

PLANNING AGREEMENT AND INFRASTRUCTURE 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

7 July 2026

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1.0 INTRODUCTION

- 1.1 This Statement of Common Ground ("SoCG") has been prepared by Osborne Clarke LLP acting on behalf of Richborough ("the Appellant") and Three Rivers District Council as the Local Planning Authority ("the Council")
- 1.2 At the time of finalisation a response had not been received from Hertfordshire County Council and therefore, in order to assist the Inquiry, we have proceeded to finalise matters, as they are understood to be, between the main parties.
- 1.3 This statement sets out the matters agreed and disputed in respect of infrastructure and Section 106 obligations relating to an appeal against the refusal of the Council to grant planning permission (reference number: 24/2073/OUT. It should be read in conjunction with the Planning Committee Report which sets out the detailed Heads of Terms necessary to make the development acceptable and which subsequently informed Reason for Refusal 3.
- 1.4 The application was recommended for approval by Officers. The application was refused by Members of the Planning Committee on 22 January 2026.
- 1.5 The site address is:
- "Land to North of Little Green Lane, Croxley Green, WD3 3SP"***
- 1.6 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)."***
- 1.7 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 18th August 2026.
- 1.8 At the Case Management Conference held at 2pm on Monday 1 June 2026 the Inspector it was agreed to ensure that the S106 is expedited, and to clarify the evidence which may be needed at the inquiry, agreement or otherwise on all matters to be included in the S106 is required by 29 June 2026.
- 1.9 The Council provided an initial draft of the Section 106 to the appellants on 21 May 2026. This draft was subject to further required input by the Appellants and Hertfordshire County Council in respect of the heads of terms. At 12.37 hours on 26 June 2026 the Appellants returned the draft with proposed substantive amends and input. Wording is still awaited from Hertfordshire County Council. This

Statement of Common Ground has not been reviewed against the amended draft Section 106 provided by the Appellants on the 26 June 2026.

2.0 AGREED PLANNING AGREEMENT MATTERS

- 2.1 The parties agree on the following matters. Please note the principle of payment of legal and monitoring fees is agreed and are not detailed in this document.

Obligations to the Council

Affordable Housing

- 2.2 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)

Sports Provision

- 2.3 A contribution of (£903,491.00) (index linked) for the following obligations:
- Natural Grass Pitches £217,169
 - Adult Football £52,381
 - Youth Football £70,447
 - Mini Soccer £20,951
 - Rugby Union £10,767
 - Cricket £62,624
 - Artificial Grass Pitches 3G £117,438
 - Tennis £21,226
 - Indoor Swimming Pools £330,488

Local Centre and Community Facilities

- 2.4 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.
- 2.5 Community Building:
- (a) to pay to the Council the Community Building Contribution (£273,328.00) (index linked); OR
 - (b) Construct and Practically Complete on the Site the Community Building in accordance with the Community Building Specification

Country Park and Woodland Management

- 2.6 Richborough to carry out the Managed Land Works to deliver the Country Park the Woodland and the Open Space.
- 2.7 Keep open the option of transfer to a third party (provide for the woodland and part of the Country Park (and associated commuted sum) to be transferred to the agreed third-party organisation, should agreement be reached at any point up to an agreed trigger (e.g. prior to occupation of a specified number of dwellings) and require any such transfer to be accompanied by an approved Detailed Woodland Recreational Management Plan and Habitat Management and Monitoring Plan, prepared at reserved matters stage)
- 2.8 Specify a clear fall-back to a management company (in the event that no suitable third party is willing or able to take on the land and financial contribution, the default would be for the woodland and Country Park to be retained and managed by an on-site management company, again in accordance with the approved management plans and funded via estate service charges/endowment).

Obligations to the County

Children's Home

Construction of a 5-bedroom property for children's social care and supported living (Use Class C3(b)) and associated transfer of building/land.

Transport Matters and Accessibility

Strand 1 Site Specific Contributions (direct site specific)

- 2.9 A contribution of £1,955,000 (index linked) paid annually for five years (£391,000 per year (index linked)) towards:
- (a) Dedicated Bus Service - New half-hourly service (Watford/Rickmansworth)
 - (b) Rousebarn Lane Upgrade - From Little Green Lane to Gade Avenue
 - (c) LCWIP Contribution - Watford & Three Rivers Route 2 improvements
 - (d) Beryl Bikes - Expansion and docking station provision
 - (e) Travel Plan Evaluation - HCC Evaluation Fee
 - (f) Travel Vouchers and Car Share - 6 x 4-week passes (Arriva All Zone) per unit £511,200

Strand 2 Contributions (cumulative impacts)

- 2.10 Contribution of £1,586,538 (index linked) – Figure attached to LCWIP schemes supporting active travel links to the development to facilitate delivery and enhancement of necessary active and sustainable travel networks and improving the walking and cycling network. Note: works including the delivery of 20mph speed limit, inclusive of on-street cycling measures, bus stop upgrades/installation, site access and vegetation clearance to be secured by S278 agreement.

Financial Contributions

- 2.11 SEND Contribution - £498,652 (index linked) towards new Severe Learning Difficulty (SLD) special school places (WEST) and/or provision serving the development.
- 2.12 Waste Service Transfer Station Contribution £63,947 (index linked) towards increasing capacity at Waterdale Transfer Station and/or provision serving the development.

Primary School Obligations

- 2.13 Primary Education Contribution - delivery of a new 1FE (up to 2FE land) primary school in the area and/or provision serving the development. - £5,883,141 which has a land cost of £10,530 deducted and appropriate transfer of land for education provision.

Obligations to Hertfordshire & West Essex Integrated Care Board (ICB)

Medical Centre

- 2.14 Medical Centre Fit Out Contribution (£1,850,000.00) (index linked).
- 2.15 To submit to the Council for approval the Medical Centre Specification prior to Occupation of the first Dwelling.
- 2.16 To construct the Medical Centre to Shell and Core Condition (to be defined in the s106) in accordance with the Medical Centre Specification.

Financial Contributions

- 2.17 Mental Health costs (to address the impact of new development, and the additional residents on mental healthcare) - 600 dwellings x £338.92 per dwelling = £203,352 (index linked).
- 2.18 Community Healthcare costs (to address the impact of new development, and the additional residents on community healthcare) - 600 dwellings x £352.68 per dwelling = £211,608 (index linked).

3.0 AREAS OF DISAGREEMENT ON PLANNING AGREEMENT

- 3.1 At the CMC, 2 matters of disagreement were identified - and set out 3.3(a) and 3.4(a). The Appellant has now raised new areas of disagreement as set out in 3.2.
- 3.2 Areas of disagreement with the Council:
- (a) Affordable Housing
 - (b) The inclusion of a cascade clause.
 - (c) The Council have included a 5-month MiP clause period. Richborough's view is this should be 3 months and will be preparing evidence on this point.
- 3.3 Areas of disagreement with the County Council:
- (a) Secondary Education Contribution - towards the expansion of a Secondary School in the area and/or provision serving the development - £4,376,834. The amount of the contribution is disputed by Richborough who will be preparing evidence on this point.
- 3.4 Areas of disagreement with TfL:
- (a) Step Free Contribution - A financial contribution of £1,065,000 towards the delivery of step-free access at Croyley Underground Station. The amount of the contribution is disputed by Richborough.
- 3.5 It is clear from 3.3(a) and (b) and 3.4(a) that it is not the principle that is in issue but the amount.

4.0 SIGNED:

For Appellant:

Osborne Clarke LLP

Date: 7 July 2026

For the Council:



Date: 7 July 2026