bedroom property for children's social care and supported living.
- 7.6 Primary education. The scheme includes land for a one form entry primary school, plus expansion land for a potential two form entry primary school.
- 7.7 Health provision. The scheme includes provision for NHS health and social care services, including a medical centre shell and a financial contribution towards fit-out, together with healthcare contributions as necessary.
- 7.8 Local centre and community facilities. The scheme includes a mixed-use local centre with provision for retail, cafe and community uses.
- 7.9 Public open space, sport and play. Approximately 60% of the site would be provided as green infrastructure and publicly accessible open space, including a country park, play space, recreation routes, allotments and a community orchard.
- 7.10 Biodiversity net gain. The development would secure a net gain in biodiversity, including increases in habitat and hedgerow units, secured through the appropriate planning mechanism.
- 7.11 Sustainable transport and active travel. The scheme would provide new pedestrian and cycle connections, retain and integrate the public right of way, provide Beryl Bikes docking stations, support a new dedicated bus service and provide travel plan measures.
- 7.12 Low-carbon and sustainable construction. The scheme would incorporate measures including high-performance fabric, an all-electric strategy, air source heat pumps and photovoltaic panels, secured through planning condition.
- 7.13 Economic benefits. The development would support construction employment, local expenditure and additional Council Tax revenues.

## Identified Harms

- 7.14 Policy conflict. The proposal is outside the defined settlement boundary and therefore gives rise to conflict with the spatial strategy of the Development Plan. The parties agree that the weight to be afforded to these policies in the Development Plan carry less weight, having regard to both the consistency of these policies with the NPPF and the Council's housing land supply position.
- 7.15 Heritage. The proposal would result in less than substantial harm to the setting of the Grade II listed Durrants House and the Grade II Registered Park and Garden at Cassiobury Park. The parties agree that the level of harm is at the lower end of the less than substantial harm spectrum and does not provide a reason to prevent development when weighed against the public benefits of the scheme.
- 7.16 Loss of greenfield land and Landscape harm. The development would result in the loss of a greenfield site and a change in the character of the site itself. The parties agree that the site is not within a statutory landscape designation, not BMV agricultural land and is not a valued landscape for the purposes of the NPPF.

## Benefits: parties' weighting positions

- 7.17 The tables below summarise the weighting that each party considers should be attached to each of the benefits. The parties have used different weighting scales but the result is that it can be readily determined as to what the upper and lower levels of the scale are and therefore the weight each party is affording to the benefits.

### Appellant's Position

- 7.18 The following scale of weighting has been used by the Appellant: very substantial, substantial, significant, moderate and limited.

| Benefits                                                        | Appellant Weight |
|-----------------------------------------------------------------|------------------|
| <b>Social</b>                                                   |                  |
| 1. Provision of housing                                         | Very Substantial |
| 2. Provision of affordable housing                              | Very Substantial |
| 3. Custom and self build housing                                | Substantial      |
| 4. Supported living for vulnerable young adults                 | Significant      |
| 5. A new 1FE primary school with expansion land for 2FE         | Significant      |
| 6. A new medical centre for NHS health and social care services | Significant      |
| 7. Provision of a local centre                                  | Significant      |
| 8. Provision of Sports Facilities and Play Spaces               | Moderate         |
| 9. Compliance with the Golden Rules (procedural weighting)      | Significant      |

| <b>Environmental</b>                                                        |             |
|-----------------------------------------------------------------------------|-------------|
| 10. Locational sustainability – growth at key centre                        | Moderate    |
| 11. Low carbon development                                                  | Moderate    |
| 12. Electric vehicle charging                                               | Limited     |
| 13. New Country Park                                                        | Substantial |
| 14. Biodiversity net gain                                                   | Significant |
| <b>Economic</b>                                                             |             |
| 15. Delivery of sustainable and active travel options and a new bus service | Limited     |
| 16. Job creation                                                            | Significant |
| 17. Enhanced retail spending                                                | Moderate    |
| 18. Increased revenues                                                      | Moderate    |

### **Council's Position**

- 7.19 The following scale of weighting has been used by the Council: Substantial, significant, moderate and limited.

| <b>Benefits</b>                                                  | <b>Council Weight</b>                     |
|------------------------------------------------------------------|-------------------------------------------|
| <b>Social</b>                                                    |                                           |
| 19. Provision of housing                                         | Substantial                               |
| 20. Provision of affordable housing                              | Substantial                               |
| 21. Custom and self build housing                                | Significant                               |
| 22. Supported living for vulnerable young adults                 | Significant                               |
| 23. A new 1FE primary school with expansion land for 2FE         | Moderate                                  |
| 24. A new medical centre for NHS health and social care services | Moderate                                  |
| 25. Provision of a local centre                                  | Limited                                   |
| 26. Provision of Sports Facilities and Play Spaces               | Moderate                                  |
| 27. Compliance with the Golden Rules (procedural weighting)      | Significant<br>(avoiding double counting) |
| <b>Environmental</b>                                             |                                           |
| 28. Locational sustainability – growth at key centre             | Limited                                   |

|                                                                             |           |
|-----------------------------------------------------------------------------|-----------|
| 29. Low carbon development                                                  | Limited   |
| 30. Electric vehicle charging                                               | No weight |
| 31. New Country Park                                                        | Moderate  |
| 32. Biodiversity net gain                                                   | Moderate  |
| <b>Economic</b>                                                             |           |
| 33. Delivery of sustainable and active travel options and a new bus service | Limited   |
| 34. Job creation                                                            | Limited   |
| 35. Enhanced retail spending                                                | Limited   |
| 36. Increased revenues                                                      | No weight |

### Harms: parties' weighting positions

- 7.20 The following table sets out the parties' respective positions on the weight to be attached to each identified harm. The same weighting scales identified above have been applied by the parties. It is included to narrow the scope of any disagreement, not to create an additional matter for oral evidence.

| Harms                                         | Appellant Weight | Council Weight |
|-----------------------------------------------|------------------|----------------|
| 1. Policy Conflict                            | Limited          | Moderate       |
| 2. Heritage                                   | Limited          | Moderate       |
| 3. Loss of greenfield land and Landscape harm | Limited          | Moderate       |

- 7.21 Where there remains a difference between the parties on the weight to be afforded to the harms that arise, it is agreed that the harms do not outweigh the benefits.

## **8.0 AREAS OF DISAGREEMENT**

- 8.1 There are no remaining substantive areas of disagreement between the Appellant and the Council. Those on the principal matters identified in the Council's Decision Note in relation to Green Belt (RfR1) and, Ancient Woodland (RfR2) and both reasons have fallen away. It is now accepted that that planning permission should be granted subject to the satisfactory completion of a S106 obligation and the imposition of suitable conditions, but differences remain between the parties in relation to RfR3.
- 8.2 Any obligation or condition that remains unresolved before the Inquiry have been identified in a separate S106 Statement of Common Ground or conditions schedule between the Appellant and Three Rivers District Council as the Local Planning Authority.

## 9.0 CONCLUSION

- 9.1 The parties agree that the proposed development accords with the development plan taken as a whole and that conditional planning permission should be granted subject to the completion of a satisfactory S106 obligation to secure affordable housing, custom and self-build housing and necessary infrastructure.
- 9.2 This SoCG is intended to narrow the matters for the Inspector. Detailed five-year housing land supply points are not set out in this SoCG; anything further to this matter will be set out in the Parties topic-specific Proof of Evidence. The parties' differing positions on weight, where set out, are recorded and do not alter the Council's position that, subject to the S106 obligation and suitable conditions, it will not invite dismissal of the appeal.

## SIGNED:

For Appellant:

A handwritten signature in blue ink, appearing to be 'Caf'.

Name: Cameron Austin-Fell

Date: 07.07.2026

For Local Planning Authority:

A handwritten signature in blue ink, appearing to be 'Liz Fitzgerald'.

Name: Liz Fitzgerald

Date: 14.07.2026