
LAND TO NORTH OF LITTLE GREEN LANE, CROXLEY GREEN,

WD3 3SP

PINS APPEAL REFERENCE: 6004972

LPA APPEAL REFERENCE: 26/0012/REF

LPA PLANNING APPLICATION REFERENCE: 24/2073/OUT

REBUTTAL PROOF OF EVIDENCE OF JOHN GORDON BAIRD ON

BEHALF OF THE APPELLANT

1. Purpose

1.1 This Rebuttal responds to points made in the Proof of Evidence of Adam Ralton, which is dated 21 July 2026 and made on behalf of Three Rivers District Council (the "**Council**") in connection with the disputed length of the moratorium period to be included in the mortgagee in possession clause in the Section 106 Agreement (the "**Moratorium Period**").

1.2 In this Rebuttal I do not respond to every point Mr Ralton makes in his Proof of Evidence. The absence of a response, however, is not an admission or an acceptance of any point and I reserve the right to address any further matters arising from the Proofs of Evidence and any Rebuttal made by Mr Ralton in oral evidence at the Inquiry.

2. Rebuttal of points raised in Mr Ralton's Proof of Evidence

2.1 Mr Ralton's Proof consists of, in his words, "*a factual account of the status of applications and planning permissions within the Council's area, to inform the Inquiry in relation to the impact on development of the Appellant seeking a Mortgagee in Possession clause ("MiP") of 3 months, rather than the 5 months required by the Council*". This account is set out at Mr Ralton's paragraph 2, in which he presents six categories of planning application and describes the individual planning applications which, in his view, fall within those categories. Mr Ralton's account, however, presents an incomplete picture of the facts.

2.2 At paragraph 2.3 of his Proof, Mr Ralton states that he is "*only aware of one specific proposed development which may have 'stalled' [...] as a direct result of the MIP clause following a resolution to grant planning permission*" (emphasis added), which he identifies at paragraph 2.4 as application reference 22/1912/OUT for "Outline application: Demolition of existing buildings

and erection of up to 50 dwellings with associated access, parking, amenity space, landscaping and SuDs basin (Appearance, Layout, Landscaping and Scale as reserved matters)" at 24 Denham Way and land to the rear. In his paragraph 2.5, Mr Ralton notes in relation to this application that the *"5-month MIP clause and BNG were topics of discussion"* and that he has *"been informed that there has been some dialogue between the applicant and the council... [which] has related to discussions with the council's housing officer regarding the MIP clause"*.

2.3 In response to Mr Ralton's claim that this site *"may"* have stalled as a direct result of the MIP clause, I append at Annex 1 a letter from Neil Farnsworth, Head of Planning at Cala Homes, the applicant. This letter makes clear that, from the applicant's perspective, the 5-month Moratorium Period is in fact the direct cause of this site's failure to progress, and that attempts to resolve the issue have been ongoing since 2024. Mr Farnsworth states that *"the s106 for this site has not progressed directly as a result of the imposition of a five month Mortgagee in Possession clause and the Council's lack of flexibility in changing this."* He goes on to say that Cala Homes has *"continued to speak with reputable Registered Providers regarding the prospect of delivering housing stock with a 5-month MiP on this Site"* and that *"[t]he majority of those RP's that had initially provided offers rescinded on the basis of the 5-month restriction."*

2.4 At paragraph 2.7 of his Proof, Mr Ralton refers to application reference 26/0194/OUT for a 333-unit development at Catlips Farm, Berry Lane, Chorleywood, which he states *"has not stalled due to the MIP clause"*. This mischaracterises the position as it ignores the very real possibility that, if and when all other matters are resolved in the future, the application will indeed stall as a result of the Council's position on the Moratorium Period.

- 2.5 In response to Mr Ralton's claim, I append at Annex 2 a letter from Gary Sewell, Managing Director at Clovercourt, the applicant in the above application, which clarifies the current status of this scheme. Mr Sewell states in his letter that this application *"has yet to reach appeal"* and that it *"remains [Clovercourt's] position that, should the existing five-month MIP clause continue to be required, [Clovercourt] would similarly challenge its justification because of its adverse effect on deliverability."* Although Mr Ralton might be correct that other technical and planning matters have caused the present delays in the determination of this application, Mr Sewell's letter makes clear that the dispute regarding the Moratorium Period remains, and will continue to remain, live.
- 2.6 At his paragraph 2.8, Mr Ralton lists three applications which are currently under consideration by the Planning Inspectorate where, in his words, the *"MIP clause is one matter of dispute between parties"*. In his *"Status"* entry for application reference 25/0484/OUT for development at land North of Chalfont Road, Maple Cross, Mr Ralton claims that the *"main planning issue is appropriateness in the Green Belt"*. This is inaccurate and was inaccurate at the time Mr Ralton submitted his Proof. I append a copy of an email sent by Scott Volker, Development Management Team Leader at the Council, to the Planning Inspectorate dated 9 July 2026 at Annex 3. In this email, Mr Volker says expressly that *"the LPA wish to formally withdraw Reason for Refusal no1 (Green Belt)"*. I also append at Annex 4 the Council's decision notice issued in response to the original application, which records only two reasons for refusal: (1) appropriateness of development in the Green Belt; and (2) absence of a completed section 106 agreement. Read together, the decision notice and Mr Volker's email clarify that the only remaining issues are certain financial contributions to be secured by s.106 and the mortgagee in possession clause.

- 2.7 At paragraph 2.9, Mr Ralton refers to his table at his Appendix B, which, in his words, "*includes all current major planning applications proposing new housing, where there is no resolution to grant and no formal decision issued*". He notes that if each of these applications were granted, there would be "*a total of between 1161 and 1536 new dwellings*". While I do not dispute these facts, the purpose for which Mr Ralton has adduced them is unclear and I wish to provide some supplementary commentary to aid the Inspector's interpretation of them.
- 2.8 Mr Ralton confirms expressly that the applications he lists at his Appendix B have not yet received a resolution to grant. It is standard practice for the negotiation of a section 106 agreement to commence after an application has received a resolution to grant. In my experience, it is exceedingly rare that Councils deviate from this. It is therefore highly likely that any dispute regarding a Moratorium Period has not yet had the opportunity to arise in respect of these applications. As is clear from the Appellant's case, including this Rebuttal, the five-month Moratorium Period is a matter regularly challenged by applicants. It therefore seems highly likely that the Moratorium Period will be raised as an issue in respect of a number of the pending applications to which Mr Ralton refers.
- 2.9 At paragraphs 2.10 – 2.15 of his Proof, Mr Ralton refers to three "*[s]ites with permission granted for residential development which secure on-site affordable housing which remain capable of implementation where works have not commenced as at the date of [his] proof*". The applicants of two of these three permissions have confirmed that a five-month Moratorium Period is among the principal reasons why their respective schemes remain unimplemented – see the letters from Clovercourt at Annex 2 and Burlington at Annex 5.

- 2.10 To quote him again, Mr Sewell writes in the letter from Clovercourt in relation to application reference 21/2896/OUT (referred to by Mr Ralton at his paragraph 2.10) that *"the operation of the Mortgage in Possession ("MIP") provisions contained within the Section 106 Agreement has had a material impact upon the progression of the scheme"*.
- 2.11 In the letter from Burlington, its Managing Director Mr Stevenson remarks in relation to application reference 22/0601/OUT (referred to by Mr Ralton at his paragraph 2.13) that *"it has been abundantly clear that the 5 month Moratorium Period has materially affected the level of interest from RPs ... [who have] indicated they could only proceed on the basis of a deed of variation to the Unilateral Undertaking varying the 5 month Moratorium Period to 3 months"*.
- 2.12 At paragraph 2.16 of his Proof, Mr Ralton states: *"Between 1 April 2016 and 1 April 2022, the LPA granted 34 residential led major planning applications. Of those, 12 included on site affordable housing, and all 12 have been implemented. Of those permissions, one had a three month MIP clause, and the remainder are 4+ months."* For the sake of factual completeness, I would add to Mr Ralton's statement that implementation of a permission does not necessarily imply that the affordable housing granted thereunder has been, or will be, delivered. It is open to a developer to take the minimum steps required to avoid the expiry of a planning permission following which the developer is generally under no temporal obligation to undertake further works, such as construction of affordable housing. Mr Ralton himself supplies an example of such a strategy being employed. At his paragraph 2.11, he includes a quotation from Clovercourt, the applicant of application reference 21/2896/OUT, which says that at this site, *"the Reserved Matters application was submitted principally to preserve and maintain the benefit of the outline consent whilst the outstanding MIP issue is resolved through the appeal process"*. Mr Sewell, Managing Director of Clovercourt, comments within the letter at Annex 2

that "[c]ontrary to any suggestion that the existence of an extant planning permission demonstrates straightforward deliverability, the operation of the Mortgage in Possession ("MIP") provisions contained within the Section 106 Agreement has had a material impact upon the progression of the scheme". It is unclear at how many of the 12 sites containing on-site affordable housing, which Mr Ralton claims have been implemented at his paragraph 2.16, a strategy of minor works of implementation for the purposes of keeping the permission "alive" has been employed.

2.13 At any rate, Mr Ralton's claim that these 12 permissions have been implemented does not imply that the affordable housing permitted thereunder has been delivered. The current status of affordable housing delivery at each of the sites Mr Ralton refers to is conspicuously absent from his Proof.

2.14 At his paragraph 2.17, Mr Ralton includes a table of four major residential-led applications granted since 1 April 2022 which include on-site affordable housing. Each of these permissions has a Moratorium Period in excess of three months. Mr Ralton's table notes that three of these permissions (21/2896/OUT for development at land to the rear of 76 and 78 Church Lane, Sarratt; 22/0601/OUT for development at land at rear of 17 – 49, Church Lane, Sarratt; and 22/1692/FUL for development at 30 Woodlands Road and Poultry Farm, Nash Mills) have not been implemented. His table, however, records the fourth permission (25/0896/FUL for development at land adjacent to Fortunes Farm, High Elms Lane, Abbots Langley) as having been implemented. This is despite the fact that the permission is subject to 11 conditions requiring discharge before commencement (conditions 3, 4, 5, 6, 12, 15, 19 (potentially amended to a post-commencement condition under NMA reference 26/0947/NMA, the decision notice for which is unavailable on the Council's portal), 20, 24, 27 and 47) and that, at the date

of this Rebuttal, the Council's planning portal registers applications for the discharge of a number of these conditions (under references 26/0919/DIS (condition 47), 26/0918/DIS (conditions 6, 12 and 15), 26/0917/DIS (conditions 3, 4 and 5) and 26/0946/DIS (conditions 19, 20 and 27)) each of which is pending consideration. I append screenshots of these pending applications for discharge of conditions at Annex 6 and the corresponding planning permission at Annex 7.

- 2.15 Given it appears that a number of (if not all) pre-commencement conditions attached to permission reference 25/0896/FUL have not been discharged, it appears that this permission has not been lawfully implemented. The implication, therefore, is that none of the major residential-led planning permissions granted by the Council since 1 April 2022 which include on-site affordable housing have been implemented. The letters at Annexes 2 and 5 demonstrate that, from the developers' perspective in respect of each of the two applications at Church Lane, Sarratt, these permissions remain unimplemented as a result of the five month Moratorium Period.

This rebuttal is dated 4 August 2026.

Annex 1 - Letter from Cala Homes dated 4 August 2026



Cala Homes (Chiltern) Limited,
Boston House, Boston Drive,
Bourne End, SL8 5YS

T: 01628 552 300

cala.co.uk

FAO Owen Weaver
Planning Manager
Richborough
Fivefields, 8 – 10 Grosvenor Gardens
London
SW1W 0DH

4th August 2026

Dear Owen,

**Re: Mortgagee in Possession Clause, Three Rivers District Council
Site: 24 Denham Way and land to the rear**

I am writing further to the statement made by Three Rivers District Council in respect of the above site and the Council's view of the position of the site in relation to the Mortgagee in Possession clause.

The Council have stated the following:

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

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

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

2.5 Initial discussions were had the same year to progress with a S106. The 5-month MIP clause and BNG were topics of discussion at the time. Following the

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

The statement is incorrect. I can confirm that the s106 for this site has not progressed directly as a result of the imposition of a five month Mortgagee in Possession clause and the Council's lack of flexibility in changing this.

The application received a resolution to grant planning permission in June 2023. Following the issuing of the draft Agreement, it was found that the five month MiP clause had been inserted within the Agreement. Further discussions then took place during 2024 and 2025 as follows:

1. Continued to have ongoing conversations with the Council's Housing Officer re: the MiP clause, although they continued to defer to their legal department.
2. Engaged the Three Rivers Housing Officer, who has to date failed to provide us with a comprehensive list of Registered providers that have acquired housing stock in Three Rivers subject to a 5-month MiP clause. The Housing Officer had additionally made it clear that they would not concede on the 5-month clause.
3. We sought to engage the Leader of the Council via CCP, a PR and Communications company with knowledge and key contacts in the area. The Leader largely refused to engage on specific applications but has also refused to participate in a wider discussion on the matter. The Leader reverted to CCP via a letter written by solicitors and claims to have little knowledge of the content. The letter again refuses to alter the Local Authority's stance on the MiP clause.
4. Via CCP we have attempted to discuss the matter with alternative members of the Council, including the Chief Executive, however none have been willing to engage.
5. We have continued to speak with reputable Registered Providers regarding the prospect of delivering housing stock with a 5-month MiP on this Site. The majority of those RP's that had initially provided offers rescinded on the basis of the 5-month restriction.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Farnsworth', written in a cursive style.

Neil Farnsworth, Head of Planning

Cala Homes (Chiltern) Ltd

Email: nfarnsworth@cala.co.uk

Mob: 07977 506037



Annex 2 - Letter from Clovercourt dated 29 July 2026



CLOVERCOURT

EST. 1997

Gary Sewell
Managing Director
Clovercourt Ltd
Vault Design Studio
Rear of 144 High Street
Rickmansworth
Herts WD3 1AB

29 July 2026

Owen Weaver
Planning Manager – South East
Richborough
Fivefields
8–10 Grosvenor Gardens
London
SW1W 0DH

Dear Owen

Re: Operation of the Mortgage in Possession (MIP) Clause – Three Rivers

Further to your email, I write in my capacity as Managing Director of Clovercourt Ltd, promoter of the Church Lane, Sarratt and Catlips Farm, Chorleywood sites within Three Rivers District.

As you know, I previously provided a letter to Burlington Property Group regarding the operation of the Mortgage in Possession ("MIP") provisions affecting our Church Lane, Sarratt appeal. The same concerns continue to apply and are equally relevant to your appeal.

The Church Lane site benefits from outline planning permission for 20 affordable dwellings pursuant to application 21/2896/OUT and subsequent appeal APP/P1940/W/22/3300083. However, contrary to any suggestion that the existence of an extant planning permission demonstrates straightforward deliverability,

the operation of the Mortgage in Possession ("MIP") provisions contained within the Section 106 Agreement has had a material impact upon the progression of the scheme.

The current appeal 6002930 in three rivers 25/1028/FUL specifically includes the MIP provisions as a matter in dispute. Our position remains that the existing five-month MIP period adversely affects deliverability and viability and that a shorter period would better reflect Registered Provider requirements and commercial market realities.

Reference has previously been made to the Reserved Matters application and the associated Section 73A application seeking amendment of the MIP provisions. Those applications should not be interpreted as evidence that the MIP provisions have had no effect. Rather, they demonstrate that the existing obligations have created genuine delivery issues requiring reconsideration.

The same concerns now extend to our promoted scheme at Catlips Farm, Chorleywood, where we are promoting a residential-led development of up to 333 dwellings, including substantial affordable housing provision. Whilst that application has yet to reach appeal, it remains our position that, should the existing five-month MIP clause continue to be required, we would similarly challenge its justification because of its adverse effect on deliverability.

From a developer's perspective, the five-month MIP period creates unnecessary uncertainty in negotiations with Registered Providers, affects funding and programme certainty, and delays the delivery of affordable housing. In our experience, a three-month period better reflects current Registered Provider requirements whilst still providing appropriate protection for mortgage lenders.

Accordingly, from Clovercourt's perspective, the existing MIP provisions have had a tangible impact upon the timing and progression of residential development within Three Rivers. These are not merely theoretical concerns but real commercial issues affecting the delivery of much-needed housing and affordable homes.

I trust this assists your evidence and confirm that you may rely upon this letter in support of your rebuttal submissions.

Yours sincerely,

Gary Sewell
Managing Director
Clovercourt Ltd

Annex 3 - Email from the Council to PINS dated 9 July 2026

From: Scott Volker <Scott.Volker@ThreeRivers.gov.uk>
Sent: 09 July 2026 14:26
To: appeals@planninginspectorate.gov.uk
Cc: Fiona Duffy; Ben Cullen-Pope; Stephanie Walker
Subject: 6009386 - Land North of Chalfont Road, Maple Cross (25/0484/OUT)
Attachments: Three_Rivers_District_Council_-_Local_Plan_Intervention_Letter.pdf; Communication to Housing Minister Matthew Pennycook MP.pdf

Appeal by Boyer Planning on behalf of Obsidian Strategic Asset Management
Site: Land to North of Chalfont Lane, Maple Cross
Appeal Ref: 6009386

Dear Planning Inspectorate,

I am writing to request clarification regarding the current appeal timetable for submissions in the above appeal which were provided to the council on 18 June (see email below).

Following the decision to change the appeal procedure to a Hearing, the LPA has not yet received confirmed dates for the Hearing - there are no further details provided on the appeals portal. In these circumstances, I would be grateful if you could confirm whether the existing timetable for the submission of the Statement of Case, Statement of Common Ground and any other appeal documents remains in effect, or whether a revised timetable will be issued once the Hearing dates have been confirmed.

The absence of confirmed Hearing dates is creating practical difficulties for the LPA. In particular, we are currently unable to secure the availability of the necessary consultants and specialist representatives who will be acting on the Authority's behalf. Their availability is integral to the preparation of the Statement of Case and the Statement of Common Ground, and the uncertainty regarding the Hearing dates makes it difficult to coordinate their input and ensure these documents are prepared effectively and within the required timescales.

We would therefore appreciate clarification on whether the current timetable remains applicable in these circumstances, or whether the Planning Inspectorate intends to issue a revised timetable once the Hearing dates have been confirmed.

In addition, having regard to the attached letter dated 18 March from the Minister of State for Housing and Planning in respect of the Council's emerging Local Plan and the Leader's letter in response dated 26 March (also attached), Counsel advice and a thorough review of the merits of the case in respect of this appeal, we write to advise that the LPA wish to formally withdraw Reason for Refusal no1 (Green Belt). As a consequence, the Local Planning Authority do not intend to defend the appeal on RfR1 and therefore would not oppose the grant of planning permission, subject to the imposition of appropriately worded conditions and s106 obligations to secure the necessary requirements to make the development acceptable in planning terms (which would address RfR2).

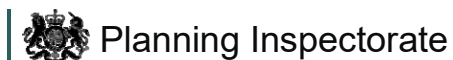
The LPA understand that there are matters of dispute with regards to the financial contributions sought towards Secondary Education and SEND and the Mortgagee in Possession Clause. The LPA are of the opinion that s106 matters can be dealt with as part of a s106 roundtable discussion/in writing; however, we would require confirmed dates to ensure attendance from necessary representatives for those roundtable discussions. The LPA are currently defending an appeal (Ref: APP/P1940/V/26/3378268) with discussions around the S106 and MIP clause which are expected to be similar to those raised in the Chalfont Lane appeal.

The LPA would welcome a response at the earliest opportunity.

Kind Regards,

Scott Volker
Development Management Team Leader
Development Management
Three Rivers District Council
www.threerivers.gov.uk

From: Appeal a planning decision <appeal.a.planning.decision@notifications.service.gov.uk>
Sent: Thursday, June 18, 2026 12:48 PM
To: TRDC Appeals <TRDC.Appeals@ThreeRivers.gov.uk>
Subject: New planning appeal: 6009386



You have a new planning appeal against the application
25/0484/OUT.

We will decide the appeal by a hearing. You can tell us if you
think a different procedure is more appropriate in the
questionnaire.

Appeal details

Appeal reference number: 6009386
Address: Land at North of Chalfont Road, Maple Cross, WD3
9TD, United Kingdom
Planning application reference: 25/0484/OUT
Start date: 18 June 2026

Timetable

Local planning authority questionnaire

Due by 25 June 2026.

Statement from the local planning authority

Due by 23 July 2026.

Interested party comments

Due by 23 July 2026.

Statement of common ground

Due by 23 July 2026.

What happens next

[Submit your questionnaire and other documents](#), including your appeal notification letter and a list of those notified by 25 June 2026.

[Find out your responsibilities in the appeal process.](#)

We will send you another email when we set up the hearing.

The Planning Inspectorate
east3@planninginspectorate.gov.uk

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Annex 4 - Decision notice for 25/0484/OUT



**THREE RIVERS DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
REFUSAL OF OUTLINE PERMISSION TO DEVELOP LAND**

To : Fiona Duffy
Boyer Planning
120 Bermondsey Street
London
SE1 3TX

On behalf of: Obsidian Strategic Asset
Management

Site : Land At North Of Chalfont Road Chalfont Road Maple Cross
Proposed Development : Outline application: Erection of up to 75 new dwellings, parking and landscaping with associated access onto Chalfont Road (Appearance, Layout, Landscaping and Scale as reserved matters)
Ref No : 25/0484/OUT
Date Received Valid : 2 April 2025

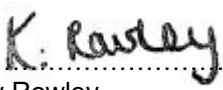
In pursuance of its powers under the above-mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council as Local Planning Authority hereby **REFUSES OUTLINE PLANNING PERMISSION**, to the development proposed by you in your application as set out above and shown on plan numbers: **Parameter plan (005 REV-D); Proposed Access Arrangements (2209054-01 REV-C); Illustrative Landscape Masterplan (D3332-FAB-00-XX-DR-L5000) and Site Location Plan (001 Rev-C)** accompanying the application for the following reasons:-

- 1 Due to the distance to local facilities, in particular education and health facilities, public transport, and retail opportunities the proposed development would not be in a sustainable location and constitutes inappropriate development within the Green Belt which is by definition harmful to 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).
- 2 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: Secondary Education; Special Educational Needs and Disabilities (SEND); Waste Transfer Station; Highways; Affordable Housing; Biodiversity Net Gain; 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).

INFORMATIVES :-

- 1 The Local Planning Authority has been positive and proactive in considering this planning application in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority encourages applicants to have pre-application discussions as advocated in the NPPF. The applicant and/or their agent did not have formal pre-application discussions with the Local Planning Authority and the proposed development fails to comply with the requirements of the Development Plan and does not maintain/improve the economic, social and environmental conditions of the District.

Dated: 5 March 2026

Signed 

Kimberley Rowley

Head of Regulatory Services

Three Rivers District Council, Three Rivers House, Northway, Rickmansworth, Herts WD3 1RL

(See accompanying notes)

NOTES

Appeals to the Secretary of State

HOUSEHOLDER APPEALS ONLY

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://appeal-planning-decision.service.gov.uk/before-you-start>. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <http://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

ALL OTHER TYPES OF APPEALS

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice other than in the circumstances below.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:

28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://appeal-planning-decision.service.gov.uk/before-you-start>. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <http://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to

use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park Authority for that park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or common council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part 6 of the Town and Country Planning Act 1990.

Annex 5 - Letter from Burlington dated 4 August 2026

4 August 2026

Mr Owen Weaver
Planning Manager – South East
Richborough
Fivefields
8-10 Grosvenor Gardens
London
SW1W 0DH

Dear Owen

Land at rear of 17-49 Church Lane, Sarratt (22/0601/OUT)
Land East of Oxhey Lane, Carpenders Park (25/1020/OUT)

Thank you for approaching Burlington Developments London Ltd regarding the ongoing Mortgagee in Possession issues in Three Rivers. We have very recent experience of the issue and of the very real impact that it is having on the delivery of much needed new affordable homes in the District.

Land at rear of 17-49 Church Lane, Sarratt (22/0601/OUT)

On 3 May 2024, Burlington secured planning permission at Appeal for 92 new homes and a new GP surgery at Church Lane, Sarratt in Three Rivers (PINS ref: 3311477 and 3311479). Since approval, Burlington has sought to dispose of the site on behalf of the landowners.

However, the delivery of 92 new homes (including 48 affordable homes) and GP surgery has been significantly delayed for two principal reasons – the 5 month Moratorium Period (which is included in the related Unilateral Undertaking) and the requirement for a Cycle Track Order to be confirmed (pursuant to a planning condition imposed on the planning permission).

The Cycle Track Order Inquiry was held on 21 July 2026 and we await the final decision from the Department for Transport. In any event, when the Cycle Track Order is confirmed, we will still have the issue of the 5 month Moratorium Period to resolve to enable the delivery of much needed new affordable homes in the District.

It is now over two years from approval and we have still not secured a housing association for the 48 affordable homes. Having undertaken a thorough marketing process for the site it has been abundantly clear that the 5 month Moratorium Period has materially affected the level of interest from RPs. RPs indicated they could only proceed on the basis of a deed of variation to the Unilateral Undertaking varying the 5 month Moratorium Period to 3 months.

Taking on board the feedback from the RP's, an application for a variation to the section 106 agreement was submitted and then refused by the LPA and consequently the 48 affordable homes remain undelivered. It is clear that the Councils position has had and will continue to have a serious detrimental impact on housing delivery.

Land East of Oxhey Lane, Carpenders Park (25/1020/OUT)

Having learned from the experience at Church Lane in Sarratt where only short submissions were made to the Planning Inspector, Burlington Developments London Ltd made the Mortgagee in Possession clause

a Main Issue at the recent Call In Inquiry. This resulted in detailed Factual Evidence and Expert Witness Evidence on the Regulatory regime for Social Housing both of which are summarised below.

Firstly, I provided a Factual Proof of Evidence to provide the Planning Inspector and the Secretary of State with direct market feedback from affordable housing providers operating within the Three Rivers.

The Council's Affordable Housing SPD provides the Councils List of Recommended RPs. There are 16 in total and following mergers and consolidations within the sector and the removal of Abbeyfield as they are a retirement provider, there are 11 RPs on the Councils List of Recommended RPs.

10 RP's provided direct feedback within one RP (L&Q) confirming that Three Rivers is outside of their patch.

Taken together, the responses received demonstrated a strong degree of consistency and confirmed that:

- 9 out of 10 (90%) would not accept a Moratorium Period between 4 and 6 months;
- 9 out of 10 (90%) would not be able to make an offer at a reduced value; and
- 10 out of 10 (100%) confirmed that a three month Moratorium Period is acceptable.

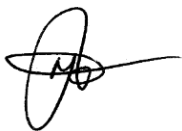
The responses consistently make clear that the reason underpinning their concerns about a 4 to 6 month Moratorium Period was due to the effect on their funding arrangements.

Secondly, detailed Expert Witness was presented by Mr St John Williams of Addleshaw Goddard. The Expert Witness provided detailed evidence on the regulatory framework operated by the Regulator for Social Housing (RSH).

In short summary, the RSH has two stages of powers. The 'soft powers' through informal regulatory tools such as facilitation of mergers with or acquisitions by other RPs. If these 'soft powers' fail then the RSH can deploy its 'hard powers' namely, the appointment of a housing administrator to be appointed with the statutory objective of ensuring that social housing remains in the social housing sector.

The Expert Witness evidence confirmed that to date, the RSH has resolved all cases using its soft powers and in practice, the Moratorium Period in the Section 106 would only be relevant after both the soft and hard powers had failed.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'NS', with a stylized flourish extending to the right.

Nathan Stevenson
Managing Director
Burlington Property Group

**Annex 6 - Screenshots of discharge of condition applications under
permission reference 25/0896/FUL from the Council's planning portal –
dated 4 August 2026**

Summary

Reference	26/0919/DIS
Alternative Reference	PP-14893291
Application Received	Thu 04 Jun 2026
Application Validated	Thu 04 Jun 2026
Address	Land At Woodside Road Woodside Road Abbots Langley Hertfordshire
Proposal	Discharge of Conditions 32 (Open Space and War Memorial), 33 (External Lighting) and 47 (Conservation management plan) pursuant to planning permission 25/0896/FUL
Status	Pending Consideration
Appeal Status	Not Available
Appeal Decision	Not Available

Summary

Reference	26/0918/DIS
Alternative Reference	PP-14893269
Application Received	Thu 04 Jun 2026
Application Validated	Thu 04 Jun 2026
Address	Land At Woodside Road Woodside Road Abbots Langley Hertfordshire
Proposal	Discharge of Conditions 6 (Interim Drainage), 7 (Surface Water Drainage), 11 (Ground Water Monitoring), 12 (Intrusive Groundwater) and 15 (Remediation Strategy) pursuant to planning permission 25/0896/FUL Please note that there is overlap of the conditions that are addressed by the reports provided.
Status	Pending Consideration
Appeal Status	Not Available
Appeal Decision	Not Available

Summary

Reference	26/0917/DIS
Alternative Reference	PP-14893249
Application Received	Thu 04 Jun 2026
Application Validated	Thu 04 Jun 2026
Address	Land At Woodside Road Woodside Road Abbots Langley Hertfordshire
Proposal	Discharge of Conditions 3(Construction Management Plan and Construction Noise Assessment), 4(Dust Management Plan), 5(Site Waste Management Plan) pursuant to planning permission 25/0896/FUL
Status	Pending Consideration
Appeal Status	Not Available
Appeal Decision	Not Available

Summary

Reference	26/0946/DIS
Alternative Reference	PP-14893277
Application Received	Wed 10 Jun 2026
Application Validated	Wed 10 Jun 2026
Address	Land At Woodside Road Woodside Road Abbots Langley Hertfordshire
Proposal	Discharge of conditions 19 (Badger Mitigation), 20 (Construction Environmental Management plan), 21 (Species Enhancement Plan), 27 (Arboricultural Method Statement) and 29 (Tree Replacement) pursuant to planning permission 25/0896/FUL
Status	Pending Consideration
Appeal Status	Not Available
Appeal Decision	Not Available

Annex 7 - Decision notice for 25/0896/FUL



**THREE RIVERS DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION TO DEVELOP LAND**

To : Mr Peter Atkin
Pegasus Group
Suite 4, Pioneer House
Vision Park, Chivers Way
Histon
Cambridge
Cambridgeshire
CB24 9NL

On behalf of: Taylor Wimpey

Site : Land At Woodside Road Woodside Road Abbots Langley
Proposed Development : Construction of 192no. dwellings (Use Class C3), public open space, landscaping, new vehicular access and pedestrian accesses and associated infrastructure.
Ref No : 25/0896/FUL
Date Received Valid: 11 June 2025

In pursuance of its powers under the above mentioned Acts and the Orders and Regulations for the time being in force thereunder, the Council as Local Planning Authority hereby **PERMITS** the development proposed in your application as set out above.

Permission is subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990 and as amended by the Planning and Compulsory Purchase Act 2004.

- 2 In accordance with plans (TRDC Planning)

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan: P23-2574_DE_04_D_08
Site Layout Plan (including Schedule of Accommodation): P23-2574_DE_04_N_01
Tenure Plan: P23-2574_DE_04_D_11
Materials Plan: P23-2574_DE_04_C_07 (dated 21.11.2025)
Building Heights Plan: P23-2574_DE_04_A_12
EMT21 Floorplans and Elevations: P23-2574_DE_010_A_02
EMT21 Floorplans and Elevations: P23-2574_DE_010_A_03
EMT22 Floorplans and Elevations: P23-2574_DE_010_A_04
EMA22 Floorplans and Elevations: P23-2574_DE_010_A_05
EMAP22 Floorplans and Elevations: P23-2574_DE_010_A_033
EMA33 Floorplans and Elevations: P23-2574_DE_010_A_06
EMA34 Floorplans and Elevations: P23-2574_DE_010_A_07
EMA34 Floorplans and Elevations: P23-2574_DE_010_A_08
EMT31 Floorplans and Elevations: P23-2574_DE_010_A_09
EMT31 Floorplans and Elevations: P23-2574_DE_010_A_010
EMT31 Floorplans and Elevations: P23-2574_DE_010_A_011
EMT32 Floorplans and Elevations: P23-2574_DE_010_A_012
EMB31 Floorplans and Elevations: P23-2574_DE_010_A_013
EMT41 Floorplans and Elevations: P23-2574_DE_010_A_014

EMB41 Floorplans and Elevations: P23-2574_DE_010_A_015
 EMG42 Floorplans and Elevations: P23-2574_DE_010_A_016
 EMG42 Floorplans and Elevations: P23-2574_DE_010_A_017
 EMA46 Floorplans and Elevations: P23-2574_DE_010_A_018
 EMA46 Floorplans and Elevations: P23-2574_DE_010_A_019
 EMA48 Floorplans and Elevations: P23-2574_DE_010_A_020
 EMT43 Floorplans and Elevations: P23-2574_DE_010_A_021
 EMT45 Floorplans and Elevations: P23-2574_DE_010_A_022
 EMG44 Floorplans and Elevations: P23-2574_DE_010_A_023
 EMB51 Floorplans: P23-2574_DE_010_A_024
 EMB51 Elevations: P23-2574_DE_010_A_025
 EMB51 Elevations: P23-2574_DE_010_A_026
 1B2P Maisonette Floorplans and Elevations: P23-2574_DE_010_B_027
 1B2P Maisonette Floorplans and Elevations: P23-2574_DE_010_B_028
 1B2P Maisonette Floorplans and Elevations: P23-2574_DE_010_B_029
 EMT21 Floorplans and Elevations: P23-2574_DE_010_A_030
 EMT21 Floorplans and Elevations: P23-2574_DE_010_A_031
 EMAP22 Floorplans and Elevations: P23-2574_DE_010_A_032
 EMAP32 Floorplans and Elevations: P23-2574_DE_010_A_034
 EMAP32 Floorplans and Elevations: P23-2574_DE_010_A_035
 EMAP32 Floorplans and Elevations: P23-2574_DE_010_A_036
 EMB31 Floorplans and Elevations: P23-2574_DE_010_A_040
 EMAP41 Floorplans and Elevations: P23-2574_DE_010_A_037
 Single Garage, Garden Shed & Bin Store Floorplans and Elevations: P23-2574_DE_010_A_038
 Double Garage Floorplans and Elevations: P23-2574_DE_010_A_039
 EMFP11 Floorplans and Elevations: P23-2574_DE_010_A_40
 EMFP23 Floorplans and Elevations: P23-2574_DE_010_C_41
 EMF25 Floorplans and Elevations: P23-2574_DE_010_C_42
 Proposed Site Access Plan: 794-PLN-TRP-00018-DR-006 Rev C
 Detailed Planting Plan - Public Open Space: P19-1064_EN_0011_1POS
 Detailed Planting Plan - Public Open Space: P19-1064_EN_0011_A_2 POS
 Detailed Planting Plan - Public Open Space: P19-1064_EN_0011_- 3 POS
 Detailed Planting Plan - Public Open Space: P19-1064_EN_0011_- 4 POS
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 1 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 2 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 3 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 4 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 5 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 6 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 7 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 8 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 9 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 10 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0012_- 11 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0013_- 1 PLOT
 Detailed Planting Plan - On Plot: P19-1064_EN_0013_- 1 PLOT-2
 Detailed Planting Plan - On Plot: P19-1064_EN_0013_- 1 PLOT-3
 Tree Protection Plan: 2314-KC-XX-YTREE-TPP01Rev0
 Tree Survey and Impact Assessment: 2314-KC-XX-YTREE_TreeSurvey-and-ImpactAssessment-RevA

Reason: For the avoidance of doubt, in the proper interests of planning, the character of the area and residential amenity; in accordance with Policies PSP2, CP1, CP3, CP4, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM11, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013).

3 Construction Management Plan (HCC Highways)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access and routing arrangements to the site, to avoid the use of Chequers Lane.
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- e. Details of wheel washing facilities including siting, timing of installation and frequency of use.;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Details of timing of deliveries to the site and removal of waste from the site to avoid school pick up/drop off times. ;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- K. A noise assessment covering noise from construction operations and appropriate mitigation measures to be undertaken.
- L. Phasing Plan.
- M. Provisions for protecting the safe use of public rights of way through the site and/or any mitigation required.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: This is a pre-commencement condition in order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies CP10 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

4 Dust Management Plan (TRDC EH)

Prior to the commencement of development, a Dust Management Plan shall be submitted and agreed, in writing, by the Local Planning Authority. The Dust Management Plan shall include best practicable means to be incorporated to minimise dust caused by earthworks and construction operations and to prevent the emission of dust from the site. The approved Dust Management Plan shall be adhered to throughout the construction period.

Reason: To protect the residential amenities of neighbouring dwellings in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM9 of the Development Management Policies LDD (adopted July 2013).

5 Site Waste Management Plan (HCC)

No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy DM10 of the Development Management Policies LDD (adopted July 2013).

6 Interim drainage (LLFA)

Development shall not commence until details and a method statement for interim and temporary

drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

Reason: This is a pre-commencement condition to prevent flooding and pollution offsite in accordance with the requirements of the NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

7 Surface water drainage - further details (LLFA, EA and Affinity Water)

No development above slab level shall take place until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction phase surface water method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Flood Risk Assessment including Preliminary Drainage Strategy, 24-047-002 Rev A, dated May 2015) and Drawings(Surface Water Drainage, 24-047-001, dated October 2024) and Technical Note (24-047-TN-002) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the requirements of the NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

8 Maintenance and Management - Sustainable Drainage (LLFA)

The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation.
- ii. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy DM8 of the Development Management Policies LDD (adopted July 2013).

9 Verification - SUDS (LLFA)

Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 7. Necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

10 In accordance with FRA (LLFA)

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Flood Risk Assessment including Preliminary Drainage Strategy, 24-047-002 Rev A, dated May 2015) and Technical Note (24-047-TN-002), this includes all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

11 Groundwater Monitoring (Environment Agency)

No development above slab level shall commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall, where necessary, be supported by:

- o detailed sampling and analytical schedules;
- o a programme for future maintenance and decommissioning;
- o a schedule for submission of interim and final monitoring reports;
- o a contingency action plan including the list of potential mitigation measures that will be implemented, should unexpectedly changes in groundwater quality be noted as a result of decommissioning or redevelopment works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the development does not contribute to, and is not put at, unacceptable risk from adversely affected unacceptable levels of water pollution in line with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

12 Intrusive ground investigation and risk assessment (Affinity Water)

Prior to the commencement of the development, no works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

- o An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
- oA Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.
- oA Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks.
- oA Foundations Works Method Statement and Risk Assessment detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.
- oAcknowledgement of the need to notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply. This condition is required to prevent impact to water quality in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

13 Investigative Boreholes - Environment Agency.

In the event that any investigative boreholes are required, these may not be installed until such time as a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

The scheme will need to include the following:

- o Decommissioning Plan to include intended programme/schedule of works and detailed method statement;
- o Borehole Retention Plan to include location, security, and protection measures;
- o Verification report for the decommissioned boreholes to include records of:
 - o the reason for abandonment;
 - o groundwater level prior to decommissioning;
 - o any removal of casing or attempts to remove the casing;
 - o the depth, position, and nature of backfill materials;
 - o problems encountered during decommissioning.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution in line with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

14 Piling Scheme - (Environment Agency)

Any piling and / or deep foundations using penetrative methods shall not take place until such time as a scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- a Foundation Works Risk Assessment; a conceptual site model;
- specification of the type, number, and depth of proposed piles;
- a detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports;
- a contingency action plan including the list of potential mitigation measures that will be implemented should unexpected changes in groundwater quality be noted as a result of decommissioning piling works;
- timing/phasing arrangements.

The scheme shall thereafter be implemented and subsequently maintained, in accordance with the arrangements contained in the approved scheme.

Reason: To ensure that the proposed development does not harm groundwater resources in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

15 Remediation Strategy (Environment Agency and TRDC EH)

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. an up-to-date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation. The preliminary risk assessment shall identify all previous use
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site
2. a detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site;
3. a tiered risk assessment using the results of the site investigation referred to in (2);
4. an options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. a remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and

arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason To ensure that the development does not contribute to, and is not put at, unacceptable risk from adversely affected unacceptable levels of water pollution in line with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

16 Verification Report (Environment Agency and TRDC EH)

Prior to any part of the permitted development being occupied, and only if a need for remediation is identified as a result of the investigations required by condition 15, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution in line with paragraph 187 of the National Planning Policy Framework and in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

17 Unidentified contamination (Environment Agency, Affinity Water and EH)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at, unacceptable risk from adversely affected unacceptable levels of water pollution in line with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

18 Offsite Highway Improvements (Herts Highways)

A) Design Approval: Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on the submitted drawings have been submitted to and approved in writing by the Local Planning Authority.

Additionally, the drawings at the proposed access must resolve the Road Markings safety issue found in the HCC RSA S1 review (existing carriageway width and proposed centre line), and requires roads with a width of less than 5.5 metres should not be marked with a centreline.

B) Implementation / Construction: Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with and Policy CP10 of the Core Strategy (adopted October 2011).

19 Confidential Badger Mitigation Strategy (Herts Ecology)

No development shall take place (including demolition, ground works, vegetation clearance) until a confidential mitigation strategy informed by the Confidential Report, 3069-3B by Ecological Planning & Research Ltd (EPR) dated 07 May 2025, has been submitted to and approved in writing by the Local Planning Authority.

The approved mitigation strategy shall be adhered to and implemented strictly in accordance with the approved details, unless varied by the terms of a Natural England Licence.

Reason: This is a pre-commencement condition to protect ecology on this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

20 Construction Environmental Management Plan (Herts Ecology)

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include but not necessarily be limited to, the following.

1. A review of any ecological impacts and should be informed by the submitted ecological report (Bat Survey & Mitigation Strategy 07 May 2025.).
2. Risk assessment of potentially damaging construction activities.
3. Identification of 'biodiversity protection zones'.
4. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
5. The location and timings of sensitive works to avoid harm to biodiversity features. (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset).
6. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period.
7. The times during construction when specialist ecologists need to be present on site to oversee works.
8. Responsible persons and lines of communication.
9. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

21 Species Enhancement Plan (Herts Ecology)

No development may commence above slab level until a Species Enhancement Plan for Protected and Priority Species shall be submitted to and approved in writing by the Local Planning authority. The Plan should be informed by section by section 5.16-

5.20 including table 5.1 and 5.2 of the Bat Survey & Mitigation Strategy, 07 May 2025 by ERP and Taylor Wimpey's Environmental Strategy 2021.

The scheme/ plan shall include, but not be limited to, the following details:

- a) Purpose and conservation objectives for the proposed enhancement measures.
 - b) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
 - c) Detailed designs to achieve stated objectives.
 - d) Materials and construction to ensure long lifespan of the feature/measure.
 - e) Proposed Locations shown by suitable maps and plans and where appropriate the elevations of the features or measures to be installed or undertaken.
 - f) When the features or measures will be installed within the construction, occupation, or phase of the development.
 - g) Persons responsible for implementing the enhancement measures.
 - h) Details of initial aftercare and long-term maintenance (where relevant).
- Thereafter, the biodiversity enhancement measures shall be carried out and maintained for their designed purpose in accordance with the approved details including timescales and shall be retained as such thereafter.

Reason: To protect and enhance ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

22 Tree T23 Removal (Herts Ecology)

Following removal of Tree 23, (as identified in the Woodside Road, Bat Survey and Mitigation Strategy, ref 3069-4A. 07 May 2025) a report from an appropriately qualified ecologist confirming that all the actions within the appropriate non licensed method statement have been complied with and completed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect and enhance ecology on and adjacent to this site in accordance with Policy DM6 of the Development Management Policies LDD (adopted July 2013).

23 Biodiversity Net Gain Plan (Herts Ecology and Planning)

The Biodiversity Gain Plan shall be prepared in accordance with the Woodside Road, Abbots Langley Technical Note: Biodiversity Net Gain (3069-2C, Woodside Road, Abbots Langley, Technical Note, Biodiversity Net Gain)

Reason: This is to ensure that the biodiversity and ecological information submitted with the planning application is realised through the Biodiversity Gain Plan, in the interests of local biodiversity and to ensure biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

24 Habitat Monitoring and Management Plan (Herts Ecology and Planning).

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary.
- (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP].
- (c) Description and evaluation of the features to be managed.
- (d) Ecological trends and constraints on site that might influence management.
- (e) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (f) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development.
- (g) the monitoring methodology and frequency (years 2, 5, 10, 15 and 30) in respect of the created or enhanced habitat to be submitted to the local planning authority has been submitted to, and approved in writing by, the local planning authority; and
- (h) Ongoing monitoring and remedial measures.

The created and/or enhanced habitat specified in the approved Habitat Management and Monitoring Plan shall be managed and maintained in accordance with the approved Habitat Monitoring and Management Plan for 30 years from the date of first occupation of the development.

Reason: This is a pre-commencement condition to ensure that the net gain for biodiversity on site is delivered, maintained and managed in the interests of local biodiversity in accordance Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013) and for the purposes of para 9(2) and 9(3) of Schedule 7A of the Town and Country Planning Act 1990.

25 Habitat Management and Monitoring Implementation (TRDC)

Notice in writing shall be given to the Local Planning Authority when the agreed Habitat Management and Monitoring Plan (HMPP) as secured by condition 24 has been implemented.

Reason: This is to ensure that the Local Planning Authority have acknowledged when the habitat enhancement and creation works have been implemented to enable effective monitoring accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

26 Monitoring reports as agreed (Herts Ecology and TRDC).

Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP (as secured by condition 24).

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

27 Arboricultural Method Statement (TRDC Landscape Officer)

No development or other operation shall commence on site whatsoever until an arboricultural method statement (prepared in accordance with BS: 5837 (2012) 'Trees in relation to design, demolition and

construction') has been submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of timetables of works, method of demolition, removal of material from the site, importation and storage of building materials and site facilities on the site, tree protection measures and details including location and depths of underground service routes, methods of excavation and construction methods, in particular where they lie close to trees.

The construction methods to be used shall ensure the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. The development shall only be implemented in accordance with the approved method statement.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

28 Tree Protection (TRDC Landscape Officer)

The protective measures, including fencing, shall be undertaken in full accordance with the approved scheme (2314-KC-XX-YTREE-TPP01REVO) before any equipment, machinery or materials are brought on to the site for the purposes of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made. No fires shall be lit or liquids disposed of within 10.0m of an area designated as being fenced off or otherwise protected in the approved scheme.

Reason: This condition is a pre commencement condition to ensure that no development takes place until appropriate measures are taken to prevent damage being caused to trees during construction, to protect the visual amenities of the trees, area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

29 Tree replacement (TRDC Landscape Officer)

Prior to the removal of T19 Scots Pine of G16/TPO354 (as identified in the Tree Survey and Impact Assessment, ref 2314-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevA, dated May 2025) details of a replacement tree to mitigate its loss shall be submitted to and approved in writing by the Local Planning Authority.

The planting of the replacement trees shall be carried out in accordance with the details approved by this condition before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner.

Immediately following its planting, if the new trees die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area and provides suitable mitigation for the loss of trees with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

30 Soft Landscaping Scheme (TRDC Planning and Landscape Officer)

All soft landscaping works as shown on the following plans shall be carried out before the end of the first planting and seeding season following first occupation of any part of the buildings or completion of the development, whichever is sooner:

P19-1064-EN-011_-_1POS, P19-1064_EN_0011_A_2 POS P19-1064_EN_0011_-_3 POS, P19-1064_EN_0011_-_4 POS,
P19-1064_EN_0012_-_1 PLOT, P19-1064_EN_0012_-_10PLOT, P19-1064_EN_0012_-_11PLOT,
P19-1064_EN_0012_-_2 PLOT, P19-1064_EN_0012_-_3 PLOT, P19-1064_EN_0012_-_4 PLOT, P19-1064_EN_0012_-_5PLOT, P19-1064_EN_0012_-_6PLOT, P19-1064_EN_0012_-_7PLOT, P19-

1064_EN_0012_-_8PLOT P19-1064_EN_0012_-_9PLOT, P19-1064_EN_0013_-_1 PLOT,
P19-1064_EN_0013_-_1 PLOT-2, P19-1064_EN_0013_-_1 PLOT-3

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (ie November to March inclusive).

Reason: This condition is required to ensure the completed scheme has a satisfactory visual impact on the character and appearance of the area in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

31 External Materials (TRDC Planning)

Before any building operations above ground level hereby permitted are commenced, samples and details of the proposed external materials (including hard surfacing areas) shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Reason: To prevent the buildings being constructed in inappropriate materials in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013)

32 Open space and war memorial (TRDC Planning and Conservation Officer).

Prior to any above ground building operations, a programme for the completion of the public open space shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the open space including the provision of seating areas, play on the way equipment, the war memorial and associated heritage trail. In addition, details of arrangements for the future management and maintenance of the open space, play on the way equipment, war memorial and heritage trail throughout the lifetime of the development shall be provided.

The public open space, play on the way equipment, war memorial and heritage trail shall be provided in accordance with the agreed programme to co-ordinate with the occupation of the residential development, and shall thereafter be retained, kept open, managed and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure provision is made for children's play space in accordance with Policy PSP2 of the Core Strategy (adopted October 2011) and Policy DM11 of the Development Management Policies LDD (adopted July 2013).

33 External Lighting (TRDC EH and Herts Ecology).

Prior to the installation of any lighting on the site, full details and specification of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include heights of any lighting columns, spillage diagrams, and proposed hours of operations. The lighting shall therefore after be implemented only in accordance with the approved details.

Reason: To safeguard wildlife and ecology in accordance with Policy CP9 of the Core Strategy (adopted October 2011) and Policies DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

34 Sewerage (Thames Water)

No development shall be occupied until confirmation has been provided that either:-all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policy DM9 of the Development Management Policies

LDD (adopted July 2013).

35 EV Charging Points (TRDC Planning and Herts Highways)

Prior to the first occupation of the development, full details of Electrical Vehicle Charging points shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: This condition is required to ensure that the development meets the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policy DM4 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

36 Parking retained (TRDC Planning)

The parking spaces and turning spaces shall be constructed in accordance with the approved details. The parking spaces shown on P23-2574_DE_04_A_13 shall be provided before the first occupation of the dwelling to which they are assigned. The parking and turning spaces shall thereafter be kept permanently available for the use of residents and visitors to the site.

Reason: To ensure that adequate off-street parking and maneuvering space is provided within the development so as not to prejudice the free flow of traffic and in the interests of highway safety on neighbouring highways in accordance with Policies CP1, CP10 and CP12 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

37 Cycle Parking (Herts Highways)

Prior to the first occupation of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied and therefore retained for this purpose.

Reason: To ensure the provision of cycle parking meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Three Rivers Development Management Policies LDD (adopted July 2013).

38 Air Source Heat Pumps (TRDC Planning and TRDC EH)

Prior to the first occupation of the development, details including the siting and appearance of the proposed solar panels shall be submitted to and approved in writing by the Local Planning Authority. Details shall also be provided in relation to the siting and appearance of air source heat pumps including any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be installed in accordance with the approved details and maintained thereafter.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and to protect residential amenity in accordance with Policies DM1, DM9 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

39 Energy Statement (TRDC Planning)

Prior to the occupation of each dwelling, the energy saving and renewable energy measures detailed within the Energy Statement submitted as part of the application shall be implemented for each dwelling and shall be retained as such thereafter.

Reason: To ensure that the development meets the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM4 and Appendix 2 of the Development Management Policies LDD (adopted July 2013) and to ensure that the development makes as full a contribution to sustainable development as possible.

40 Noise mitigation measures (TRDC EH Officer)

Prior to the first occupation of the development hereby permitted, the noise mitigation measures set out in Section 8 of the WSP Noise Impact Assessment (Project No. UK00382220.1469, May 2025) shall be fully implemented and shall be permanently retained thereafter.

Reason: To protect the residential amenities of future occupiers of the development in accordance with Policy DM9 of the Development Management Policies LDD (adopted July 2013).

41 Boundary treatment (TRDC Planning)

Prior to the first occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be erected prior to occupation in accordance with the approved details and shall be permanently maintained as such thereafter.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013)

42 Refuse and recycling scheme (TRDC Planning and Herts Highways).

Prior to the first occupation of the development hereby permitted, a scheme for the separate storage and collection of domestic waste shall be submitted to and approved in writing by the Local Planning Authority. Details shall include siting, size and appearance of refuse and recycling facilities on the premises. The development hereby permitted shall not be occupied until the approved scheme has been implemented and these facilities should be retained permanently thereafter.

Reason: To ensure that satisfactory provision is made, in the interests of amenity and to ensure that the visual appearance of such provision is satisfactory in compliance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM1, DM10 and Appendix 2 of the Development Management Policies document (adopted July 2013).

43 Garages retained (TRDC Planning)

The garages serving the residential dwellings hereby permitted, shall be retained for the garaging of private cars. No alterations, either externally or internally shall be carried out to the garages and car ports such as to prevent their use for garaging private cars.

Reason: To ensure adequate parking provision is maintained in accordance with the requirements of Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013)

44 Removal of Permitted Development Rights (TRDC Planning)

Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other revoking and re-enacting that order with or without modification) no development within the following Classes of Schedule 2 of the Order shall take place.

Part 1

Class A - enlargement, improvement or other alteration to the dwelling Class B - enlargement consisting of an addition to the roof

Class E - provision of any building or enclosure Class F - any hard surface

Part 2

Class A - erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure

No development of any of the above classes shall be constructed or placed on any part of the land subject of this permission.

Reason: To ensure adequate planning control over further development having regard to the limitations of the site, neighbouring properties and in the interests of the visual amenities of the site and the area in general, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

45 Fire Hydrants (HCC Fire and Rescue)

Should they be required, detailed proposals for fire hydrants serving the development as incorporated into the provision of the mains water services for the development, whether by means of existing water services or new mains or extension to or diversion of existing services or apparatus, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of development. The development shall thereafter be implemented in accordance with the approved details prior to occupation of any building forming part of the development.

Reason: To ensure that there is adequate capacity for fire hydrants to be provided and to meet the requirements of Policies CP1 and CP8 of the Core Strategy (adopted October 2011).

46 Obscure Glazing (TRDC Planning)

Before the first occupation of the dwelling on Plot 12 hereby permitted the first floor flank bathroom window facing Orchard Cottage shall be fitted with purpose made obscured glazing and shall be top level opening only at 1.7m above the floor level of the room in which the window is installed. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities of the occupiers of neighbouring residential property in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (adopted July 2013).

47 Conservation Management Plan (TRDC Planning and Conservation)

Prior to the commencement of development, a Conservation Management Plan shall be submitted to demonstrate how the retained Pill Box shall be conserved both during construction and following the completion of development.

The development shall be undertaken in accordance with the approved Conservation Management Plan and the Pill Box shall be conserved in accordance with the approved Conservation Management Plan for the lifetime of the development.

Reason: In the interests of maintaining the non designated Heritage Asset in accordance with Policy CP12 of the Core Strategy (adopted October 2011) and Policy DM3 of The Development Management Policies LDD (adopted July 2013).

48 Rights of Way (HCC Rights of Way)

Prior to the first occupation of the development, the link pathway between Bridleway no.80 and Footpath 61 shall be dedicated as a definitive right of way.

Reason: To encourage sustainable travel opportunities within the development in accordance with Policy CP1 and CP10 of the Core Strategy (adopted October 2011).

INFORMATIVES :-

- 1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and

will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threerivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

(a) Making a Non-Material Amendment

(b) Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

2 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development.

There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to

3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please

refer to the Wholesale; Business customers; Groundwater discharges section.

- 4 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Three Rivers District Council.

Based on the information available, this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply. Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun (Phase Plans).

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>

- 5 Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 6 Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessand-developer-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.

- 7 Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety in our Construction Management template, a copy of which is in our Construction Management template, a copy of which is available on the County Council's website at available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessand-developer-information/development-management/highways-developmentmanagement.aspx>

- 8 Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website engagement that may be needed. Further information is available via the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessand-developer-information/development-management/highways-developmentmanagement.aspx> OR by emailing travelplans@hertfordshire.gov.uk

- 9 The Public Right of Ways including the public footpath and bridleway should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially over spills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047

- 10 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.

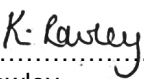
- 11 The LLFA recommend that a 3m easement is left around SuDS features for maintenance and access.

- 12 A licence from Natural England is required to deliver this development. It will be a criminal offence if works proceed without this licence. It will / may also be a criminal offence if the terms of conditions of the licence, including in particular the mitigation and compensation requirements under the licence (which may require certain measures to be delivered before the development works start), are not adhered to.

- 13 The applicant is reminded that this planning permission is subject to either a unilateral undertaking or an agreement made under the provisions of Section 106 of the Town and Country Planning Act 1990. It is extremely important that the applicant is aware of the stipulations, covenants and obligations set out within any legal agreements tied to the planning permission. This may include the requirement to notify the Council prior to commencement of the development (as defined within the legal agreement) if certain obligations are required to be paid, for example, an affordable housing contribution including indexation.

Please note that this consent grants planning permission subject to any conditions listed above. It does **NOT** overcome the need to obtain any consents under other legislation (e.g. Building Regulations, Environmental Protection, Wildlife and Countryside Act 1981, Water Resources Act 1991 and the Land Drainage Byelaws 1981) or obtain agreement under private land law (e.g. due to restrictive covenants and easements). Leaseholders are advised to consult their Landlord/Freeholder prior to carrying out any work. Please also note that any damage to the verge, footway or highway caused as a result of implementing your permission is your responsibility and will be pursued by Hertfordshire County Council under Section 133 of the Highways Act 1980.

Dated: 2 June 2026

Signed 
Kimberley Rowley

Head of Regulatory Services

Three Rivers District Council, Three Rivers House, Northway, Rickmansworth, Herts WD3 1RL

RIGHT OF APPEAL

HOUSEHOLDER APPEALS ONLY

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals can be made online at: <https://appeal-planning-decision.service.gov.uk/before-you-start>. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <http://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

ALL OTHER TYPES OF APPEALS

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice other than in the circumstances below.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://appeal-planning-decision.service.gov.uk/before-you-start>. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <http://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.

