

# **TOPIC STATEMENT OF COMMON GROUND**

**Implications of the August 2026 National Planning Policy Framework  
and National Decision-Making Policies**

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

LPA Planning Application Reference: 24/2073/OUT

LPA Appeal Reference: 26/0012/REF

PINS Appeal Reference: 6004972

Prepared by Tetra Tech Consulting Ltd on behalf of Richborough  
in agreement with Three Rivers District Council

**26 August 2026**

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## 1.0 INTRODUCTION

- 1.1 This Planning Policy Statement of Common Ground ("Policy SoCG") has been prepared by Tetra Tech Consulting Ltd on behalf of Richborough ("the Appellant") for discussion and agreement with Three Rivers District Council as the Local Planning Authority ("the Council").
- 1.2 It responds to the Inspector's request dated 18 August 2026, that the parties address the implications of the August 2026 National Planning Policy Framework ("the Framework") and, in particular, provide a topic Statement of Common Ground on the implications of the National Decision-Making Policies for the appeal proposal.
- 1.3 This Policy SoCG is supplemental to the previous Statements of Common Ground signed between both parties on 08 May 2026 and 07 July 2026. It updates only those matters affected by the publication of the August 2026 Framework. Unless expressly varied in this document, the agreements recorded in the July SoCG remain unchanged.
- 1.4 The August 2026 Framework was published on 17 August 2026 and replaces the December 2024 Framework. As set out in Annex A(1) of the Framework, all decision taking policies and annexes are material considerations which apply to this appeal from the date of publication.

## 2.0 STATUS AND STRUCTURE OF THE AUGUST 2026 FRAMEWORK

### Statutory and policy status

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 remains the statutory starting point. The appeal must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 The Framework states that the national decision-making policies are a material consideration of critical importance. They should be read as a whole, including their footnotes and annexes. The plan-making policies are not relevant to this appeal. The national decision-making policies in this Framework are a material consideration in making these decisions and should be read alongside the policies in the development plan.
- 2.3 Annex A (1) confirms that the policies in the Framework must be taken into account in decision-making from the day of publication. Development plan policies, or parts of policies, which are materially inconsistent with the national decision-making policies should be given very limited weight. Other policies should not be given reduced weight simply because they pre-date the August 2026 Framework.

### Procedural decision-making policies

- 2.4 Policy DM1 and Annex C require a concise planning statement for major development addressing development plan and national policy compliance, the outcome of engagement and proposed planning obligations. The application was supported by a Planning Statement, Planning Statement Addendum, Statement of Community Involvement, Design and Access Statement and detailed heads of terms. This Policy SoCG deals explicitly with the provisions of DM1 1.b (i) in setting out how the proposals are consistent with the relevant national decision-making policies. No further general information requirement arises.

### The Development Plan

- 2.5 The parties agree that the age of a development plan policy is not, by itself, determinative. The consistency and practical effectiveness of each relevant policy must be assessed. The parties continue to agree that the development plan should be read as a whole and that the proposal accords with it as a whole.
- 2.6 The Appellant considers that the restrictive elements of Policies CP2 and PSP2, continue to constrain otherwise sustainable development at the edge of Croxley Green. These policies rely on outdated housing requirements and are materially inconsistent with policy HO7.. Both parties agree in the context of Annex A (2) only 'very limited weight' applies to Policies CP2 and PSP2.
- 2.7 Policies CP11 and DM2 are of relevance where green belt policy is concerned. It is noted that CP11 continues to operate in a way consistent with the 2026 Framework. It is however noted that policy DM2,

which sets out 'not inappropriate' uses, is notably different in parameters to GB7. Accordingly, it is right that DM2 should be given very limited weight, and instead, the provisions of GB7 should steer the decision maker in respect of uses not inappropriate in the green belt. The parties agree that the proposal is not inappropriate development under part g of policy GB7 and that the Council's withdrawal of Reason for Refusal 1 remains consistent with the August 2026 Framework.

- 2.8 Policy DM4 does not alter the parties' agreed position on prematurity. The emerging Local Plan has not reached a sufficiently advanced stage, and the relevant emerging policies attract no more than limited weight.
- 2.9 Policy DM6 provides the relevant national policy framework for planning conditions and obligations. The detailed wording of the conditions and the Section 106 obligation is addressed in separate documents. Publication of the August 2026 Framework does not create any incompatibility with the Appeal scheme in that regard.

## Key policy cross-references

- 2.10 The following table identifies the principal changes in policy references relevant to the appeal. It is not intended to be exhaustive.

| 2024 NPPF reference            | 2026 NPPF reference                       | Practical implication for this appeal                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Paragraph 11(d) and footnote 8 | Policies S3 and S5, together with Annex D | The operative balance is now the policy S5 test. The old paragraph 11(d) wording should not be repeated.                                                                                                                                                                                                                                                                                         |
| Paragraph 14                   | Policy S6                                 | Comparable policy to 2024 NPPF, which would see neighbourhood plan conflicts significantly outweigh the benefits where both triggers are met. The Sarratt Neighbourhood Plan is less than five years old, but the trigger for S6 is not engaged because it does not contain allocations to meet an identified housing requirement.                                                               |
| Paragraph 155                  | Policy GB7(1)(g)                          | The grey belt route remains available but is now expressed as a national decision-making policy.                                                                                                                                                                                                                                                                                                 |
| Paragraphs 156-158             | Policy GB8                                | Golden Rules compliance is retained; the policy-directed weight has changed from significant to substantial.                                                                                                                                                                                                                                                                                     |
| Paragraph 116                  | Policy TR6(4)                             | Refusal requires a severe adverse network impact or an unacceptable highway-safety impact, having regard to mitigation and wider improvements.                                                                                                                                                                                                                                                   |
| Paragraph 175                  | Policy F5(2)(b)                           | The approach remains broadly the same. The circumstances in which the sequential test is not required are now set out expressly.                                                                                                                                                                                                                                                                 |
| Paragraphs 207 and 212-215     | Policies HE5 and HE6                      | The phrase "less than substantial harm" has been removed. Effects are now classified as positive effect, harm, substantial harm or total loss. There remains an onus for proposals to identify the degree of harm, where heritage assets are identified (HE5(2)) Where harm is identified, there remains the need to weigh any harms against public benefits arising from the proposal (HE6(3)). |

| 2024 NPPF reference | 2026 NPPF reference                                  | Practical implication for this appeal                                                                              |
|---------------------|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Paragraph 58        | Policy DM6 and Regulation 122 of the CIL Regulations | The statutory tests for planning obligations remain applicable; the Section 106 position is dealt with separately. |

## 3.0 OVERALL DECISION-MAKING IMPLICATIONS

### Presumption in favour of sustainable development

- 3.1 The Site lies outside the defined settlement boundary and within the Metropolitan Green Belt. Policy S3 therefore directs the decision-maker to policies S5 and GB6 to GB8.
- 3.2 We are then told at Policy S5(5) confirms that policy S5 does not apply in situation such as this, which involve land within the Green Belt, save for where development would not be inappropriate. Where development would not be inappropriate through the application of policy GB7, as parties agree is the case, it should be approved unless the benefits would be substantially outweighed by adverse effects when assessed against the national decision-making policies and policy S5(2).
- 3.3 The parties agree that this is the operative policy balance for the appeal. References in earlier evidence to the "tilted balance" or paragraph 11(d) should be understood as references to the balance now required by policies S3, S5(5) and the relevant thematic national decision-making policies.
- 3.4 It is further noted that the wording of S5(5) has an enhanced emphasis for supporting growth. Whereas Paragraph 11d would see that permission was to be granted unless adverse impacts 'significantly and demonstrably' outweighed the benefits. The test of S5(5) instead requires that permission should be granted unless the benefits are 'substantially outweighed' by adverse effects. This is read to be a stronger, permissive bar to be tested against.

### Neighbourhood plan provisions

- 3.5 Policy S6 remains largely the same in terms of the broad thrust. The policy utilises the same transposition of wording ('significantly outweighed' to 'substantially outweighed') observed in S5(2). This policy applies only where a neighbourhood plan became part of the development plan five years or less before the decision and contains allocations to meet its identified housing requirement. The Sarratt Neighbourhood Plan was made in 2025, but it does not contain housing allocations to meet an identified requirement. The policy S6 presumption is therefore not engaged, as was previously the case. Relevant neighbourhood plan policies remain part of the development plan and are addressed in the ordinary way, including through Annex A where consistency with national decision-making policies is relevant.

### Grey belt and Green Belt

- 3.6 The August 2026 definition of grey belt comprises previously developed land and/or other Green Belt land which does not strongly contribute to any of purposes (a), (b) or (d) in policy GB2. Unlike the previous definition, it does not contain a separate exclusion by reference to policies protecting other areas or assets. Those matters are considered directly under the relevant national decision-making policies.
- 3.7 Annex E now forms part of national policy. It states that villages should not themselves be treated as large built-up areas for the purposes of Green Belt purpose (a). The parties' existing factual agreement

is that Croxley Green is a village but is contiguous with Watford. The purpose (a) assessment should therefore focus on the relationship between the Site and the Watford large built-up area, rather than treating Croxley Green in isolation as a large built-up area.

- 3.8 The parties continue to agree that, in accordance with Annex E, the Site does not strongly contribute to Green Belt purposes (b) or (d). The agreed purpose (a) characteristics - including permanent physical containment, the absence of an incongruous pattern of development and the presence of urbanising influences - correspond with Annex E features indicating a moderate rather than strong contribution. The parties therefore agree that the Site does not strongly contribute to purpose (a) and remains grey belt under the August 2026 definition.
- 3.9 The parties further agree that the proposal satisfies policy GB7(1)(g) because:
- the development would utilise grey belt land and would not fundamentally undermine the purposes, taken together, of the remaining Green Belt across the plan area;
  - there is an evidenced unmet need for housing, demonstrated independently by the agreed absence of a five-year housing land supply and the results of the latest Housing Delivery Test result (2025; 47%);
  - the Site is in a sustainable location having particular regard to policy TR3; and
  - the proposal complies with policy GB8.
- 3.10 It follows that the proposal is not inappropriate development in the Green Belt. No very special circumstances exercise is required. The physical and visual changes to the Site remain relevant factual considerations, but do not amount to definitional Green Belt harm under policy GB7.
- 3.11 The updated Framework does not provide any further guidance on what may constitute as Very Special Circumstances ("VSC") where residential led schemes are concerned. The Appellant and Council have not yet committed themselves to an agreement on whether VSCs would exist, were the Inspector to find that the proposals did not constitute 'not inappropriate' development in the green belt.
- 3.12 Here, parties can provide an update on the matter and agree that the scheme invites a number of benefits including the significant provision of housing and affordable housing. These benefits would satisfy the requirements of GB6(2) which would see that the harms to the green belt, which are substantial in nature by default, are outweighed by the key considerations outlined through the Appeal scheme.

## Golden Rules

- 3.13 The proposal would provide 50% affordable housing, necessary improvements to local infrastructure and extensive publicly accessible green space. The parties continue to agree that the proposal complies with the Golden Rules in policy GB8.
- 3.14 Policy GB8(2) now directs that substantial weight should be given to the importance of complying with the Golden Rules. This replaces the previous direction to give significant weight.

## The relevant national decision-making policies which may require refusal in specific circumstances

- 3.15 The relevant policies in this regard would relate to and for the SSSI, Ancient Woodland, flood risk and designated heritage assets must be applied directly (S5(2)). For the reasons set out in Section 5 of this Topic SoCG, none of the eleven “should be refused policies” (i.e., Policies DP3, M5, L3, TR6, HC5, F6, F7, N2, N4, N6, HE6) requires refusal of the appeal proposal.
- 3.16 Subject to completion of an acceptable Section 106 obligation and the imposition of suitable conditions, the parties agree that the adverse effects do not substantially outweigh the benefits. The Council's position that it will not invite the Inspector to dismiss the appeal therefore remains unchanged.

## 4.0 FIVE-YEAR HOUSING LAND SUPPLY AND HOUSING NEED

### Policy framework and agreed methodology

- 4.1 Annex D contains the relevant policy on housing calculations and supply. The policy continues to require a minimum five-year supply of specific deliverable sites, assessed against local housing need calculated using the standard method where the development plan housing requirement is more than five years old. For the benefit of this appeal, it is noted that there are no changes of note in the way that the five year supply ("5YHLS") is calculated. Similarly, the absence of the 5YHLS remains a factor which provides a presumption in favour of development.
- 4.2 The details of how the 5YHLS is calculated is set out in a separate note, jointly prepared by the Appellant and Council.
- 4.3 Beyond the 5YHLS, it is noted that on the same day as publication of the Framework, the Government issued the results of the 2024 and 2025 Housing Delivery Test ("HDT"). The HDT remains an important policy tool of Government in the 2026 Framework, and for the purposes of this appeal is detailed in footnote 41, which is aligned with policy GB7 f(ii). The latest 2025 HDT result for Three Rivers is 47%. This is below both the 85% threshold for the 20% buffer and the 75% threshold at which an evidenced unmet need is deemed to exist for policy S5(1)(j) and for the housing limb of policy GB7(1)(g).

### Implications for the appeal and weight to housing

- 4.4 The parties agree that, whichever supply figure is preferred, the shortfall is acute.. On the Council's case, approximately 76% of the five-year requirement is unmet. On the Appellant's case, approximately 88% is unmet. The total 600-dwelling capacity of the appeal proposal is numerically equivalent to approximately 15% to 16% of the identified shortfall, although the contribution within the five-year period will depend on the final delivery trajectory.
- 4.5 Policy HO7 requires substantial weight to be given to the benefits of providing homes which contribute to evidenced needs. The Council gives the housing benefit substantial weight, which is the highest category in its four-point scale.
- 4.6 The Appellant gives the housing benefit very substantial weight, which is the highest category in its five-point scale. This reflects a combination of factors which build upon the direction of 'substantial weight' to housing directed by Policy HO7. This involves matters particular to Three Rivers, including the scale and duration of the housing shortfall, the [2025] 47% Housing Delivery Test result, and the absence of a plan led system to deliver growth. These matters are considered against the sustainable relationship of the Site with Croxley Green and the scale of the contribution made by the appeal scheme with delivery up to 600 homes.
- 4.7 The Appellant also gives very substantial weight to the provision of up to 300 affordable homes. That judgement reflects the 50% provision, the identified need for 527 affordable homes per annum, the

accumulated shortfall of 1,942 affordable homes over the four years from 2021/22 to 2024/25, the 946 households recorded on the Housing Register at 31 March 2026, and the persistent affordability pressures identified in the Appellant's evidence. The Council gives this benefit substantial weight, its highest category, subject to the completion of an appropriate s106 Agreement.

## 5.0 TOPIC-SPECIFIC IMPLICATIONS

### Housing mix, specialist housing and delivery

- 5.1 As a preface to this chapter, the 2026 Framework sets out the Government's objective for housing. Here, the Framework moves beyond paragraph 61 of the 2024 Framework in the provision of a significant boost of housing, to ensuring a 'substantial increase' in the supply of homes.
- 5.2 Policy HO7 expands on the 2024 Framework paragraph 63. HO7 tells us that when applying the policies in the Framework, that substantial weight should be given to the benefits of providing homes which Policy HO9 (and HO7) continue to reinforce the 2024 Framework's support for the needs of different groups and specialist accommodation to be met. The proposed custom and self-build plots and the five-bedroom children's social care and supported living home remain positive material considerations. The precise weight to those benefits remains as set out in Section 6.
- 5.3 Policy HO13 emphasises the timely build-out of major housing developments, drawing out elements of paragraph 61 of the 2024 Framework. The outline and phased nature of the proposal, the proposed phasing condition and appropriate Section 106 delivery mechanisms are capable of addressing the policy. No separate reason for refusal arises.

### Effective use of land and design

- 5.4 Policy L3 provides updated advice on the Government's expectations for achieving appropriate densities. Whilst this policy is organised in a different way than paragraphs 129 and 130 of the 2024 Framework, the thrust of what both documents are trying to achieve remains the same; to ensure that densities are efficient, whilst reflective of local factors including character and local market conditions and infrastructure.
- 5.5 The policy does now distinguish what to do within/outside of settlements. For the appeal scheme, part 2b of policy L3 is relevant, which notes that the development footprints of sites should make the best use of a site's development potential, reflective of the policies in the Framework. There is no disagreement between parties that this is what the appeal scheme does.
- 5.6

### Achieving well designed places

- 5.7 Policies DP3 and DP4 reinforce the importance of context, liveability, climate resilience, nature, movement, built form, public space and identity. The application is in outline, but is supported by parameter plans, a Design and Access Statement, a Design Code and a Design Review Panel process. Detailed design remains capable of being secured at reserved matters stage and through appropriately worded conditions.

### Transport and accessibility

- 5.8 Policies TR3, TR4, TR6 and TR8 provide the relevant national decision-making framework, which update policies 109-114 of the 2024 Framework. The 2026 Framework continues development proposals to be in a sustainable location or one which can be made sustainable. The overall aim of the policy being that the location should limit the need to travel, and offer a genuine choice of transport modes.
- 5.9 The Transport Assessment Revision E adopts a vision-led approach, includes multi-modal trip generation, assesses 2030 future-year and committed-development conditions and includes sensitivity testing. The proposed package includes pedestrian and cycle connections, active travel measures, Beryl Bike provision, a dedicated bus service, travel-plan measures and highway mitigation.
- 5.10 Policy TR3(2) now refers expressly to the Connectivity Tool. The Appellant's transport witness will look to address the Tool alongside the existing quantitative and qualitative evidence.
- 5.11 Policy TR6(4) requires refusal only where the development would have a severe adverse impact on the transport network or an unacceptable impact on highway safety, taking account of mitigation and wider network improvements, an approach broadly mirroring paragraph 116 of the 2024 Framework. The parties continue to agree that neither threshold is met and that the Local Highway Authority has no objection subject to conditions and obligations.

## Managing flood risk and coastal change

- 5.12 The national decision-making policies of the 2026 Framework draws together elements of the 2024 Framework (paragraphs 170-186), along with parts of the relevant sections of PPG. Flood zones and their respective vulnerability are now set out in Annex F (table 1) of the 2026 Framework for example. Presenting a similar approach between iterations, Policy F4 requires a site-specific flood risk assessment for development of one hectare or more in Flood Zone 1. The appeal proposals are supported by a Flood Risk Assessment proportionate to the scale and nature of the development.
- 5.13 The Site is in Flood Zone 1. The Flood Risk Assessment identifies only limited low-risk surface-water flow routes, places built development outside those areas, provides safe access and egress and concludes that the development would not increase flood risk elsewhere, subject to the proposed mitigation and drainage strategy.
- 5.14 Policy F5(2)(b) updates paragraph 175 of the 2024 Framework. It now states expressly that the sequential test is not required where a site-specific assessment demonstrates that built development, access and other vulnerable elements would not be located in an area at risk, or where surface-water risk only would be managed safely for the lifetime of the development without increasing risk elsewhere. This remains a broadly similar objective to the 2024 Framework, albeit it is noted that the new Framework is more explicit that the test should operate for the 'lifetime' of the development rather than simply in 'the future'. This does not lead to any changes in the approach taken, and parties agree that the proposal falls within those circumstances and that no sequential test is required.
- 5.15 Policies F7 and F8 require development to be safe for its lifetime and to incorporate sustainable drainage systems which control runoff and provide multifunctional benefits where possible. The Flood Risk Assessment, Sustainable Drainage Strategy, response to the Lead Local Flood Authority and proposed

conditions provide an appropriate mechanism for compliance. The Lead Local Flood Authority raises no objection subject to conditions.

- 5.16 Annex C now identifies a statement explaining compliance with the National Standards for Sustainable Drainage Systems as an information requirement where applicable. The Appellant considers that the submitted drainage material, together with the conditions requiring detailed approval, provides an adequate basis for the outline appeal.

## Natural environment, biodiversity and Ancient Woodland

- 5.17 Policy N6 continues to retain the strong protection for important and irreplaceable habitats, expressed in paragraphs 192-195 of the 2024 Framework. The parties continue to agree that the proposal would not result in the loss or deterioration of Ancient Woodland, ancient trees or veteran trees, and that there would be no adverse effect on the features of special scientific interest of Whippendell Wood. Reason for Refusal 2 remains withdrawn.
- 5.18 Policy N2 supports nature recovery, green infrastructure and biodiversity enhancement, while making clear that development proposals may voluntarily exceed the statutory biodiversity net gain objective. The proposed gains of 34.41% in habitat units and 42.54% in hedgerow units remain material benefits, with delivery secured through the statutory gain condition, management arrangements and other appropriate mechanisms.
- 5.19 Policy N2 also refers to integrated nest boxes (commonly known as swift bricks) unless compelling technical reasons prevent their use or would make them ineffective. This is a detailed design and condition matter and does not affect the principle or acceptability of the appeal proposal. This is addressed in draft Condition 20.

## Historic environment

- 5.20 The Heritage Assessment identifies the significance of the affected assets, the contribution made by their settings and the effect of the proposal on that significance. It therefore contains the substance of the Heritage Impact Assessment required by policy HE5 and Annex C, notwithstanding that its paragraph references and terminology pre-date the August 2026 Framework.
- 5.21 Policy HE5 removes the former category of "less than substantial harm". The appropriate updated description is that the proposal would result in harm, but not substantial harm or total loss, to the significance of the Grade II listed Durrants House and the Grade II Registered Park and Garden at Cassiobury Park through changes to their settings.
- 5.22 The degree of harm remains informed by the existing assessment. The identified harm is of a low degree in relation to both Durrants House and Cassiobury Park. The proposal would not affect a key element of either asset's significance, which is the policy HE5 description of substantial harm. There would be no physical loss or alteration to either designated asset.

- 5.23 Policy HE6 requires substantial weight to be given to the conservation of designated heritage assets. Any harm is a matter of considerable importance and weight. Where harm, rather than substantial harm or total loss, would arise, policy HE6(4) requires the effect on the asset and its significance to be weighed against the public benefits of the proposal.
- 5.24 The parties continue to agree that the public benefits outweigh the identified heritage harm and that the historic environment policies do not require refusal. The Appellant gives the heritage harm limited adverse weight after applying the statutory duty and the policy requirement to give substantial weight to conservation. The Council's previous position was moderate adverse weight. The difference does not alter the agreed outcome of the HE6 balance.

## Meeting the challenge of climate change

- 5.25 Policy CC2 requires development proposals, where relevant, to support sustainable patterns of movement and good access to facilities, conserve energy and other resources through design, take opportunities to reuse materials and draw energy from low-carbon sources, and protect or create natural carbon stores. Links here are made to policies TR3 and TR4, referred to above in this paper. Policy CC2(2) directs substantial weight to the benefits of drawing energy from renewable and low-carbon sources, including heat pumps and solar panels.
- 5.26 The proposal will see a fabric-first approach, an all-electric energy strategy, air-source heat pumps and photovoltaic panels. The Appellant considers that the express wording in policy CC2 strengthens the weight to be given to the low-carbon benefit and now gives it substantial positive weight. The Council's July position was limited positive weight and requires confirmation in light of policy CC2.

## Community facilities, public service infrastructure and health

- 5.27 Policies HC3 and HC4 reinforce the importance of providing the community facilities and public service infrastructure necessary to serve major development. Policy HC4 directs substantial weight to the benefits of new or improved public service infrastructure or community facilities and to demonstrable public-health benefits.
- 5.28 The proposal includes a primary school, medical centre, community building, local centre, children's social care and supported living provision, sport and play spaces and a Country Park. The Appellant considers that the integrated package satisfies both limbs of policy HC4 and that its community and public-health benefits should attract substantial weight when considered in the round. To avoid double counting, the site-specific weights for individual components remain identified in Section 6.
- 5.29 The policy does not remove the need to distinguish between mitigation required to make the development acceptable and wider benefits, or to avoid double counting. The Appellant's weighting exercise continues to address each component separately and in the round.

## Town-centre and local-centre matters

- 5.30 Policy TC4 applies a default impact-assessment threshold of 2,500 square metres gross floorspace where the development plan does not set a locally appropriate threshold. The proposed retail and cafe floorspace is below that threshold. The August 2026 Framework does not create a requirement for any new retail impact assessment.
- 5.31 The proposed local centre remains appropriately scaled to serve the development and provide some wider benefit to Croxley Green, as recorded in the July SoCG.

## 6.0 AREAS OF FURTHER AGREEMENT AND DISAGREEMENT

### Proposed common ground

6.1 The following matters are proposed as common ground:

- the August 2026 national decision-making policies apply to the appeal from publication and replace the corresponding December 2024 policy references
- the proposal remains grey belt and satisfies policy GB7(1)(g)
- the proposal complies with policy GB8 and substantial weight should be given to the importance of Golden Rules compliance
- the Council cannot demonstrate a five-year housing land supply and there is an evidenced unmet need for housing
- the 20% buffer applies and the 2025 Housing Delivery Test result is 47%
- the transport, flood-risk, natural-environment and design policies do not create a new reason for refusal
- the heritage effect is properly described as harm, but not substantial harm or total loss, and the public benefits outweigh it under policy HE6
- subject to a satisfactory Section 106 obligation and suitable conditions, the Council will not invite dismissal of the appeal
- the proposal should be allowed under policy S5(5) because its benefits are not substantially outweighed by adverse effects

## 7.0 CONCLUSION

- 7.1 The August 2026 Framework changes the structure and terminology of national policy but does not introduce a new reason to dismiss this appeal. In a number of respects it strengthens the policy support for the proposal, including through policy GB7(1)(g), Annex D, the express policy S5(5) balance, the substantial weight directed to Golden Rules compliance, the substantial weight to homes meeting evidenced needs and the express support for low-carbon energy and public-service infrastructure.
- 7.2 The proposal remains not inappropriate development in the Green Belt under policy GB7, complies with policy GB8 and addresses an acute evidenced housing need. The technical evidence and agreed mitigation demonstrate compliance with the relevant transport, flood-risk, natural-environment, design and other national decision-making policies.
- 7.3 The updated heritage terminology does not change the substance of the assessment. The proposal would result in harm of a low degree, but not substantial harm or total loss, to the significance of Durrants House and Cassiobury Park through changes to setting. The public benefits outweigh that harm under policy HE6.
- 7.4 The parties agree that the development accords with the development plan taken as a whole and that, subject to a satisfactory Section 106 obligation and suitable conditions, conditional planning permission should be granted. The differences identified in this Topic SoCG relate to the weight attached to individual considerations.

**SIGNED:**

**For the Appellant:**

Name: Cameron Austin-Fell

Position: Planning Director, Tetra Tech



Signature:

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Date: 26.08.2026

**For the Local Planning Authority:**

Name: Liz Fitzgerald

Position: Managing Director, Barker Parry



Signature:

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Date: 26.08.2026