

APPELLANT'S STATEMENT OF CASE

In respect of

Land to North of Little Green Lane, Croxley Green

On behalf of

Richborough

LPA Reference Number 24/2073/OUT

Version
February 2026

REPORT

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1 Introduction

- 1.1 This Statement of Case (“SoC”) has been prepared by Tetra Tech RPS (“RPS”) on behalf of Richborough (“the Appellant”) and forms part of an appeal case to be made against Three Rivers District Council (“the Council”) following the refusal of the following application:

“Outline Application: Development of up to 600 residential dwellings (Use Class C3(a)), construction of a 5-bedroom property for childrens 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 cafe 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)”

- 1.2 The application sought detailed approval for the vehicular access and pedestrian and cycle connections to the site with all other matters pertaining to access reserved for later consideration.

Application Summary

- 1.3 The application was validated by the Council on 16 January 2025 commencing the 13-week statutory period, which expired on 17 May 2025. Time extensions were subsequently agreed between the Appellant and the Council. The application was presented to Three Rivers District Council Planning Committee on 22 January 2026 with an Officer recommendation for approval. Members, however, disagreed with their professional Officers advice and refused the application. The decision notice was subsequently issued on the 30 January 2026 which contained three reasons for refusal (RfR) relating to the following:

- Impact on the Green Belt
- Impact on Ancient Woodland
- Lack of a Section 106 Agreement

How the Appeal Should be Heard?

- 1.4 The Appellant considers that a public inquiry is necessary to determine the Appeal in accordance with the ‘Criteria for determining the procedure for planning, enforcement, advertisement and discontinuance notice appeals’ (Planning Inspectorate Guidance; 21st April 2022).
- 1.5 The Appellant considers that a public inquiry is necessary because of the extent and level of detail that needs to be interrogated and scrutinised in relation to technical matters over which the local planning authority has raised concern and the level of disagreement with the case being presented by the Appellant. This concerns the following issues:

- The scale of the proposal with 600 new homes and wide-ranging community and commercial facilities including a new school, medical centre, local centre and new country park.
- The overall complexity of the case, the evidence for which requires the scrutiny of cross examination, particularly in relation to:
 - Ancient woodland – requires technical expertise
 - Impact upon the adjacent countryside and Green Belt
 - Impact upon an ancient woodland
 - The need for housing and affordable housing
 - Consideration of the design aspects of the scheme
 - Highway modelling and transport impacts
 - Surface water flooding
 - Planning evidence relating planning policy analysis and overall planning balance.

1.6 Most Importantly, an Inquiry is also required in the public's interest, given the scale of the proposal which far exceeds the emerging 150 homes threshold for Secretary of State 'call-in' and given the contentious nature of the application which received over 700 representations during the determination period, the vast majority of which were objections. Such representations are best considered and addressed through the formal arrangements of a public inquiry where the evidence can be fully heard and tested by an appointed Planning Inspector.

1.7 It is very firmly submitted that, because of the complexity of issues (highlighted in paragraph 1.5 above) which would require testing by cross examination and also the substantial level of public interest, that an oral event is warranted and that it would be logistically unwieldy and inappropriate for this matter to be determined by way of a hearing.

1.8 We estimate the Inquiry should be scheduled for 8 sitting days.

Appeal Notification

1.9 The Council were advised of the Appellant's intention to submit the appeal on 28 January 2026.

Statement of Common Ground

1.10 A draft planning Statement of Common Ground (SoCG) has been prepared and is submitted alongside this appeal, as required by Annex R.1 of Procedural Guide: Planning appeals – England (updated 30 June 2025). The purpose of the final SoCG is to identify the matters which remain in dispute between the Appellant and Council, as well as setting out those matters where there is agreement, thereby assisting the appeal process by enabling it to focus upon those matters which are most important in the determination of the appeal.

1.11 The Appellant will seek to work with the Council in the preparation of the SoCG in order that a signed document(s) can be presented to the Inspector within 5 weeks of the appeal start date, in accordance with the Planning Inspectorate ("PINS") Appeal Guidance.

Community Infrastructure Levy

- 1.12 The Appellant is reliant on the Council to produce a CIL Compliance Statement to demonstrate that the Section 106 contributions sought by the Council comply with the tests in respect of planning obligations within Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. A blue pencil clause will, however, be included within the planning obligation to enable the Inspector to form their own view as to whether any particular covenant comprises a reason for the grant of planning permission. Dependant on the outcome of the Statement of Common Ground, the Appellant may need to call upon specific witnesses to address the justification for requested contributions.

Core Documents

- 1.13 To assist the Inspector, a list of Core Documents (CD's) will be provided with the appeal. Documents contained within the list will be given a CD reference number and quoted in proofs of evidence and anticipated will similarly be undertaken by the Council in its evidence to the appeal process.

Application Plans

- 1.14 The draft SoC sets out a comprehensive list of reports and plans and which plans are being determined at the outline stage.

Planning Conditions

- 1.15 The Officer Committee Report listed a set of recommended planning conditions. The Appellant will seek to work with the Council through the SoCG to agree a set of appropriate planning conditions.

Planning Obligations

- 1.16 The Appellant will also present deeds pursuant to Section 106 of The Town and Country Planning Act 1990 which will secure any site-specific planning obligations that are deemed necessary to make the development proposals acceptable. The agreement to the Heads of Terms is set out in the Committee Report and addressed below in relation to RfR 3.

Third Party Comments

- 1.17 These have appropriately been addressed both through the Appellant's Planning Statement Addendum and the Council's Committee Report. The Appellant reserves the right to add to this, dependent upon comments received to the appeal submission.

Structure of the SoC

- 1.18 This SoC sets out the case that the Appellant intends to present at the appeal and also addresses the principal representations received from third parties. Importantly, it should be read together with the information submitted with the application which continues to be relied upon and will be referred to as evidence. A list of plans and documents is provided in the accompanying SoCG.

1.19 Following this introduction section, the SoC is set out as follows:

- Section 2 - Summary of the Appellant's case;
- Section 3 – The Site and its Planning Context;
- Section 4 – Outlines the appeal Scheme;
- Section 5 – Provides the response to the RfR1 relating to Green Belt;
- Section 6 - Provides the response to the RfR2 relating to Ancient Woodland;
- Section 7 - Provides the response to the RfR3 relating to the S106 agreement;
- Section 8 – Addresses the main planning policy matters; and
- Section 9 – Provides the overall Planning Balance.

Evidence Intended to be Called by the Appellant

1.20 Subject to receipt of the Council's SoC and 3rd party representations, the Appellant intends to call various witnesses to address specific technical matters associated with the appeal as follows.

- 5YHLS
- Affordable Housing
- Custom and Self Build
- Green Belt and Landscape
- Ancient Woodland and Ecology
- Highways and Accessibility
- Design and Masterplanning
- Deliverability of Community and Commercial Facilities
- Planning Policy and Planning Balance

2 Summary of the Appellant's Case

- 2.1 This is an exceptionally well-designed scheme that will deliver wide-ranging lasting benefits including 600 new homes in an authority which has a dismal track record in supporting new housing delivery and a 5-year housing land supply using their own figures of just 1.7 years supply.
- 2.2 It is a site that has twice been recommended for allocation in the emerging Local Plan by the Council's Officers but simply resisted by Members due to its location in the Green Belt despite the current development plan (Core Strategy) now being some 16 years old and out of date with no signs of an imminent replacement.
- 2.3 The application proposals were not subject to any technical objections from any internal or statutory consultees and the Council's Planning Officers recommended the application should be approved at Planning Committee. The Appellant considers that members of Three Rivers District Council Planning Committee acted unreasonably in rejecting the very clear Officer recommendation for approval when assessing the merits of the exceptionally well-designed scheme. Instead, they reacted to public opposition against a proposal that is delivering much needed housing and affordable housing and benefits that are varied, numerous and substantial in contrast to the limited harms that arise.
- 2.4 Instead of listening to the clear and consistent advice of its Officers, Members of the Council at the Planning Committee refused the application on grounds relating to impact on the Green Belt and Ancient Woodland. Based on all the evidence, these grounds are simply untenable.
- 2.5 In relation to Green Belt and Ancient Woodland, the Officers advice was consistent with the Appellants'. The site is Grey Belt, and the proposal accords with clauses (a) – (d) of Paragraph 155 of the NPPF. As such, the development is an appropriate form of development in the Green Belt. In relation to the impact on Ancient Woodland, observing the lack of objection from Natural England, the Forestry Commission, the Councils Tree and Landscape Officer and the Ecology advisors (Herts Ecology), Officers concluded the proposals would not result in loss or deterioration to protected woodland or protected trees.
- 2.6 Where there is an absence of a five-year supply of housing, the NPPF sets out that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 2.7 It is recognised the development would result in the loss of an arable field with resultant impact on the local landscape and a less than substantial impact (at the lower end of the scale) on the setting of nearby heritage assets. However, this is set against the acknowledged need for greenfield, Green Belt land to deliver the ever-growing need for market and affordable homes and a site located on the edge of one of the district's most sustainable settlements of Croxley Green.
- 2.8 These very limited adverse impacts must be weighed against the collective substantial benefits (as addressed in detail in Section 9 of this statement) of the development including:

1. 600 dwellings to assist with the Council's 5 YHLS deficit;
2. 50% of the dwellings as affordable homes;
3. 12 Custom and Self Build dwellings;
4. A 5-bedroom unit for supported Living for Vulnerable Young Adults;
5. 1 Form Entry Primary School with expansion land;
6. Medical Centre on site for NHS and Social Care;
7. Local Centre including a Community Building and retail;
8. New sports facilities;
9. Compliance with the NPPF 'Golden Rules';
10. Development located at a settlement identified as a Key Centre;
11. Low Carbon Development;
12. Electric Vehicle charging at all units;
13. New Country Park and open space;
14. Biodiversity Net Gain;
15. Public Transport Improvements;
16. Job creation during the construction period;
17. Enhanced retail spend; and
18. Increased revenues.

2.9 It is very clear that the minor/moderate adverse impacts of approving this development would not significantly and demonstrably outweigh the very substantial benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

2.10 The appeal proposals will deliver a sustainable development and should be approved.

3 The Site and its Planning Context

The Site and its Location

- 3.1 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.
- 3.2 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. 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.



Figure 3.1: Site Location

- 3.3 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.

- 3.4 Whippendell Wood 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).

Planning Application History

- 3.5 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.

- 3.6 On 15th August 2024, the Council determined the proposals did not constitute EIA development.

Local Plan Background

- 3.7 Richborough has sought to engage with the emerging Development Plan process from the outset and have submitted detailed representations promoting the Site to the Council's various Regulation 18 consultations. Progress on the Local Plan Review has been exceptionally slow.
- 3.8 Richborough has been engaged in the Local Plan Review from the beginning of the process in 2016/17. The Site was promoted by Richborough initially for 500 new dwellings. In 2019, the then Leader of the Council and the Officers requested that the Site capacity be increased from 500 to 800 dwellings to assist in reducing the shortfall against the Standard Method target identified through the Part 1 and Part 2 Reg 18 Plan.
- 3.9 It is highly material to this planning application that the Council's Planning Policy Officers have twice recommended to Members that the Site should be allocated for housing. This demonstrates the general suitability of the Site and proposal's ability to assist with delivering the council's development needs of the area.
- 3.10 The Site was recommended by Officers for potential allocation on two occasions. On 18 May 2021, the Officer Report identifying the 'Potential Sites for Allocation Document' was taken to the Local Plan Sub Committee meeting, including the Site for 782 dwellings, a local centre, primary school, medical centre, country park and a community sports facility. A member amendment note following the Full Council meeting removed the Site from consultation. On the second occasion (November 2022), the Site was one of five recommended sites from the officer's site assessment and sustainability appraisal

work supporting the further Part 3 Reg 18 Plan consulting upon 'additional sites for potential allocation'¹. The conclusion was as follows:

"The site is deemed suitable for residential development. Small areas of the site are at risk of surface water flooding and future proposals would need to satisfactorily address this and provide suitable mitigation where necessary. Consideration to heritage assets and potential environmental impacts will also need to be made as part of any future proposals. The site is both available and achievable. The site is deemed to be developable [and deliverable]."

Developers have indicated approximately 500 dwellings on site to be the optimum site capacity for the development to be viable considering the infrastructure provision associated with the development. Optional proposal for 800 dwellings has also been proposed, which is claimed to bring more infrastructural benefits. Lowering dwelling numbers further will not make the development unviable, however, that will likely lead to a reduction in the additional benefits such as not releasing land for a country park. Illustrative masterplan has been submitted."

- 3.11 In summary, Officers have twice previously recommended the Site for inclusion in the draft Local Plan as a result of it being "deemed suitable for residential development. The site is both available and achievable. The site is deemed to be developable [and deliverable], however, elected Members have repeatedly taken the political decision to not proceed with a draft allocation and instead concentrate, as is currently the case, in not addressing the local housing need for the district.
- 3.12 The current Regulation 19 Plan which has just been approved continues to ignore Officer advice in relation to this site and is seeking to consult on a plan that fails to meet the authority's local housing need by over 5,000 dwellings.
- 3.13 In RPS view, the fact that Officers have twice recommended the Site for removal from the Green Belt and allocation as a sustainable urban extension represents a material consideration of relevance to the determination of this application, which RPS contend is in line with relevant case law on material considerations.

¹ Appendix 3a SHELAA Forms Reconsidered Reg 18 Sites of November 2022 Local Plan Sub Committee Report

4 The Appeal Scheme

The Proposal

4.1 The proposed 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 childrens 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 cafe 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).”

4.2 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.



Figure 4.1: Proposed Illustrative Masterplan

4.3 The application is accompanied by an illustrative masterplan (above) which accords with the Land Use Parameters Plan (below) 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.



Figure 4.2: Proposed Land Use Parameters Plan

- 4.4 The proposed Land Use Parameters Plan (ref. P24-1200_DE_0014_S1_Rev F) 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.
- 4.5 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.

Components of the Scheme

- 4.6 The proposed illustrative layout shows the disposition of land uses and the proposed structure for movement within the development. A well-connected movement network, accessible by all users, is proposed which helps to ensure that all areas of the development will be accessible, easy to navigate, safe and secure. The proposed access and movement strategy will focus on the delivery of the following elements which are in accordance with the objectives of national and local planning policy:
- Proposed access points;
 - Proposed pedestrian and cycle movement network;
 - Street hierarchy;

- Street typologies; and
- Parking strategy.

4.7 The key components of the development are as follows:

A. Residential Development comprising

- Up-to 600 dwellings ranging from 1 to 5-bedroom properties.
- 50% of the dwellings are affordable homes.
- 2% of all dwellings will be custom and self-build plots.
- One property specifically for children's social care and supported living.

B. Local Centre comprising

- Provision for NHS health and social care services
- Community Building
- Two local retail units (framework plan parameters provide for an anchor convenience store (indicatively 400sqm), and for café/additional retail (indicatively 165 sqm)
- Car parking and public realm

C. Education Facilities comprising

- One form entry primary school
- Land reserved as expansion land for a potential two form entry primary school.
- Early Years and SEND provision (subject to consultation)

D. Open Space of 24ha comprising:

- A new Country Park (known as Rousebarn Country Park).
- A central spine of multi-functional open space (known as Durrants View)
- Existing Green Lane Wood to be protected
- Orchard area and Allotments
- Attenuation features
- Play spaces and equipped play area
- Connected and accessible green infrastructure including retention of all trees and hedges, except where unavoidable.

E. Highway Infrastructure comprising:

- Two vehicular access points onto Little Green Lane
- Footpath and cycleway connections throughout the scheme

- Retention of the existing public right of way (017) and incorporation into the scheme

Key Aspects of the Proposals

Design and Layout of the Development

- 4.8 A Design Code has been submitted with the application setting out how a high-quality design will be provided and secured adhering to the requirements of Chapter 12 of the National Planning Policy Framework (“NPPF”). The Design Code presents a proposed development of a very quality and will noticeably and significantly improve the standard of design and place-making in this part of the district.
- 4.9 A Design Code has been carefully constructed as a concise and accessible document that is easy to use by those involved in designing the detailed proposals, as well as those involved in assessing the reserved matters submissions. The information contained within this document is focused on providing instructions and a clear set of rules, avoiding unspecific guidance or potentially ambiguous references, which could be interpreted in a variety of different ways.
- 4.10 Diagrams in this Code are indicative and have been provided to communicate the design intent, rather than specific details which should come forward through discussions between the applicants and Three River District Council and through the more detailed design stage.
- 4.11 Whilst the application is in outline, the Illustrative Masterplan, Parameter Plans and Design Code all demonstrate the great care and attention that has been given to the design aspects of the scheme and provide the control mechanisms to ensure an exceptionally well-designed scheme will be achieved on the site. This has been informed by the Sarratt Neighbourhood Plan Design Code, whilst also advice from an Independent Design Review Panel. The Design Review Panel for the project provided positive feedback on the design of the scheme, praising its landscape-led approach, the generous provision of public open space, and the commitment to sustainable transport. The Design Charter or Vision for the Site was considered well-expressed and appropriately aspirational.
- 4.12 The development design will promote a safe, accessible, and healthy environment creating a sense of place by complementing the local character and pattern of the surroundings. The housing layout will be designed to encourage residents to engage with their neighbourhood and the open landscaped and parkland setting, with houses fronting the road and overlooking green areas. The aim is to encourage a sense of community and safe environment for all members and ages of the community. The NPPF states significant weight can be given to development that reflects local design policies, or design guides or codes.

Density & Building Heights

- 4.13 As the application is outline, detailed matters relating to the layout, appearance, landscaping, and scale of new development will be the subject of a subsequent reserved matters application. Notwithstanding this, an illustrative layout has been prepared to show how the Site could be developed to provide up to 600 new homes at an average overall density of 43 dwellings per hectare.

Density is related to scale of buildings, a parameter plan of proposed building heights across the scheme supports this application.

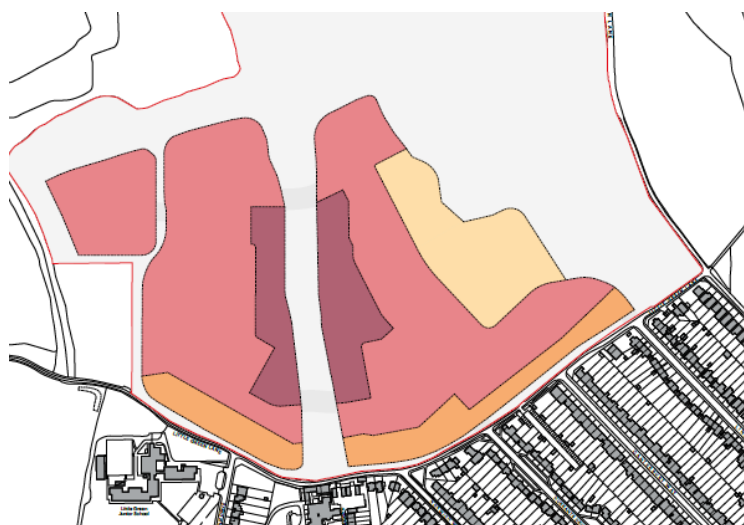


Figure 4.3: Proposed Building Heights Parameter Plan

- 4.14 The proposals and the height parameters plan detail the proposals for up to 3 storeys across the majority of the Site with more discreet areas of up to 4 storeys towards the centre is appropriate to fit in with the low-rise suburban development immediately to the south of the Site. The 4-storey buildings in the central core were deemed appropriate by the independent Design Review Panel and through pre-application discussions.

Housing Mix

- 4.15 The development would provide up to 600 new dwellings (Use Class C3) within the residential area shown on the Land Use Parameters Plan. Whilst the mix of housing is not a matter being determined at the outline stage, the illustrative Masterplan has been prepared utilising information available from the Southwest Hertfordshire Local Housing Needs Assessment ("LHNA") (2020) to help inform and guide the overall housing mix.
- 4.16 Additionally, evidence has been used from the emerging Local Plan process, particularly in relation to tenure provision for the affordable housing component of the scheme, which indicates the greatest need in the district is for Social Rented housing, followed by Affordable Rent. Based purely on an analysis of affordability the Local Housing Needs Assessment recommends that as much social rented housing be secured as viably possibly. The emerging local plan policy therefore seeks 70% social rented housing together with 25% First Homes. This allows the remaining 5% for shared ownership housing.
- 4.17 Overall, the proposals deliver 50% of the dwellings as affordable housing, leaving 50% of the dwellings as open market dwellings.). Based on 600 dwellings (including 2% to be custom and self-build plots), indicatively the proposed housing mix is as follows:

Market Housing (300 dwellings)

- One bed units – 11%
- Two bed units – 30%
- Three bed units – 42%
- Four bed units – 17%

Affordable Housing (300 dwellings)

- Social/Affordable Rent (70%) - One bed units – 22%; two bed units – 46%; three bed units – 28%; four bed+ units 4%.
- Shared Ownership (30%) - One bed units – 20%; two bed units – 45%; three bed units 29%; four bed units 6%.

4.18 All homes would be designed to meet the nationally described space standards.

Education Provision

4.19 The Land Use Parameter Plan (Figure 4.2) includes land within the Site to deliver a 1FE primary school (1.4ha), plus the expansion land for future delivery of a 2FE primary school (an additional 0.6ha). The detailed design of the school will be subject to future RMAs. However, the location of the school has been carefully chosen to ensure the plot is suitable to meet the requirements of HCC as the Education Authority. Due consideration has been given to the HCC Land Specification: Education document and the plot is: approximately 2ha in size; predominantly flat; easily accessible to pedestrians and vehicles; and free from major site constraints.

4.20 The delivery of the primary school will be addressed and secured through a legally binding S.106 Agreement that will accompany this application's determination. An education report accompanies this application submission that addresses the need for the on-site primary school and the additional land that will be safeguarded for an agreed period of time for the primary school's expansion in the future, should it be required.

4.21 Any school delivered on site will have the opportunity to include new Early Years provision. The development will be able to contribute planning obligations towards additional Special Education Needs and Disabilities places should that be evidenced as necessary by HCC Education.

The Local Centre

4.22 The development provides floorspace for a community hub and local centre facilities, across Use Classes E(a), E(b), E(e) and F2(b). It is a key objective of the proposals to ensure that this floorspace assists with meeting the needs of the existing community of the Croxley Green area as well as the future community of this proposed development, as part of a drive to push for existing and new community integration.

4.23 The local centre is located towards the southern extent of the Site to ensure it is fully accessible to existing and future residents, which will be accessed by Durrants Drive and Links Way. The location

is intentional being central to the two primary access points to the Site, and the ability to serve the existing community and future residents, whilst allowing for a 'bus gate' arrangement to be created allowing for a pedestrian friendly environment whilst encouraging the use of sustainable modes of travel.

- 4.24 The DAS emphasises the importance of the local centre as a hub for community interaction, highlighting the inclusion of a public square designed to host various events like markets and performances. The DAS places a strong emphasis on making the local centre a pedestrian friendly destination, encouraging alternative modes of transport such as cycling and the use of buses.

Provision for NHS health and social care services

- 4.25 The development will provide a specified land use area to facilitate the delivery of a new NHS health and social care services. Details of the new NHS health and social care services are provided in the accompanying Health Impact Assessment ("HIA") which indicates the specific type of services to be provided in this new space is still being determined in conjunction with the Hertfordshire and West Essex Integrated Care Board ("ICB") and a local General Practitioner (GP).
- 4.26 The proposal which will be secured via the S106 process and further engagement with the ICB to see the replacement of the existing outdated practice in Croxley Green with a new modern premises. The development framework plan parameter does not specify the exact amount of floor space allocated. This information will be finalised in a later stage reserved matters application, given provision will be for medical or health services it will comprise of Use Class E(e) under the Town and Country Planning (Use Classes) Order 1987 (as amended).

Retail and Café Provision

- 4.27 The local centre also includes the provision of new local retail units. In total this allows for 2 retail units not exceeding a floor area of 400 sqm, this includes the potential for a café within the local centre all falling within use Class E. Supporting this application is a Local Centre Capacity Assessment from prepared by Lambert Smith Hampton, which provides full justification for the scale and location of the retail components of the scheme and demonstrates how the retail facilities will be secured and delivered.
- 4.28 As set out in the DAS it is proposed that these retail units could house local shops. Emphasising that the local centre should become an active and vibrant part of the community. Beyond the dedicated retail and cafe spaces, it is proposed the public square at the heart of the local centre will be designed to host a variety of activities, such as pop-up stores, farmers markets and community events.

Community Building

- 4.29 A new purpose-built community centre will be provided on the Site, which will be available as a multi-functional building. The role of the community building within the broader context of the local centre and its aim to create a vibrant and thriving community hub. The on-going management and maintenance of the building will be secured through the S106 agreement.

Access and Movement

- 4.30 The Site is located in a highly sustainable location on the edge of Croxley Green which is well connected to Croxley Train Station for London Underground services in addition to Watford with higher speed services into London Euston. Proximity to Rickmansworth and local amenities is fully detailed in the accompanying Transport Statement, setting out how a new bus service is planned to connect the Site directly to Watford and important transport hubs.
- 4.31 The appeal proposals are seeking detailed consent for two vehicular access points crossing Little Green Lane and pedestrian access onto the public right of way footpath 017. Details of the internal road layout will be included within future RMAs. The Movement and Access Parameter Plan shows the proposed accesses and illustratively shows internal accessibility arrangements.

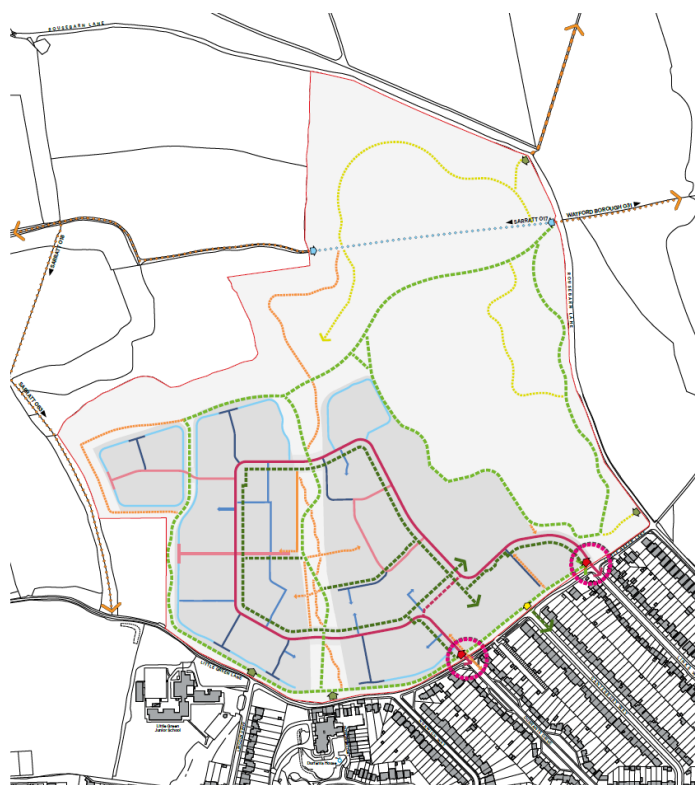


Figure 4.4: Access and Movement Parameter Plan

- 4.32 The Site integrates with existing pedestrian infrastructure. The development will provide direct pedestrian access from Durrants Drive and a direct pedestrian/cycle link from Links Way. Additionally, a continuous, 2-meter-wide footway is available along both Durrants Drive and Links Way to access nearby bus stops. Existing footpaths, including Public Rights of Way, run along the western boundary and through the northern part of the Site, connecting to surrounding areas and green spaces.
- 4.33 The development prioritises cycling, offering dedicated and shared cycle routes on-site and connections to the surrounding network. A new shared footway/cycleway will run along the western side of Links Way, connecting to Dover Way and Canterbury Way and continuing towards Baldwins Lane, providing access to shops and Croxley Danes School. This cycleway will have priority over all intersecting side roads. Additionally, the Site will provide secure on-plot bicycle storage for residents.

- 4.34 Detailed vehicular access points are proposed into the Site from Durrants Drive and Links Way. The existing Durrants Drive residential road will be used to provide direct access into the Site, maintaining its current width of approximately 6.8 meters to accommodate bus traffic. Vehicles and pedestrians entering or exiting the Site via Durrants Drive will have priority over Little Green Lane traffic. The Links Way residential road will also offer direct access into the development. Both access points from Durrants Drive and Links Way will have priority over Little Green Lane, facilitating smoother traffic flow into and out of the Site. Both access points are shown on the Access and Movement Plan, below.
- 4.35 In accessibility terms, the scheme integrates with existing transportation infrastructure, introduces new sustainable transport options, and ensures a convenient location for residents to access essential amenities and services. The design prioritises accessibility for pedestrians, cyclists, and public transport users, making it a well-connected and convenient location.

Green Infrastructure and Recreation Provision

- 4.36 A Landscape Strategy plan has been prepared which demonstrates how the proposed development will provide 60% of the Site area as some form of green infrastructure and open space. The overall approach to the master planning of the Site has been landscape-led from the outset. This and embedded extensive planting throughout the residential development to create a green neighbourhood. The Green Infrastructure Strategy and Landscape Strategy encompasses various elements and principles, from various open space typologies (i.e., Country Park, Durrants View, Greenways) to multiple recreation opportunities (i.e., play spaces, leisure and exercise routes and social interaction spaces).

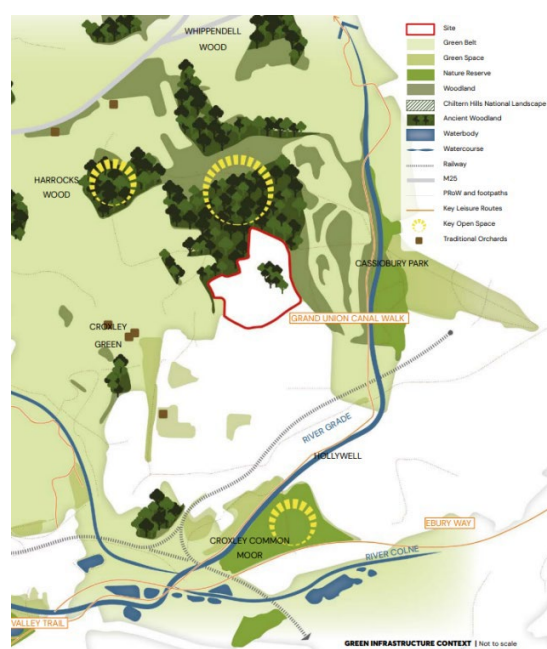


Figure 4.5: Proposed Landscape Strategy Plan

- 4.37 The future management and maintenance of the Green Infrastructure will be discussed with the local planning authority and unless either the District and Parish Council's wish to take the future ownership

and maintenance on, it is envisaged the land will be maintained by a management company and secured through the s106 Agreement.

- 4.38 Policy PSP2 of the Core Strategy (“CS”) identified the need to develop a play area in Croxley Green to address the deficiency in provision. The CS was adopted in 2011, and as set out in the Council’s most recent assessment of the open space needs in Three Rivers (the Open Space Standards Paper (‘OSSP’) (May 2019), there remains shortfalls in “parks and amenity greenspace” provision in the Chorleywood Analysis Area with no formal park provision identified in the area. The OSSP recommends that these space types should be a priority for new forms of provision.
- 4.39 The OSSP also identified significant gaps in walk time catchments of provision for children and young people meaning that this part of the local population is not being catered for adequately. This is particularly detrimental to the north of Chorleywood as existing provision comprises the Swillet Play Area to the south. The OSSP recommends that opportunities are explored to create new play provision at other sites in Croxley Green. At best, the deficiency in play space has spanned some 21 years since the adoption of the CS, meaning a significant proportion of children have grown up in Croxley Green without good access to play space.
- 4.40 The proposed development will deliver a range of multifunctional green spaces, providing opportunities for children’s play, recreation paths and biodiversity enhancement. Equipped play areas are incorporated into the scheme with other informal open spaces around the Site designed to allow for informal play and exploration.

5 Reason for Refusal 1 – Green Belt

5.1 Reason for refusal (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).”

Council’s Officers Views on Green Belt Impact

5.2 The Council’s Officers assessed the sites’ contribution to the purposes of the Green Belt at paragraphs 7.1.46-7 of the Committee Report, concluding the development represented appropriate form of development.

“In summary, it is considered that the site is Grey Belt as it does not strongly contribute to purposes (a), (b) or (d). It is also considered that there is a demonstrable unmet need for residential development in view of the fact that TRDC is unable to demonstrate a five year housing supply and that the site is located in a sustainable edge of settlement location in accordance with Paragraph 155 of the NPPF. Furthermore, it is noted that the site meets the Golden Rules set out in Paragraphs 156 and 157 of the NPPF. Paragraph 158 of the NPPF states that ‘a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission’.

It is considered that the development represents an appropriate form of development and consequently is acceptable in accordance with the provisions of the NPPF and in accordance with Policy CP11 of the Core Strategy (adopted October 2011).”

Appellant’s Views on Green Belt Impact

5.3 The Site at Land North of Little Green Lane, Croxley Green, has been assessed against the NPPF (December 2024) and the PPG (February 2025), in order to ascertain whether the Site comprises grey belt. This assessment was submitted to the Council as part of the Application within the Green Belt Assessment Addendum (March 2025), alongside a follow-up note in relation to Green Belt Purpose A (August 2025). An assessment of the contribution the Site to the purposes of the Green Belt, as well as the effects on the openness of the development on the Green Belt (pre-NPPF 2024) was contained within the Landscape and Visual Impact Assessment and Green Belt Assessment (December 2024) which was submitted with the Application.

5.4 The Appellant’s assessment of the Site’s contribution to the purposes of the Green Belt is summarised below:

- **Purpose a):** The Site is free from built development and is located adjacent to a large built-up area. As set out within the submitted Landscape and Visual Impact Assessment and Green Belt Assessment (December 2024), the Green Belt at the Site plays some role in preventing sprawl. However, clearly identifiable physical features which would restrict further development occur to the west, north and east of the Site, in the form of lanes and woodland blocks. The Site is assessed as making a **moderate contribution** to purpose a of the Green Belt.
- **Purpose b):** Development at the Site will remain clearly separated from Watford and no visual merging will occur, nor any physical merging. The Site makes a **moderate contribution** to this purpose.
- **Purpose c):** The existing settlement edge is well defined along Little Green Lane to the south of the Site, and the Site is clearly countryside. However, the Site benefits from very clearly defined boundaries which form a firm limit to further encroachment into the countryside. The Green Belt at the Site is therefore considered to make a **moderate contribution** to this purpose and does therefore not strongly perform against this purpose. The proposed development will be very well contained from the wider Green Belt, as also noted within the Council's Stage 2 assessment, and new, readily identifiable boundaries between the settlement and the wider Green Belt are available. Development would extend into the countryside, but it would be well related to the existing settlement and will form a logical extension to Croxley Green. The harm to this purpose of the Green Belt as a result of the proposed development is considered to be moderate.
- **Purpose d):** The Site does not lie within or adjacent to a historic town and therefore development at the Site will not affect this Green Belt purpose, and the Site makes **no contribution** to this purpose.
- **Purpose e):** The Council are unable to meet their growth needs solely on brownfield or derelict sites, and land within the Green Belt is required for development in order for the Council to accommodate its local housing need. Development at the Site will therefore result in a **limited** level of harm on this purpose.

5.5 The Site does not strongly contribute to the purpose a, b, or d of the Green Belt, due to its physically and visually well contained nature. Its position on the edge of Croxley Green, alongside the woodland adjoining the Site, provides a natural boundary between the built settlement and the wider, open Green Belt and other towns, and therefore development of the Site would not materially affect the purposes of the wider Green Belt beyond.

5.6 Footnote 7 sites include irreplaceable habitats, which include Ancient Woodland. The Ancient Woodland within the Site is proposed to be retained and enhanced, and the remainder of the Site is not covered by any Footnote 7 constraints. Given the constraint-led approach to masterplanning, it is considered that Footnote 7 applies little relevance to the Site, given that that area will not be developed. The occurrence of Ancient Woodland on the Site would not provide a strong reason for

refusing development, especially considering the design and management solutions proposed within the Application.

- 5.7 As set out above, the Site makes a moderate contribution to purposes a and b, and no contribution to purpose d of the Green Belt. As such, it does not strongly contribute towards purposes a, b or d. The Site therefore comprises grey belt land.
- 5.8 Considering NPPF paragraph 155a, because of the small size of the Site in relation to the Green Belt in the plan area, and the fact that it is very well contained adjacent to the existing settlement, development at the Site would not fundamentally undermine the purposes of the remaining Green Belt across the plan area. Development of the Green Belt land at the Site would not affect the ability of all the remaining Green Belt across the area of the plan to serve all five of the Green Belt purposes in a meaningful way.
- 5.9 As set out elsewhere in the policy section of this Statement, development at the Site complies with the remaining parts of NPPF paragraph 155 and also paragraphs 156 to 159. Development on the grey belt at the Site is therefore considered to be not inappropriate.

6 Reason for Refusal 2 – Ancient Woodland

6.1 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).”

Council Officers Views

6.2 The Council's Officers assessed the sites' impact on Ancient Woodland, observing the lack of objection from Natural England, the Forestry Commission and the Councils Tree and Landscape Officer and the Council's Ecology advisors (Herts Ecology) and concluded the proposals would not result in loss or deterioration to protected woodland or protected trees. Paragraph 7.17.16 of the Committee Report summarises the Council Officers position:

“Subject to appropriate mitigation as discussed above secured via a combination of S106 Agreement and conditions, including: Provision of 24ha green space/country park with secured management plan/maintenance for the lifetime of the development; Minimum 30m buffer zone around ancient woodland within and adjacent to the proposed development; An Ancient Woodland recreational management plan (to include a planting plan including species selection; lighting strategy; details of information packs for residents on sensitive use of local habitats/protected sites); A Construction Environment Management Plan for both construction and operational measures woodland management plan, it is considered that the proposal development would accord with the NPPF, specifically Paragraph 193(c) as it would not result in the lost or deterioration of irreplaceable habitats. Similarly, the development would, subject to conditions, accord with Policy DM6 of the Development Management Policies LDD (adopted July 2013) as existing trees would be retained; enhanced landscaping would be provided (as indicated on illustrative landscaping strategy but to be secured in detail at Reserved Matters stage); and there would be no loss or deterioration to protected woodland or protected trees.”

Appellant's Response

6.3 The Scheme proposes no loss of Ancient Woodland.

6.4 In accordance with Natural England and Forestry England Standing Advice (2022), minimum 15m development free buffer zones have been incorporated into the Scheme design encapsulating the perimeters of offsite and onsite Ancient Woodlands with up to an additional 15m green buffer (30m buffer total) in most areas.

- 6.5 During construction, the Appellant intends to protect Ancient Woodlands within and bounding the Scheme through the production and implementation of a Construction Environmental Management Plan (CEMP) or similar, secured by condition. This would include (but would not be limited to):
- Incorporation of minimum 15m secure Heras fenced Biodiversity Protection Zones around the perimeter of all onsite and offsite Ancient Woodlands.
 - Control of construction artificial lighting to prevent disturbance and displacement of nocturnal species (such as bats).
 - Appropriate control of construction waste, noise and airborne particulates (such as dust) to industry best practice standards.
 - Appropriate storage and use of construction materials, fuels and machinery to industry best practice standards.
 - The deployment of an Environmental / Ecological Clerk of Works during the construction period to regularly observe onsite operations, monitor the fulfilment of all CEMP obligations and liaise with Site managers where shortfalls are identified and further facilitate immediate rectification measures and realignment with CEMP obligations.
- 6.6 The Appellant acknowledges the operational phase of the Scheme would result in an increase in the local population and has proposed a range of onsite measures to mitigate potential recreational and urban edge pressures to surrounding Ancient Woodlands. Dense and continuous belts of native thorny shrub planting and fencing are proposed around the entire boundary perimeters of the offsite and onsite Ancient Woodlands facing the Scheme, to deter undesirable pedestrian access. The Appellant proposes to maintain and repair the scrubby boundaries and associated fencing as part of the overall management of the Scheme's open green spaces, to conserve long-term deterrent functionality. The Scheme proposes an extensive Country Park to the north of the Site, as well as other areas of Public Open Space, Neighbourhood Equipped Areas for Play, Local Equipment Areas for Play and wetlands across the Scheme, to divert and dissuade recreational and urban edge pressures away from Ancient Woodlands.
- 6.7 Consultee discussions between the Appellant and the Forestry Commission identified the potential to focus the landscaping design of the Country Park from the current open grasslands towards a more wooded landscape, to further assist in dissuading these pressures. The Appellant would be willing to investigate further the Forest Commission's aspirations for a Woodland Country Park within the Scheme. The Appellant proposes the installation of interpretation boards at strategic locations within the Scheme's open green spaces, to educate residents and visitors on the importance of Ancient Woodland. The management of the Scheme's open green spaces would include long-term and ongoing monitoring of the onsite Ancient Woodland to assess, quantify and record potential damage or disturbance to woodland habitats where boundary deterrents may be temporarily breached and thereby action remediation measures, as well as improving the overall long-term ecological condition of the woodland. In respect of tree condition and safety, the Appellant has agreed to the undertaking of cyclical tree audits within the Scheme with a focus on minimum intervention proactive tree works

to avoid damaging overzealous reactive tree works, securitised and granted through the recent Tree Preservation Order secured on the onsite Ancient Woodland and trees. It is the Appellant's intention that the above measures would be secured by condition through the production of detailed landscape and ecological designs, specifications and management plans and funded through a Section 106 or similar legal agreement.

- 6.8 The Appellant intends within the detailed design of the Scheme to develop an Artificial Lighting Strategy to mitigate the impacts of artificial light spill along the perimeter boundaries of the surrounding Ancient Woodlands, through the creation and permanent integration of 'dark corridors' to maintain foraging and commuting resources for nocturnal species such as bats and invertebrates.
- 6.9 The Appellant has, in their Woodland Recreational Management Plan (Outline), explored a range of potential measures which could be incorporated into the offsite Ancient Woodlands through dialogue with respective landowners (including the Woodland Trust), to further mitigate recreational and urban edge pressures. There are currently three formal pedestrian access points within or in proximity to the Scheme along Public Rights of Way (PRoW), which provide access into the surrounding offsite Ancient Woodlands, as well as other access features within internal offsite woodland areas and along offsite woodland boundaries as part of the wider PRoW network. In these locations, the Management Plan has identified that access assets such as gates and fences are in poor condition and /or should be upgraded to deter bicycle and off-road motorbikes. Further, there is also the potential to install dog waste and litter bins in these locations, as well as visitor interpretation boards for the purposes of Ancient Woodland education and to define a 'Woodland Code'. The Management Plan also identifies the potential to strategically install fencing / low-visual impact access deterrents along woodland footpaths, within areas of known or potential zones of higher visitor pressures, to mitigate the creation of desire lines and / or trampling of woodland vegetation. The Appellant's intention of the outline Management Plan is to create a holistic approach to managing recreational and urban edges pressures, by maximizing opportunities within the Scheme to deter and divert access away from Ancient Woodlands and channel pedestrian access through to the existing PRoW access points, and further improving and upgrading the local offsite woodland PRoW network to mitigate migration of footfall into sensitive woodland habitats.
- 6.10 The Appellant has recognised, in their Management Plan, where such mitigation measures are installed within offsite Ancient Woodlands, that long-term monitoring, management, maintenance and renewal of these assets would be required, in addition to the remediation of Ancient Woodland habitats as necessary and ongoing surveillance to identify such actions. The Appellant has also recognised in their Management Plan that such mitigation measures would require further development / refinement and critically, long-term financial support. The Appellant further articulates a willingness to enter dialogue with Three Rivers District Council, the offsite Ancient Woodland owners and other stakeholders, to discuss these matters and agree a long-term solution. In this respect, the Management Plan also identifies other potential options in which the Appellant could, through dialogue and agreement with offsite Ancient Woodland owners such as the Woodland Trust, support the long-term management of the offsite woodlands:

- Long-term programmes for woodland habitat enhancement and improvement.
- The installation of artificial habitat boxes for bats, birds, invertebrates and small mammals.
- The funding of a ranger service / Woodland Trust volunteer programme to monitor woodlands, identify, report and action remedial works, run volunteer conservation workdays and undertaken guided walks for residents / visitors.
- Interactive interpretation boards, using QR codes and a mobile application, where visitors to directly report residual recreational and urban edge impacts.
- Information / educate packs and talks on the importance of Ancient Woodland to schools and residents.

7 Reason for Refusal 3 – Section 106

- 7.1 The Council's final reason for refusal (RfR) concerned the absence of a legal agreement to secure appropriate mitigation.

"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)."

Council Officers Response

- 7.2 The Officer's Report sets out the Heads of Terms of the S106 agreement and the appropriate justification. Paragraph 7.20.3 of the Committee Report acknowledged the Applicant's acceptance of the heads of terms for the S106. *The applicant raises no objection to these requirements and a NPPF 58 complaint S106 agreement to secure the contributions will be progressed.*

Obligation Type	Reason	Amount
Primary Education	Contribution to the 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 index linked to BCIS 1Q2024, and appropriate transfer of land for education provision.
Secondary Education	Contribution towards the expansion of a Secondary School in the area and/or provision serving the development.	£4,376,834 index linked to BCIS 1Q2024
SEND	Contribution towards new Severe Learning Difficulty (SLD) special school places	£784,006 index linked to BCIS 1Q2024

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	(WEST) and/or provision serving the development.	
Children's Home	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.
Waste	Waste Service Transfer Station Contribution towards increasing capacity at Waterdale Transfer Station and/or provision serving the development.	£63,947 index linked to BCIS 3Q2024
Monitoring Fees	HCC Monitoring Fees	These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI Jan 2024).
Highways Strand 1 Contributions (direct site specific)	Dedicated Bus Service	New half-hourly service (Watford/Rickmansworth) £1,955,000 Financial contribution Paid annually for five years (£391,000 per year)
Highways Strand 1 Contributions (direct site specific)	Rousebarn Lane Upgrade	From Little Green Lane to Gade Avenue £25,000
Highways Strand 1 Contributions (direct site specific)	LCWIP Contribution	Watford & Three Rivers Route 2 improvements £15,000
Highways Strand 1 Contributions (direct site specific)	Beryl Bikes	Expansion and docking station provision £45,000
Highways Strand 1 Contributions (direct site specific)	Travel Plan Evaluation	HCC Evaluation Fee £8,862

Highways Strand 1 Contributions (direct site specific)	Travel Vouchers and Car Share	Based on TA: 6 x 4-week passes (Arriva All Zone) per unit* £511,200
Highways Strand 2 Contributions (cumulative impacts)	Contribution 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 are likely developer funded/delivered works to be secured by S278 agreement	£1,586,538
Highways (Transport for London)	A financial contribution towards the delivery of step-free access at Croxley Underground Station.	1,065,000 towards the delivery of step-free access at Croxley Underground Station.
Health	Medical Centre (to address the impact of the new development on Grand Union PCN)	Medical Centre built to 'shell' and financial contribution of £1.85 million towards 'fit out'
Health	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

Health	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.
Health	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.
Affordable Housing	Affordable Housing quantum and mix	A total of 50% (up to 300) dwellings to be provided as affordable housing, comprising 70% for Rent (of which 70% should be for Social Rent and 30% for Affordable Rent) and 30% Affordable Home Ownership.
Affordable Housing	Affordable Housing – Monitoring Fee	£673 (full monitoring fee)
Biodiversity Net Gain (BNG)	Biodiversity Net Gain (BNG)	Securing significant on-site BNG enhancements.
Biodiversity Net Gain (BNG)	BNG Monitoring Fee	£11,610
Sports Provision	Contributions towards indoor and outdoor provision within the area that is necessary as a consequence of the development	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 Sports Halls £273,328 (Not required if minimum specification is included within S106)
Sports Provision	Minimum specification for sports hall (not required if financial contribution included within S106).	A community hall building with a minimum of 695 sq. metres (external) floorspace for the community hall building and the minimum internal dimensions for the community hall floorspace of 18x10 metres and an internal clearance height of at least 3.5 metres together with an activity studio with a minimum size of 12x9.1 metres and a minimum clearance height of 3.5 metres. The design of the flooring, walls, windows, ceiling, lighting, and ventilation for both the community hall and activity studio, as well as the provision of ancillary toilets and storage facilities, shall accord with Sport England's Village and Community Halls Design guidance https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/sports-halls .
Sports Provision	Sports Provision Monitoring Fee	£380 / 2 = £190 (NB. Where an obligation secures more than one category of works, a fee is payable for each category. The full monitoring fee is payable for the largest fee category, and 50% of the monitoring fee for any subsequent categories).
Country Park and Woodland Management	Country Park and Woodland Management	(1) 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) and (2) 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)
Country Park and Woodland Management	Country Park and Woodland Management Monitoring Fee	£380 / 2 = £190 (NB. Where an obligation secures more than one category of works, a fee is payable for each category. The full monitoring fee is payable for the largest fee category, and 50% of the monitoring fee for any subsequent categories).

Appellant's Response

- 7.3 The Appellant indicated during the determination of the application, its willingness to accept all obligations which met the requirements of NPPF paragraph 58, in the sense that they must be necessary to make the development acceptable in planning terms, be directly related to the development, and be fairly and reasonably related in scale and kind.
- 7.4 Whilst the Appellant continues to maintain that position, the proposed S106 obligation will include a blue pencil clause to enable the inspector to form a view as to whether or not the proposals accord with regulation 122(2) of the Community Infrastructure Levy Regulations 2010. That discussion will be informed by the Council's CIL Compliance Statement which will no doubt form the basis of such a discussion by way of round table at the inquiry.
- 7.5 The Appellant anticipates working positively with the Council towards a signed S106 agreement in advance of the appeal and invites the Council to withdraw this reason for refusal on that basis.

8 Planning Policy Assessment

- 8.1 This section outlines the statutory development plan and other material considerations relevant to the determination of the appeal proposals and provides a review of the key planning policies. Section 38 (6) of The Planning & Compulsory Purchase Act 2004 requires that regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts unless material considerations indicate otherwise.

The Three Rivers Local Development Plan

- 8.2 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) as well as government guidance.
- 8.3 The Core Strategy was adopted in 2011, some fifteen years ago and has been acknowledged by the Council as being out of date. Inspector Matthew Nunn in the Sarratt Appeal Decision (Ref: APP/P1940/W/22/3311477) from May 2024 acknowledged this at paragraph 18 of their decision. *The Council accept through their Housing Delivery Test Action Plan webpage that the Core Strategy is considered out of date²*. This reduces the weight that should be given to the policies that are most important for the determination of this application. The principal reasons for the out-of-date nature of the CS relate to the following:
- The CS was adopted in October 2011 and predates the adoption of the first NPPF in March 2012 and its subsequent updates. Particularly the concept of Grey Belt is not recognised.
 - The CS is now over 15 years old and has not been subject to any updates since adoption (September 2011).
 - The CS does not reflect up-to-date housing requirements. It adopts a housing target of 180 homes per year compared to the significantly higher target of 640 dwellings per annum as per the Local Housing Need figure under the previous standard method housing target, notwithstanding the updated Local Housing Need figure under new standard method of 832 dwellings per annum (December 2024). The adopted development plan strategy is therefore not sufficient to meet current housing need.
- 8.4 The Development Plan is plainly not delivering the amount of housing (market, affordable and custom-self build) required. The most important policies are also deemed out of date by NPPF para. 11(d) (carrying reduced weight as a result) and its accompanying footnote on both housing land supply and housing delivery test grounds.

² APP/P1940/W/22/3311477

- 8.5 The SoCG sets out the relevant policies from the development plan and the Appellant's evidence will address policy all relevant matters in greater detail. However, certain relevant policies from the Core Strategy are identified below.
- 8.6 **Policy PSP2 (Development in the Key Centres).** Croxley Green is identified as one of five settlements identified as Key Centre and whilst the development is located outside the settlement boundary, it is located at one of the most sustainable settlements in the district.
- 8.7 **Policy CP2 (Housing Supply)** states that housing provision will be made primarily from within the existing urban area (approximately 75% of total housing development between 2001- 2026) and also from housing sites at the most sustainable locations on the edge of existing settlements within the Green Belt (approximately 25% of total supply between 2001-2026)
- 8.8 **Policy CP11 (Green Belt)** seeks to maintain the general extent of the Metropolitan Green Belt in the District. This policy chimes with Policy DM2 (Green Belt) of the development Management Policies DPD. There exists a general 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. The supporting policy text states at para 5.101 that:
- "Within the Green Belt, there is a general presumption against inappropriate development which should not be approved except in very special circumstances."*
- 8.9 In relation to Green Belt, the Appellants' position is very clear (consistent with the Council Officers recommendation) the appeal proposals are not inappropriate development and therefore not inconsistent with the policy. Should ultimately the Inspector determine otherwise that the proposals are inappropriate development, then the Appellant's 'very special circumstances case' (and benefits of the proposals) is set out in Section 9 of this Statement.
- 8.10 **Policy CP12 (Design of Development)** requires that new developments be of a high standard of design and have regard to the local context and conserve or enhance the character and quality of the area. The appeal proposals do this and will deliver a scheme of exceptional quality.

The Review of the Development Plan

- 8.11 The Council has for some time and a painfully slow rate being embarking on a review of the development plan. It has recently endorsed its current draft Regulation 19 submission plan at the Council's Policy & Resources Committee (January 2026) for public consultation. This also assumes Submission in March/April 2026, Examination later in 2026 and potential Adoption in 2027.
- 8.12 The policies in the emerging Local Plan carry very limited weight given the formative stage it is at. It is also observed the Council is persisting with its strategy of not releasing large areas of Green Belt as it would in its opinion *"fundamentally undermine its function" and lead to coalescence of settlements*.
- 8.13 The Government's Standard Method identifies a local housing need for Three Rivers of 832 dwellings per annum, which equates to a total requirement of 12,480 dwellings over the 15-year plan period

(2026–2041). After taking account of existing commitments, windfalls and new allocations, the emerging Local Plan is failing to deliver its local housing need figure by over 5,000 dwellings. Should the emerging Plan proceed to be Submitted, in the Appellant's opinion, the lack of commitment to housing delivery in the Plan will be a very significant issue that the future Local Plan Examination will need to address and most likely result in a Plan that is either significantly delayed or ultimately found unsound.

- 8.14 In this regard, there exists genuine uncertainty over whether the emerging Plan will progress at all. It is noted that on 5.2.2026 a Holding Direction was issued to the Council as follows:

To: Cllr Stephen Giles-Medhurst OBE

Leader of Three Rivers District Council, Three Rivers House, Northway, Rickmansworth, WD3 1RL

Date: 5 February 2026

Dear Cllr Giles-Medhurst,

I am writing to you in advance of the commencement of the Three Rivers local plan Regulation 19 consultation scheduled for 6 February.

As I set out in my letter to you of 14 November, I expect Three Rivers to bring forward a plan that meets identified need as far as possible; that reflects national policy, including in relation to Green Belt release; and that is capable of being found sound at examination.

As it stands, your emerging plan proposes to meet only 56 per cent of the local housing needs identified by the standard method, leaving a shortfall of over 5,000 dwellings, with little explanation publicly available to justify this approach.

Section 20 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires local planning authorities to only submit a plan when they think it is ready for an independent examination. Your own committee report highlights a high risk that the plan may fail at examination due to the scale of the shortfall in meeting housing need. As a result, I have little confidence that your emerging plan is satisfactory and capable of being found sound or legally compliant at examination.

In light of this I have decided to exercise the Secretary of State's powers under section 21A of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) (inserted by section 145(5) of the Housing and Planning Act 2016), to direct Three Rivers not to take any step in connection with the adoption of the Plan, while I consider whether to give a direction in relation to the Plan under section 21 of the 2004 Act. This direction will remain in force until I withdraw it or give a direction under section 21 of the 2004 Act in relation to the Plan. I will also be considering directions under section 27 of the 2004 Act should this be necessary to drive the delivery of a sound plan.

To support me in deciding whether to withdraw the holding direction or take further action, I request that you provide me with the full documentation you intend to publish for the Regulation 19 consultation. This should include, but not be limited to, the evidence base listed in paragraph 1.9 of your draft Regulation 19 Part 1 document. I would be grateful if you could provide this documentation by 19 February 2026.

I hope that you will engage constructively with my officials who will be in touch with your officers to take this work forward.

Yours sincerely,

Matthew Pennycook MP

Minister of State for Housing and Planning

National Planning Policy Framework (NPPF)

- 8.15 The Appellant will address all relevant elements of the NPPF in the evidence to be submitted to the Inquiry. Pivotal to the Appellants case is paragraph 61 and the need to support the Government's objective of significantly boosting the supply of homes. Given this Councils' dismal track record in housing delivery, paragraph 11d is critical to the appeals determination which is addressed in the next chapter of this Statement. Prior to that, the following outlines how this appeal scheme should be considered against national Green Belt policy.

Allowing Development in the Green Belt through Decision-Making

- 8.16 Paragraph 155 of the NPPF states that development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate subject to compliance with four criteria which are addressed below.

Criterion (a): Utilise Grey Belt land and not undermine the purposes of remaining Green Belt

- 8.17 Purposes (a), (b), (c), (d) and (e) have been considered above.
- 8.18 The proposals would not undermine the purpose of the remaining Green Belt given how well related the site is to the existing settlement of Croxley Green and its contained nature by existing woodland. Development at the appeal site would not fundamentally therefore undermine the purposes of the remaining Green Belt across the plan area. Development of the Green Belt land at the Site would not affect the ability of all the remaining Green Belt across the area of the plan to serve all five of the Green Belt purposes in a meaningful way. As such, criterion (a) of Paragraph 155 of the NPPF is met. Officers came to the same overall conclusion at paragraph 7.1.34 of the Committee Report:
- "Overall, it is considered that the proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt. As such, criterion (a) of Paragraph 155 of the NPPF would be met."*

Criterion (b): There is a demonstrable unmet need for the type of development proposed

8.19 Footnote 56 of the NPPF, sets out *“in the case of applications involving the provision of housing, means the lack of a five-year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years”*.

8.20 The Council's own assessment accepts it has a lack of five-year housing land supply – 1.7 years' (December 2024). Consequently, there is a significant need for housing within the district which must be afforded significant weight in the decision-making process. In this case, the scheme would deliver up to 600 residential dwellings of a range of unit sizes and types, providing an opportunity to meet different needs. In addition, there is also a significant need for affordable housing within the district (527 dwellings per annum). In this case 50% of the proposed residential units would be for affordable housing. Given there is a need for housing and affordable housing within the district, it is clear that the proposed development would be in accordance with criterion (b) of Paragraph 155. Officers agreed with this conclusion at paragraph 7.1.37 of the Committee Report.

Criterion (c): Development in a sustainable location

8.21 The appeal site is located in a highly sustainable location occupying a edge of settlement location at the edge of Croxley Green. In addition to the proposed services/facilities within the development, the appeal site is also within walking distance of existing services including local shops and public transport links, all of which can be safely accessed via well-lit public footpaths. This includes Croxley Station at 1.9km, an approximate 26-minute walk via Links Way and Winton Drive; existing bus stops on Baldwins Lane at 0.6 miles, an approximate 13-minute walk via Links Way; and local shops on Baldwins Lane also at 0.9km.

8.22 A package of sustainable transport initiatives is also proposed as part of the proposed development, primarily focusing on encouraging alternatives to private car use to maximise the need for extensive new traffic infrastructure. It is proposed to provide Beryl Bikes docking stations on site; It is proposed to introduce a dedicated bus service within and surrounding the site, including to key destinations such as Rickmansworth, Watford Station, Croxley Station, and Watford Junction. Similarly, a seasonal bus pass would be provided to each dwelling on initial occupation. Criterion (c) is therefore met, which Officers agreed with at paragraph 7.1.39 of the Committee Report.

Criterion (d): Compliance with the 'Golden Rules'

8.23 Criterion (d) sets out that the development must meet the 'Golden Rules' requirements set out in Paragraphs 156-157 of the NPPF as follows:

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

a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;

b. necessary improvements to local or national infrastructure; and

c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.”

- **Paragraph 156(a) - 50% Affordable Housing**

8.24 The proposed development includes 50% (up to 300 units) on site affordable housing provision, which exceeds the requirements of Policy CP4 (45%) of the adopted Core Strategy (2011). The proposed tenure split will be 70% Social Rent (of which 70% is Social Rent and 30% is Affordable Rent) and 30% Affordable Ownership (e.g. Shared Ownership).

8.25 The first ‘Golden Rule’ is met.

- **Paragraph 156(b) - Improvements to local or national infrastructure**

8.26 Necessary improvements to local infrastructure are proposed including 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, providing access to new publicly accessible open spaces such as the proposed Country Park. A financial contribution of £1,065,000 towards the delivery of step-free access at Croxley Underground Station; Contributions towards surrounding active travel links, such as the signage of routes; The provision of Beryl Bikes docking stations on site; and 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.

8.27 Further local infrastructure is proposed in the form of a new one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school) and a medical centre for NHS health and social care services.

8.28 The second ‘Golden Rule’ is met.

- **Paragraph 156(c) – New Accessible Open Space**

8.29 The development proposes a 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. The proposals go beyond simply providing green space. They demonstrate an understanding of creating a network of interconnected green spaces, promoting active travel to off-site facilities, and ensuring that new green spaces are integrated into the development's design to maximise accessibility and quality of life for residents.

8.30 The third ‘Golden Rule’ is met.

Summary

- 8.31 In summary, the appeal site is Grey Belt as it does not strongly contribute to purposes (a), (b) or (d) of the Green Belt, due to its physically and visually well contained nature. Its position on the edge of Croxley Green, alongside the woodland adjoining the Site, provides a natural boundary between the built settlement and the wider, open Green Belt and other towns, and therefore development of the Site would not materially affect the purposes of the wider Green Belt beyond.
- 8.32 There is a demonstrable unmet need for residential development in view of the fact that the Council is unable to demonstrate a five-year housing supply and that the site is located in a sustainable edge of settlement location in accordance with Paragraph 155 of the NPPF. Furthermore, the proposed development meets the Golden Rules set out in Paragraphs 156 and 157 of the NPPF. Paragraph 158 of the NPPF states that 'a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission'.

9 The Planning Balance

- 9.1 As stated previously, the site is Grey Belt and the appeal proposals represent appropriate development within the Green Belt and by implication no harm to the Green Belt arising from the development would occur. The appeal proposal falls to be considered under NPPF 11(d). Should ultimately the Inspector disagree with the Appellant (and Council Officers) and conclude otherwise that the Green Belt does provides a strong reason for refusing the development³ then the benefits of the development as described below would fall to be considered under Very Special Circumstances of NPPF at paragraph 153.
- 9.2 Where there is an absence of a five-year supply of housing, the NPPF at paragraph 11(d) sets out that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Tilted Balance Assessment

- 9.3 It is necessary therefore to consider the respective benefits and harms from the development and related weightings which is presented below against the three dimensions to sustainable development. After this is undertaken an assessment is provided against the key policies identified within paragraph 11(d).

The Benefits of the Development

Social Benefits

1. Provision of Housing

- 9.4 The Council cannot demonstrate a five-year supply of housing land as required by the NPPF. Only a 1.7 year housing land supply exists (LPA figures). This is a very serious shortfall and a deficit that has existed for several years, with no signs of improvement. The most recent (2023) Housing Delivery Tests have been failed by a wide margin at 46%. The Inspector in the Sarratt appeal (paragraph 101)

³ NPPF 11d i – Footnote 7

referred to the housing shortfall (1.9yls) as being severe and attributed substantial weight to the delivery of housing.

- 9.5 The NPPF at Chapter 5 and Paragraph 61 seeks to support the Government's objective of significantly boosting the supply of homes. To achieve this, it notes that it is important that a sufficient amount of variety of land can come forward where it is needed. The proposed quantum of development represents a deliverable and meaningful contribution towards meeting the very substantial shortfall and future annual need for the Council in the short term without undermining the medium / longer term spatial strategy of the district as part of the plan making process of a new Local Plan in due course.
- 9.6 The delivery of substantive quantum of housing as proposed, that will meet the severe and compounded housing supply shortfall on this available and deliverable site should be given **substantial positive weight**.

2. Provision of Affordable Housing

- 9.7 As a direct consequence of the identified substantial shortfall in housing delivery there is a significant shortage of affordable housing in Three Rivers. Policy CP4 sets a requirement of 45% affordable housing. The proposed development would also deliver up to 300 affordable homes (50% provision) with a policy compliant tenure split of 70% for Rent (of which 70% is Social Rent and 30% is Affordable Rent) and 30% Affordable Ownership (e.g. Shared Ownership). This exceeds the policy requirement and constitutes a very substantial contribution to affordable housing need when taken in the context of Three Rivers critical need.
- 9.8 In terms of affordable housing delivery, the delivery of affordable homes has been well below what is required. Between 2001/2 and 2021/22, only 27% of the total housing delivered comprised affordable tenures. The Council acknowledges that the 45% delivery of affordable housing sought by Policy CP4 of the CS has been achieved only once in 25 years in the district. The South West Hertfordshire Local Housing Needs Assessment identifies and acute affordable housing annual net need of some 527 affordable homes.
- 9.9 The Inspector in the Sarratt Appeal (paragraph 81) recognised the provision of 44 affordable dwellings would attract substantial weight. In contrast approval of the proposed development would therefore result in the delivery of some 300 affordable dwellings. The delivery of 50% of the dwellings should be given **substantial positive weight**.

3. Custom and Self Build Housing

- 9.10 The Application proposes a 2% provision of dwellings to be built as custom and self-build dwellings. Based on 600 dwellings this amounts to some 12 dwellings being provided on the Site as custom and self-build plots.
- 9.11 The issue of provision of custom and self-build dwellings was addressed at the Sarratt Appeal. The Sarratt Inspector afforded 8 custom and self-build dwellings substantial weight. The Inspector

acknowledged no custom and self-build dwellings had yet been built in the district and at paragraph 80 commented that demand for custom and self-build significantly exceeds supply.

The NPPF also requires that the provision of custom and self-build housing should be assessed and reflected in planning policies. Furthermore, there is a statutory requirement for local authorities to keep a register of those seeking to acquire plots for custom and self-build housing and to grant sufficient permission to meet demand. In the case of these appeals, there are no development plan policies that relate to custom and self-build homes. It is accepted by the Council that demand for this type of housing in the district significantly exceeds supply.

- 9.12 In relation to this application the provision of 12 dwellings as custom and self-build dwellings should be given **substantial positive weight**.

4. Supported Living for Vulnerable Young Adults

- 9.13 At the pre-application stage and in discussion with the Local Education Authority, a specific request has been made for one dwelling on site to be provided to the local education authority as a property for children's social care services.
- 9.14 The request was for a 5-bed property to be built with one bedroom for a live in carer and four bedrooms for children's social care. Further details are being provided from the Local Education Authority on this provision and the acute need for it within the district. In relation to this application the provision of a property specifically for supported residential children's care should be given **significant positive weight**.

5. A New 1FE Primary School with expansion land for 2FE

- 9.15 The proposed development includes provision of land for a new one form entry primary school (in partnership with HCC) with capacity for future expansion land, if required. The relevant mechanisms for securing land for the school would be detailed in the s106 agreement.
- 9.16 Policy PSP2 of the CS supports the provision of new schools to meet identified needs in the Key Centres. Policy DM12 of the DMP states that new community facilities, including schools, should be accessible by sustainable modes of transport. The accessibility of the Site is discussed in detail in the education statement submitted with the application which addresses how the school will be available for both new and existing children in the area. The provision of the school on-site with expansion land should be given **significant positive weight**.

6. A new Medical Centre for NHS health and social care services

- 9.17 A HIA accompanies the planning application and following pre-application discussion with Hertfordshire and West Essex ICB. This also follows from the ICB response to the emerging Local Plan where it stated that in relation to the Croxley Green area and specifically the New Road Surgery at Croxley Green:

..... “there is still a need to relocate the practice’s main surgery from a constrained converted residential building to a purpose-built premises. The practice is currently searching for a suitable site.”

- 9.18 The development will include dedicated space within the local centre specifically for new NHS health and social care services. Significant weight given to new public service infrastructure in planning decisions, citing the updated NPPF Policy 101. While the specifics of the NHS provision are still under discussion, the report demonstrates a clear commitment to providing space for these services. The provision of a new NHS health and social care services with the ability to treat more patients, and to provide a much more comprehensive range of services to both existing and new patients, should be given **significant positive weight**.

7. Provision of Local Centre (Retail, Cafe and Community Building)

- 9.19 The proposed development provides floorspace for a community hub and local centre facilities, across Use Classes E(a), E(b), E(e) and F2(b). It is a key objective of the application to ensure that this floorspace assists with meeting the needs of the existing community of Croxley Green as well as the future community of this proposed development, as part of a drive to push for existing and new community integration. The specific breakdown and specific use of the hub will be confirmed at later detailed design stages. For the application purposes, the development framework plan parameters provide for an anchor convenience store (indicatively 400sqm), and for café/additional retail (indicatively 165 sqm). These retail facilities will provide for local day to day needs of the Croxley Green catchment area.
- 9.20 The Local Centre also includes proposals for a new Community Hub building (indicatively 430sqm) as addressed in greater detail in the DAS. The new building will allow for a range of community uses within the flexible floorspace, for future residents of the proposed development. Overall, the proposal supports for the provision of dual use of key community facilities to serve the local and future community should be given **significant positive weight**.

8. Provision of Sports Facilities and Play

- 9.21 The proposed development will deliver a range of multifunctional green spaces, providing opportunities for children’s play, recreation paths and biodiversity enhancement. Equipped play areas are incorporated into the scheme with other informal open spaces around the Site designed to allow for informal play and exploration. The level of provision would be above that which is required to serve the development itself and would contribute to address the deficiencies that have been experienced in Croxley Green for many years.
- 9.22 A site-specific Sports Need Assessment has been prepared by Sports Planning Consultants in support of the proposals. It sought to understand the evidence available in relation to supply and demand for indoor and outdoor sports facilities and evaluates how effectively the existing provision meets current and projected future demand. Specifically, it considers the impact that the proposed development will have and sets out a sport and leisure strategy to address these which concentrates

on upgrading existing off-site sports facilities and clubs, such as Chess Valley RFC, Baldwins Lane Recreation Ground (tennis), Council venue (football) and Croxley Guild of Sport (Cricket) or Bushey CC / Rickmansworth CC, subject to final endorsement from Sport England.

- 9.23 Noting the identified long-term deficiencies, the provision of play space on site and upgrading off-site sports facilities should be given **moderate positive weight**.

9. Compliance with the 'Golden Rules.

- 9.24 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. As set out within this Statement in Section 8 the proposals comply with the Golden Rules as agreed with the Council's Officers. Compliance with the Golden Rules means the proposals should be given **significant positive weight**.

Environmental Benefits

10. Locational Sustainability – Growth at Key Centre

- 9.25 The CS (2011) sets out the overall spatial strategy for the district for the period up to 2026. Whilst the Site is located in Sarratt Parish, it would represent an urban extension of Croxley Green which is identified as one of six 'Key Centres' within the Council's settlement hierarchy. The overall strategy for the identified Key Centres is the delivery of 60% of the district's housing requirement over the Plan period, which also conserves and enhances the local distinctiveness and improves provision of, and access to, services and facilities to meet future demands.
- 9.26 Given the development is located at one of the most sustainable settlements in the district and as addressed in detail in the TA, future residents would be more able and likely 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 viable and deliverable public transport network which provides access to a wider range of services and facilities.
- 9.27 In comparison with less sustainable locations, new residents of the development will be less likely to be reliant on private transport given the level of on-site facilities and access to services and facilities locally and by public transport provision. The locational sustainability of the scheme should be given **moderate positive weight**.

11. Low Carbon Development

- 9.28 Through a range of measures including sustainable design and construction, the development will seek to maximise energy efficiency in order to reduce energy consumption and achieve high levels of sustainability as detailed in the energy and sustainability report.
- 9.29 The proposals will include air source heat pumps to all new homes which will reduce carbon dioxide emissions by 78kg per year which demonstrates a 37% reduction, significantly exceeding the Council's target of a 5% reduction. Other measures, as set out in the energy strategy report will result

in a development proposal that commits to exceeding current building regulations, secured via site specific planning condition and should be given **moderate positive weight**.

12. Electric Vehicle Charging

- 9.30 The Appellant is also proposing to include electric charging ports as part of measures to enhance the sustainability of the proposal. This is aligned with the Council's emerging policy framework, and represents the direction of travel for future developments, and is a clear betterment of the proposals and be given **limited positive weight**.

13. New High Quality Public Open Space and Country Park

- 9.31 The proposals would retain the public right of way across the Site and maintain a connection east-west across the Site. This retains onward connections to the Grand Union Canal but also Harrocks Wood and Whippendell Wood which is also publicly accessible open space. This public right of way and linear feature represents the only level of public access across the Site, which is all privately owned.
- 9.32 The extent and quality of the green infrastructure and publicly accessible open space proposed (approximately 60%) would be significantly in excess of policy requirement (10%) and will be secured by the associated Green Infrastructure Design Code and Landscape Strategy, which will demonstrate how a large public parkland in the form of a new Country Park will be set out, function and delivered being publicly accessible to new and existing residents. In comparison with a site that currently is entirely privately owned, with very limited public access, restricted to one public right of way, the new country park and publicly accessible open space network should be given **substantial positive weight**.

14. Biodiversity Net Gain (BNG)

- 9.33 The ecology report submitted with the application demonstrate that aside from the Site accesses, the trees and hedges on site would be retained, thereby preserving the most ecologically significant features. Post development, the scheme would result in the following 34% net gain in habitat units and 42% net gain of hedgerow units.
- 9.34 The net gain in Habitat Units is a result of the extensive area of open green space proposed within the Scheme, converted from low distinctiveness cropland to a habitat pattern of medium distinctiveness neutral grassland, SuDS features and native tree and shrub planting. The net gain in Hedgerow Units is because of low impacts to existing Site hedgerows and new native hedgerows planted across the Scheme.
- 9.35 This is significant, such benefits would not otherwise arise, for example if the Site were to be maintained in its current agricultural use or more of the Site were to be developed. Having regard to the improvements to biodiversity delivered from the Site and the scale of the net gain this represents

a very clear benefit of the development that has been acknowledged in other appeal decisions⁴. These enhancements to biodiversity net gain should be given **significant positive weight**.

Economic Benefits

15. Delivery of Sustainable and Active Travel Options and a New Bus Service

- 9.36 As addressed in the TA a package of transport initiatives is proposed, primarily focusses on focus on encouraging alternatives to private car use to minimize the need for extensive new traffic infrastructure.
- 9.37 It is proposed to bring a bus service into the Site to serve Watford and important transport hubs. Major destinations between the Site and Watford will also be served. This new public bus will be available to both new residents and the existing community. Other sustainable and active travel proposals include consideration being given to the inclusion of a Beryl Bike scheme within the Durrants Square of the site (i.e., local centre). The Beryl Bikes cycle hire scheme has expanded from Watford with Three Rivers District Council funding a 2-year pilot scheme within Croxley Green. This was launched in October 2025, with the introduction of 5 new bays and 15 e-bikes. The nearest Beryl docking stations to the proposal site are along Baldwins Lane; with one fronting Winton Drive and the other fronting the Post Office and will be secured on-site. These sustainable travel enhancements should be given **limited positive weight**.

16. Job Creation

- 9.38 The proposed development would also contribute to the provision of employment in the local area through the generation of construction jobs both on site and through the local supply chain. There are approximately 6,000 workers in the construction industry in Three Rivers according to nomis web⁵ local authority. The construction phase of the development will directly create around 930 Full Time Equivalent jobs for the estimated build out. This is calculated by taking the proportion of the total anticipated construction cost of the 600 homes (£109m) which comprises labour (28% across the UK) and dividing by the average gross pay per employee in the construction industry (plus £3,000 to account for overheads per employee): £32,832. At a build-out rate taking six years to complete the proposed development, this equates to approximately 116 jobs per annum and should be given **significant positive weight**.

17. Enhanced Retail Spend

- 9.39 The proposed development of up to 600 dwellings units would also generate additional demand and support for the range of services and facilities within Croxley Green, supporting a new population with

⁴ APP/B2002/W/22/3311282 & APP/W0530/W/23/3315611

⁵ [Nomis - Official Census and Labour Market Statistics](#)

an estimated spending power of £17.7 million per annum⁶. This will assist in maintaining the viability of those key services through increased patronage and benefiting the local economy. This should be given **moderate positive weight**.

18. Increased Revenues

- 9.40 The proposal will also generate additional revenue for the local authority through Council Tax generation, which is forecast to be in the region of £1,207,500 in council tax revenue. The scheme will also attract the New Homes Bonus from central government, with revenues of payments for one year between lower tier £943,024 and upper tier £235,756 anticipated for the Council. The New Homes Bonus calculator has been based on a assumed split of Council Tax banding as it is across the District (October 2023), however it is noted post-development could have much closer tax banding. This should be given **moderate positive weight**.

The harms of the development

1. Heritage Impacts.

- 9.41 The proposal is considered to result in less than substantial harm to the setting of the Grade II Listed Durrants House and the Grade II Registered Cassiobury Park. The scheme design has been specifically developed to minimise the impact upon heritage assets and the scale of effect has been assessed as less than substantial harm at the lower end and lowest end of this spectrum, respectively and **limited negative weight** should be given to this harm.

2. Landscape.

- 9.42 The development would result in the loss of a greenfield site and two small sections of roadside hedgerow and off-site roadside trees. However, there exists a clear edge to the development which limits the effects on the wider landscape around the Site and north Croxley Green, with the woodlands physically and visually separating the settlement from the open countryside beyond. Whilst there would be harm to the localised landscape, in that the development would encroach into the countryside, although the harmful effects would diminish over time as the landscaping becomes more established. **Limited negative weight** should be given to this harm.

Key NPPF Policies

- 9.43 Paragraph 11d requires an assessment against 'key policies' for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable

⁶ ONS (2023) Family Spending Workbook 3: Expenditure by Region. Based on average occupancy of 2.4 persons per dwelling.

homes, individually or in combination. These key policies are set out in Footnote 9 of the NPPF, though captured under four headings.

9.44 These are set out below, along with the Appellant's response:

1. Directing Development to Sustainable Locations (84, 91, 110 and 115).

- 9.45 Paragraph 110 confirms that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 seeks to ensure that sustainable transport modes are prioritised; safe and suitable access can be achieved for all users; the design of streets, parking areas, other transport elements and the content of associated standards reflects the National Design Guide and National Model Design Code; and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 9.46 The Site is very well located to promote sustainable transport and provide residents with convenient access to a wide array of amenities. This reflects the Council's initial findings within the draft 2025 Settlement Appraisal prepared to assist with the formulation of the Local Plan Review. This was presented to Members at the 8th October 2025 Local Plan Sub-Committee referenced at paragraph 3.8 of the Officer report concluding: *"Initial findings are that the settlements scoring 'Very Good' in sustainability terms are Rickmansworth, Chorleywood, South Oxhey, Croxley Green and Leavesden and Garston."*
- 9.47 Safe and suitable access will be provided through two vehicular points from Little Green Lane, via Durrants Drive and Links Way, where Little Green Lane traffic will yield priority to vehicles entering and exiting the site. Crucially, the development prioritises active travel with dedicated pedestrian and cycleway accesses. A significant proposed improvement includes a shared footway/cycleway link from Canterbury Way, continuing through Dover Way and Links Way to Baldwins Lane, ensuring a safe and direct connection to Croxley Danes School and local shops. The internal road network is also designed to accommodate two-way bus travel and features combined footway/cycleways. To further enhance sustainable travel, a dedicated bus service (Service 22) will operate from the site, providing half-hourly connections to major transport hubs like Watford Junction, Watford, Croxley Green, and Rickmansworth, also benefiting existing residents along Durrants Drive with new bus stops. The scheme will also incorporate Beryl Bikes docking stations on-site to promote cycling, and secure cycle parking will align with local and LTN 1/20 standards. Additionally, the developer is committed to making a suitable contribution towards step-free access at Croxley Underground Station, with ongoing discussions with Transport for London (TfL) to finalise details.
- 9.48 A comprehensive Framework Travel Plan will support the development, aiming for a minimum 15% reduction in single-occupancy car use for journeys to work compared to baseline census data. The Transport Assessment and subsequent analyses confirm that the vehicular movements generated by the development are acceptable. The total forecast vehicular trip generation is modest, with 315 trips during the morning peak and 304 during the evening peak. Crucially, the studies indicate that the

development will have no unacceptable impact on highway safety and its addition will result in negligible or no noticeable impact on the operation of key junctions on the surrounding road network. Therefore, the proposals align with national, regional, and local transport policies, and there are no reasons to resist the application on traffic or transportation grounds.

- 9.49 The proposal is therefore in a sustainable location and would comply with the sub-criteria of Paragraph 11d(ii) and with Paragraph 155(c).

2. Making Effective Use of Land (NPPF Para 129).

- 9.50 Chapter 11 seeks to **make effective use of land** in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 125(a) encourages multiple benefits from both urban and rural land, including through mixed-use schemes and taking opportunities to achieve net environmental gains, such as development that would enable new habitat creation or improve access to the countryside. In assessing proposals against this policy, consideration should be given to a number of factors including the need for housing; viability; availability/capacity for infrastructure; capacity of area to change and securing well designed places (linked to item below). The scheme achieves the objective of making effective use of land, safeguarding the environment, and ensuring healthy living conditions by providing a mixed-use development of up to 600 homes on a 40.7-hectare site (an average density of 43 dwellings per hectare). It maximises multiple benefits by delivering a significant net environmental gain, surpassing the mandatory requirement with 71.38% Habitat Units BNG through extensive habitat creation and retention of Ancient Woodland. Healthy living is secured through allocating 60% of the site (25.51 hectares) to publicly accessible green space, including the Rousebarn Country Park and various play areas, encouraging active lifestyles and improving access to nature. The proposal also incorporates necessary supporting infrastructure, such as a one-form entry Primary School and a Medical Centre (GP Surgery), ensuring a well-designed, functional, and integrated extension to Croxley Green.

3. Securing Well-Designed Places (NPPF Paras 135 and 139).

- 9.51 Particular consideration has been given to the design and function of the proposed scheme. This is articulated through the multiple revisions that have been made to satisfy consultee comments through the course of the application. The scheme demonstrates consideration for design and function through an iterative, high-quality landscape-led masterplan process informed by extensive technical analysis and stakeholder feedback. Despite the Outline application reserving most matters, the proposals are articulated via a Design and Access Statement (DAS) and a comprehensive Design Code, ensuring high-quality design is secured for Reserved Matters. This coded approach ensures the final development will be well-designed, functional, and consistent with the site's environmental and historic context.

4. Providing Affordable Homes (NPPF Para 66).

- 9.52 This policy approach requires developments to plan for the required mix of affordable housing to meet local needs, including homes for rent and other tenures. The provision of 50% (up-to 300) affordable units as part of the scheme is compliant with local policy and will deliver housing in line with the mix required by and requested of the Housing Team. This key policy has been complied with.
- 9.53 In summary, it is considered that the site is Grey Belt as it does not strongly contribute to purposes (a), (b) or (d). It is also considered that there is a demonstrable unmet need for residential development in view of the fact that the Council is unable to demonstrate a five year housing supply and that the site is located in a highly sustainable location in accordance with Paragraph 155 of the NPPF.
- 9.54 The proposals meet the Golden Rules set out in Paragraphs 156 and 157 of the NPPF. Paragraph 158 of the NPPF states that 'a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission'.

Planning Balance

- 9.55 It is very clear that the minor/moderate adverse impacts of approving this development would not significantly and demonstrably outweigh the very substantial benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 9.56 The development represents sustainable development and should be approved.