

STATEMENT OF CASE

Site: Land North of Little Green Lane
Croxley Green
WD3 3SP

Appeal Ref: 6004972

Date: April 2026

Prepared by:

Liz Fitzgerald BA (Hons) Dip TP MRTPI
Managing Director

Barker Parry Town Planning Ltd

33 Bancroft, Hitchin, Herts SG5 1LA

T: 01462 420224 / E: office@barkerparry.co.uk



RTPI

Chartered Town Planners

Contents Page

Section	Title	Page
1.0	Introduction	2
2.0	The Site and its Context	5
3.0	The Appeal Scheme	7
4.0	Relevant Planning Policy	12
5.0	The Council's Case	14
6.0	Evidence	18

1.0 **Introduction**

1.1 This Statement of Case has been prepared on behalf of Three Rivers District Council (the 'Council'). It relates to a Planning Appeal made pursuant to Section 78 of the Town and Country Planning Act 1990, in respect of Land North of Little Green Lane, Croxley Green (the 'Appeal Site').

1.2 The Appeal was lodged by Richborough (the 'Appellant') following the refusal of outline planning permission (LPA ref: 24/2073/OUT) by the Council on the 30 January 2026 for:

"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)."

1.3 The application was reported to Planning Committee on the 22 January 2026 with an Officer's recommendation of Approval.

- 1.4 As is their right, Councillors considered the application and disagreed with the Officer's recommendation and voted to refuse the application. It was refused on the following grounds:

1 – 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 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).

2 – 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).

3 – 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 Needs Education and

Disabilities (SEND); Children's Home; Waste Transfer Station; Highways; Medical Centre; Mental Health Centre; 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 requirement 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).

- 1.5 Following the issue of the Decision Notice, the Council has re-visited the reasons for refusal and notified all parties that it will not be pursuing Reason for Refusal 2 pertaining to Ancient Woodland.
- 1.6 Further, it is anticipated that Reason for Refusal No 3 can be addressed through the completion of an appropriately worded and agreed S106 Agreement. If agreement cannot be reached on this matter, the Council reserves the right to add to and/or amend its case as appropriate.
- 1.7 This Statement of Case seeks to address the main issues raised in the first Reason for Refusal, as these points will remain in dispute. The Council reserves the right to add to and/or amend its case should further information be provided by the Appellant.
- 1.8 The Council will seek to engage with the Appellant to narrow down the issues that remain in dispute through the completion of a Statement of Common Ground.

2.0 **The Appeal Site and its Context**

- 2.1 The Appeal Site has an area of approximately 40 hectares. It is a greenfield site predominantly used for agriculture, with existing woodland comprising approximately 7% of the site area. Little Green Lane borders the site to the south, with the existing residential streets of Croxley Green and existing Little Green Junior School beyond this. To the north and east of the site is Rousebarn Lane, a predominantly single track route which runs between the site and Whippendell Woods. To the west of the site is woodland and agricultural fields. A public footpath (Sarratt 017) runs through the site between Rousebarn Lane to the east and Dell Wood to the west.
- 2.2 The Appeal Site is located to the northern edge of Croxley Green, and falls within Sarratt Parish area. The centre of Croxley Green is located approximately 2km to the south with Watford approximately 4km to the east.
- 2.3 The Appeal Site is less than 2km from Croxley Station (Metropolitan Line) which provides regular services to central London via Northwood and Harrow. The closest bus links are on Baldwins Lane to the south. Junction 18 of the M25 is approximately 6km from the site.
- 2.4 In terms of site constraints, the site is situated wholly within the Metropolitan Green Belt. There are Ancient Woodlands (Dell Wood and Long Newlands Spring) adjoining the site to the west and north-west and within the site (Green Lane Wood). These are also Local Wildlife Sites. A public footpath (Sarratt 017) runs through the site. A Tree Preservation Order (TPO) TPO935 was confirmed on the 14 October 2025. This comprises of 10 individual trees (9 x English Oak and 1 x Common Holly) and 1 group (mixed woodland) all located within the application site. Six individual trees are located to the west of Green Lane Wood (the group protected), 2 are located to the northern site

boundary and 2 are located to the southern site boundary with Little Green Lane.

- 2.5 Whippendell Wood 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).

3.0 **The Appeal Scheme**

- 3.1 The proposal seeks outline planning permission for the; 'Development of up to 600 residential dwellings (Use Class C3(a)), construction of a 5-bedroom property for children's social care and supported living (Use Class C3(b)). Two vehicular access points from Little Green Lane and further pedestrian / cycleway accesses. A one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school). A mixed use local centre including provision for NHS health and social care services (Use Class E(e)), community building (Use Class F2), retail and 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'.
- 3.2 The Appeal is made in Outline with the matter of Access submitted for approval, and matters of Appearance, Landscaping, Layout and Scale reserved for later consideration. Access is defined in the Development Management Procedure Order as meaning 'the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network'.
- 3.3 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.
- 3.4 The submission was accompanied by a Land Use Parameters Plan (ref. P24-1200_DE_0014_S1_Rev F) which demonstrates how the different components of the scheme can be incorporated. The Parameters Plan identifies areas for

residential development; open space; mixed use local centre; 1FE primary school; and school expansion land. The Land Use Parameters Plan also illustrates indicative areas for access to the site and within the site.

3.5 The submission was accompanied by an illustrative masterplan (page 57 of Design and Access Statement) which accords with the Land Use Parameters Plan and demonstrates how the site could be developed, with open space and sustainable drainage to the east and built development to the south and west with a series of roads and walking/cycling routes.

3.6 The application submission was initially accompanied by the following plans/reports:

- Application Form
- Land Use Parameters Plan (P24-1200_DE_0015 Sheet 1 Rev C)
- Location Plan (P24-1200_DE_001)
- Proposed Site Access Links Way (T24544.001 Rev C)
- Proposed Site Access Durrants Drive (T24544.002 Rev C)
- Affordable Housing Statement (Tetlow King Planning, December 2024, M24/0511- 01.RPT)
- Agricultural Land Classification and Soil Resources Report (Reading Agricultural Consultants, July 2024)
- Air Quality Assessment (BWB, December 2024, 233574-01-AQA)
- Biodiversity Calculation Metric
- Biodiversity Checklist
- Design and Access Statement and Design Code (Richborough, January 2025, Rev A)
- Ecological and Biodiversity Impact Assessment (Ramm Sanderson, December 2024, RSE_8239_R1_V4_EcIA)
- Education Report (EFM, December 2024)

- Energy Statement (Greengage, December 2024)
- Flood Risk Assessment (BWB, December 2024, 233574_FRA)
- Health Impact Assessment (RPS, December 2024, 1.0)
- Heritage Statement (Pegasus Group, December 2024, P24-1200)
- Landscape and Visual Impact Assessment (Iceni, December 2024)
- Local Centre Capacity Statement (Lambert Smith Hampton, December 2024)
- Noise Impact Assessment (BWB, December 2024, 233574_002)
- Phase 1 GEO-Environmental Assessment (BWB, December 2024, 233574)
- Planning Statement (RPS, December 2024)
- Preliminary Arboricultural Impact Assessment (Tyler Grange, December 2024, 11702_R02_NC Rev D)
- Sports and Leisure Strategy (Sports Planning Consultants, December 2024)
- Statement of Community Involvement (Catus Group, December 2024)
- Sustainability Statement (Greengage, December 2024)
- Sustainable Drainage Strategy (BWB, December 2024, 233574-SDS)
- Transport Assessment (hub, January 2025, Rev A)
- Travel Plan (hub, December 2024)
- TRDC 5 Year Housing Land Supply Assessment (Emery Planning, December 2024, 24-305)
- Utilities Statement (BWB, December 2024, 233574)

3.7 Amendments/additional information submitted during the application include:

- Response to TRDC Heritage Officer comments (Pegasus Group 27/03/25 received 28/03/25).

- Response to Lead Local Flood Authority comments (BWB Ref. 233574-BWB-ZZXX-
- T-W-0005_LLFA received 07/05/25).
- Response to Sport England comments (RPS 22/05/25).
- Green Belt Addendum Assessment (Iceni, March 2025).
- Amend Travel Plan (hub Transport Planning Ltd, 26/6/2024) (NB. The agent has confirmed that the amended travel plan received July 2025 should be dated 26/6/2025).
- Amended Transport Assessment and Appendices (hub Transport Planning Ltd, Rev C 3/7/25).
- Active Travel Route Audit (hub Transport Planning Ltd, 2/7/25).
- Technical Note TN2 – Impact on the SRN (hub Transport Planning Ltd, 18/8/25).
- Green Belt: Purpose A Note (Iceni, August 2025).
- Technical Note TN3 – All Modes Travel Demand (hub Transport Planning Ltd, 1/9/25).
- Stage 1 Road Safety Audit Report (hub Transport Planning Ltd, July 2025).
- Woodland Recreational Management Plan (Outline), ref. RSE_8239_R2_V2 October 2025.
- Planning Statement Addendum (RPS October 2025). Including (2) 'Planning Policy Changes and Implications' such as the Sarratt Neighbourhood Plan and (3) Response to themes and matters raised at the preliminary Planning Committee, by consultees and public consultation.
- Amended Transport Assessment and Appendices (hub Transport Planning Ltd, Rev E 23/10/25).
- Amended Preliminary Arboricultural Impact Assessment (Tyler Grange, 11702_R02_NC, 9 October 2025).

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

4.0 **Relevant Planning Policy**

4.1 The planning policies and guidance that are of most relevance to this appeal will be set out in the Statement of Common Ground. It is anticipated that the main planning policy issues will be agreed with the Appellant prior to the opening of the Inquiry.

The Development Plan

4.2 The Council will explain that the Development Plan for the site is comprised of:

- Core Strategy Local Development Document (October 2011)
- Development Management Policies Local Development Document (July 2013)
- Site Allocations Local Development Document (November 2014)
- Sarratt Neighbourhood Plan (2025)
- Croxley Green Neighbourhood Plan (2018)

Supplementary Planning Guidance

4.3 Where relevant reference will be made to supplementary planning guidance, documents and advice.

National Policy and Guidance

4.4 The Council will refer to national policies and guidance set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

Emerging Documentation

- 4.5 Regard will be given to any emerging policy and guidance according to the weight that can be afforded to it.

5.0 **The Council's Case**

5.1 It is anticipated that the Statement of Common Ground (SoCG) will assist in narrowing the issues and identify those that remain in dispute.

5.2 It is anticipated that the SoCG will record that the Council and the Appellant are in agreement on several issues under the following headings:

- Form of Planning Application and Supporting Material
- Environmental Impact Assessment
- Housing Land Supply
- Housing Delivery
- Affordable Housing
- Development Plan Designations
- Access and Highways
- Residential Amenity
- Noise
- Air Quality
- Minerals and Waste
- Built Heritage
- Archaeology
- Open Space, Outdoor Recreation and Sports Facilities
- Other Infrastructure

5.3 The Council will demonstrate that the application of footnote 7 provides a strong reason for refusing the proposed development as a result of there being inappropriate development and no 'very special circumstances'.

5.4 The Council will also consider the position should the 'Tilted Balance' in paragraph 11(d)(ii) of the NPPF be engaged and similarly demonstrate that

this test is not satisfied, that the adverse impacts of granting planning permission for the appeal proposal would significantly and demonstrably outweigh its benefits.

Green Belt Considerations

- 5.5 It is an agreed position between the parties that the Appeal site falls within the designated Green Belt.
- 5.6 The Council will show that the site does not fall to be classed as grey belt due to the location's performance against the purposes of the Green Belt, as set out in NPPF Paragraph 143.
- 5.7 It will demonstrate that the site contributes strongly to purpose (a) as it is located adjacent to the edge of Croxley Green which is contiguous with the large built up area of Greater London. The boundary with the urban edge, along Little Green Lane, provides a distinction from the urban form and thus provides a significant role in preventing urban sprawl.
- 5.8 The proposed development represents inappropriate development within the Green Belt, which by definition is harmful. The Council will demonstrate that the proposal will result in significant harm to the openness of the Green Belt, whilst also undermining the purposes of including land within the Green Belt, having specific regard to purposes (a) and (c) for which no '*very special circumstances*' exist

Other Matters

- 5.9 The Council will also explore the other harms that arise from the proposed development including matters pertaining to heritage, landscaping impact and impact on the adjacent Ancient Woodland. These harms are not considered to justify individual reasons for refusal but do weigh into the overall consideration of the proposals.
- 5.10 Further, the Council will explore issues pertaining to the reasonable prospects of the proposed bus route enduring beyond the supported period of 5yrs, alongside the implications of any medium-term failure and whether the proposed retail and café facilities offer any reasonable benefit to the community.

Planning Balance

- 5.11 The Council will set out that the proposed development fails to comply with the requirements of the Development Plan when taken as a whole.
- 5.12 That the NPPF is a significant material planning consideration in the determination of this appeal.
- 5.13 When having regard to NPPF Paragraph 11d)(i) the Council will demonstrate that the impact on the Green Belt represents a strong reason for the refusal of planning permission.
- 5.14 To assist the Inspector, the Council will also undertake the NPPF Paragraph 11d)(ii) Tilted Balance exercise, setting out the benefits and disbenefits of the

proposal, demonstrating that the disbenefits significantly and demonstrably outweigh the benefits of the scheme and that the scheme should be refused.

6.0 **Evidence**

6.1 The Council will present evidence in respect of the following areas:

- Planning
- Landscape (in respect of the impact on the Green Belt)