

# Summary Landscape Proof of Evidence

**In respect of: Land east of Oxhey Lane, Carpenders Park,  
Watford**

**On behalf of Burlington Developments London Ltd.**

Date: 28<sup>th</sup> May 2026 | Pegasus Ref: P24-2420

PINS Ref: APP/P1940/V/26/3378268 | LPA Ref: 25/1020/OUT

Author: Jonathan Evans BA (Hons) PG Dip CMLI

---



## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
V1	28.05.2026	JDE	JDE	-

# Contents.

1. INTRODUCTION .....	2
2. DESCRIPTION OF THE PROPOSALS .....	3
3. ASSESSMENT OF THE SITE AGAINST GREY BELT DEFINITION.....	4
4. EFFECT ON LANDSCAPE ELEMENTS AND THE CHARACTER OF THE SITE .....	9
5. EFFECTS ON PUBLISHED LANDSCAPE CHARACTER AREAS.....	10
6. EFFECTS ON GENERAL VISUAL AMENITY .....	12
7. EFFECTS ON RESIDENTIAL VISUAL AMENITY .....	13
8. CONCLUSION.....	14

# 1. INTRODUCTION

- 1.1. I am instructed by Burlington Developments London Ltd (the 'Applicant') to present evidence relating to Green Belt, Grey Belt and Landscape and Visual matters as they relate to the Application (ref:25/1020/OUT) submitted to Three Rivers District Council ('TRDC', the Council') which was validated on 25<sup>th</sup> June 2025 with the following description of development:

***"Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children's home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters)."***

- 1.2. The Application was recommended for approval by officers (refer to **Committee Report – CD2.2**). This confirmed that officers considered the Site to be Grey Belt, and if members were to come to a different view it was also found that Very Special Circumstances existed to outweigh the harm to the Green Belt, and any other harms.
- 1.3. The Application was presented to the Council's Planning Committee on 19th March 2026, one day after the Secretary of State directed the Council to include the Site as an allocation in the Regulation 19 Consultation. Despite the positive officer recommendation, members resolved to refuse planning permission. The minutes indicate that the proposed reasons for refusal were:

***"1) It would constitute inappropriate development in the Green Belt, harm openness, and conflict with purpose (a) and (c) of the Green Belt. Very special circumstances would not exist to outweigh the harm to the Green Belt and any other harm identified; and***

***2) In the absence of a S106 agreement, failure to secure infrastructure contributions."***

- 1.4. It is notable that the minutes contained no landscape or visual impact reason for refusal nor mandate from Members of the Planning Committee for such grounds for refusal to be pursued by the Council or on the Council's behalf. Consequently, within the Council's Statement of Case and within the Planning Statement of Common

Ground it is confirmed that Landscape matters do not constitute a Reason for Refusal.

## 2. DESCRIPTION OF THE PROPOSALS

- 2.1. The planning application submitted to Three Rivers District Council, (LPA Ref: 25/1020/OUT) seeks outline planning permission for the development of the Site to deliver up to 256 new homes (including affordable and self/custom build housing), housing with care, a children's home for looked after children together with associated access, open space and landscaping.
- 2.2. It is anticipated that the Proposed Development would comprise a mix of dwelling sizes and tenures with dwellings ranging from smaller (one-bedroom) apartments to larger (five-bedroom) detached houses.
- 2.3. The average gross density of the proposal is approximately 20dph, based on the overall Site area of 12.7ha. The average net density which only includes the areas for residential development (excluding public open space, landscape and the area for the housing with care) is approximately 42dph. The density will vary across the Site, having regard to the Site context, proposed character, making efficient use of land, and ensuring the proposals provide an appropriate transition to the wider landscape to the north, east and south.
- 2.4. The Proposed Development also includes approximately 6.2ha of Green Infrastructure (GI) – representing approximately 49% of the Site area, well in excess of the minimum requirements. The GI would include extensive publicly accessible, semi-natural green space and landscaped buffers around the perimeter of the Site, see **CD1.12 – Illustrative Landscape Masterplan**.

### **3. ASSESSMENT OF THE SITE AGAINST GREY BELT DEFINITION**

- 3.1. In considering whether or not the Site qualifies as 'Grey Belt' a combined landscape and planning expertise approach is necessary which integrates landscape analysis with National Planning Policy Framework (NPPF) spatial tests.
- 3.2. As set out in the Planning Statement of Common Ground, a number of matters are agreed between the Applicant and the Council, namely the proposals would accord with paragraph 155b and 156(a-c), there are no footnote 7 factors relevant (other than Green Belt) and that proposals would not strongly contribute to purpose (b) or have any impact on purpose (d) of including land within the Green Belt.
- 3.3. On this basis, the area of disagreement relates to the Sites contribution to Green Belt purpose (a) and whether the proposals comply with paragraph 155(a) & (c).
- 3.4. It also important to note that two independent legal opinions – instructed by both the District Council and Applicant – are consistent in the view that the Site should be considered Grey Belt. Furthermore, the second legal opinion from the applicant clearly sets out that the Site is in a sustainable location. The Council's case officer also concluded that the Site should be considered Grey Belt. There is therefore a strong corroboration of informed opinion in favour of this conclusion.

### **Effect on the Purposes of the Green Belt**

- 3.5. Due to the factors noted in the submitted Green Belt Assessment (GBA) §3.6 – §3.7 it is self-evident that the Site exhibits characteristics which weaken its contribution to purpose a). In terms of physical features which could restrict and contain development these include:
- **Oxhey Lane – a permanent physical feature which forms part of the Site’s western boundary;**
  - **the mature hedgerow and trees along the Site’s northern boundary – which are considered to form a robust, defensible boundary between the Site and land further north. Furthermore, two fields immediately to the north of the Site form Proposed Education Allocation CFS11;**
  - **the extensive mature vegetation within the Merry Hill Woodland Trust land to the east; and**
  - **The flood zone to the south of the site – together with the Hartsbourne Stream Flood Storage Area. The Flood Storage Area is functional floodplain 3b as designated by the Council so clearly forms a defensible boundary against future sprawl to the south.**
- 3.6. Additionally, the Site is subject to urbanising influences including existing built-up areas at Carpenders Park to the west of Oxhey Lane and the adjacent, visually prominent Carpenders Park Care Home and 5G telecommunications tower – east of Oxhey Lane.
- 3.7. The Proposed Development, would not be perceived as sprawl and would not be unrestricted or unplanned in nature. Indeed, the layout and positioning of the proposals reflect very careful design and control and would reflect the existing character of the area. There would be no evidence of unrestricted sprawl beyond the site’s well-defined boundaries.
- 3.8. With regard to purpose b) the addition of the Proposed Development on the Site would have a limited impact on the contribution of the remaining Green Belt towards this purpose.

- 3.9. The Proposed Development would in physical terms be confined within the well-defined Site boundaries. Its impacts would be limited in this context and would not undermine the performance of the wider Green Belt. Extensive areas of Green Belt would still be retained between the inset settlements of Watford, Bushey and Harrow.
- 3.10. With regard to purpose c) the Proposed Development would extend the eastern settlement edge of Carpenders Park an additional 250m northeast towards Bushey Heath in Bushey, however the westernmost edge of the settlement would remain over 1km to the east of the Site's eastern boundary at its closest point. It is considered that the Proposed Development would have a Slight Impact on the contribution of the remaining Green Belt to this Purpose. However, it should be acknowledged that the most sustainable locations for development will invariably be adjacent to existing settlements that typically comprise countryside. Therefore, in the interests of promoting sustainability, there is an almost inevitable conflict with this Green Belt purpose. It is relevant to note this Purpose is specifically omitted from the NPPF (2024) glossary definition of Grey Belt.
- 3.11. In relation to Purpose d) it is considered that while there are heritage designations within the wider context of the Site, there are none which share any intervisibility with the Site or comprise locations from which the Proposed Development could be seen. There are no historic towns identified within the Stage 1 or 2 assessments. It is considered that the Proposed Development would therefore have no impact on the contribution of the remaining Green Belt to this Purpose.
- 3.12. In relation to Purpose e) 'to assist in urban regeneration, by encouraging the recycling of derelict and other urban land' it is agreed with the Stage 1 and Stage 2 Green Belt Assessments that all parcels, including the Site, make a limited contribution to this purpose given the limited availability of Brownfield land, and the available land not being able to meet housing needs. In relation to the Site itself, it is therefore considered that the Proposed Development would have no impact on the contribution of the remaining Green Belt to this purpose.

### **Effects on the Openness of the Green Belt**

- 3.13. Having regard to NPPF Footnote 55, if the proposal involves Grey Belt land, and is deemed not inappropriate, as Mr Allin sets out, then the policy of impact on openness does not apply.
- 3.14. Nevertheless, the introduction of the Proposed Development would inevitably introduce built form and reduce the spatial aspect associated with the Site which would be most readily appreciated from the environs of the settlement boundary in the immediate vicinity of the site, i.e. the adjacent Oxhey Lane and Carpenders Avenue and rights of way, extending through and in close proximity to the Site causing a limited and moderate degree of harm.
- 3.15. In terms of the visual aspect (perception) of openness, there is already a strong sense of visual enclosure associated with the Site. This is due to the substantial presence of boundary planting, mature tree cover and existing settlement edge development which frames the Site. This aspect of strong enclosure would continue to remain and prevail with the Proposed Development in place, such that from the wider built-up area of Carpenders Park and the countryside within the Green Belt beyond the Site, there would be generally limited visibility of the Proposed Development and as such, there would be a low level of change to the perceived sense of openness within the locality and this particular part of the Green Belt as a result of the proposed housing.

### **Conclusion on Grey Belt**

- 3.16. It is the judgment of this assessment that the Site does not contribute to Purposes (a), (b), or (d) of the Green Belt. It is therefore considered to be Grey Belt under the definition provided within the Glossary of the Framework. Further, the removal of the Site from the Green Belt would not fundamentally undermine the five purposes when taken together of the remaining Green Belt within the wider plan area. On this basis, paragraph 155 (a) is satisfied.
- 3.17. Furthermore, the removal of the Site from the Green Belt would have a limited effect upon the appreciation of the openness of the remaining Green Belt, due to a combination of the well-wooded local landscape context, local landform and intervening built development. The perception of the loss of openness whilst moderate or notable in some cases, would be localised. Mitigation planting, including substantial areas of woodland planting and a significant amount of tree planting both throughout the development and focussed within the northern area of open space, would over time reduce the proportion of built development perceived. Whilst visual openness would be reduced, the resulting change would be consistent with the well-wooded character of the wider landscape and reduction in openness would typically only affect the Site itself, and not views across the wider Green Belt landscape overall.

## 4. EFFECT ON LANDSCAPE ELEMENTS AND THE CHARACTER OF THE SITE

- 4.1. In overall terms, the Proposed Development would result in some beneficial effects with regard to the landscape elements that currently define the landscape character of the Site. The Site would change from unmanaged grassland to the Proposed Development set within a substantial landscape framework.
- 4.2. The Site is characterised by perimeter field boundary hedgerows and trees but is also influenced visually by residential properties along the eastern edge of Carpenders Park together with the adjacent care home and communications mast. This existing built infrastructure influences the physical and visual context of the Site and as such it appears as an edge of settlement location which can otherwise be described as urban fringe or peri-urban in nature.
- 4.3. The Proposed Development would be in general keeping with the local settlement and therefore, not at odds or out of character or appearance. In other words, predominantly two storey residential properties arranged around residential roads would be consistent with existing neighbouring areas (see **DAS – CD1.27** – pages 18 and 19). The wider balance of the Site would accommodate new green infrastructure which would retain and enhance existing characteristic landscape features.
- 4.4. A medium susceptibility, value and sensitivity, combined with a medium – high magnitude of change, would result in a major adverse degree of effect upon completion of the Proposed Development in landscape character terms at the Site level. However, after 15 years, with maturing of the landscape framework, this would reduce to moderate adverse. This is because the Site is currently unmanaged grassland on the settlement edge which would be replaced with a new residential neighbourhood set within public open spaces. The Proposed Development would be set in the context of the settlement edge and the wider settled landscape of Carpenders Park. Over time it would be successfully assimilated into the landscape context.

## **5. EFFECTS ON PUBLISHED LANDSCAPE CHARACTER AREAS**

- 5.1. At the county level of assessment, the Site is located within the 'Bushey Hill Pastures' LCA, as defined by the South Hertfordshire Landscape Character Assessment.
- 5.2. The Proposed Development would bring about inevitable change to the character of the Site itself, however, such a change would in physical terms be confined within the application Site boundaries. The proposed built form and greenspaces would be of high quality and would be sensitive to local context. Off site, the pattern of the land cover, woodland, tree and hedge cover and agricultural mix, undulating topography, the variety of building materials, together with the settlement pattern generally would all continue and prevail with the Proposed Development in place.
- 5.3. It is considered that the key characteristics of the wider landscape and settlement beyond the application Site boundaries would be physically unaffected with the Proposed Development in place. It is only the experiential factors of character, both visual and audible elements that would be influenced to some limited degree locally. Any noise associated with the habitation and use of the Proposed Development would be negligible in the wider landscape and settlement context particularly given the existing traffic using Oxhey Lane. The Proposed Development would not change the broad character of the wider area which would continue to prevail with the Proposed Development in place.
- 5.4. Consequently, with the Proposed Development in place I consider that there would be a low magnitude of change locally within the character area and a negligible effect with increasing distance from the Site resulting in a subsequent negligible or minor adverse effect.
- 5.5. By Year 15, the magnitude of landscape change and significance of effect would fall to negligible as the proposed green infrastructure including woodland, tree belts and scattered groups of trees would be substantially mature and provide a strongly positive contribution to the well-treed character of the local landscape. The

woodland and well-treed greenspace proposed for the Proposed Development would achieve landscape and visual integration by providing (1) a visually robust vegetation framework, (2) an expanded framework of woodland in the local landscape and (3) visual and ecological links between existing and proposed woodland areas, all in accordance with the guidelines for managing change in the Bushey Hill Pastures LCA. There would be a significant net gain in the amount and quality of publicly accessible green infrastructure.

## 6. EFFECTS ON GENERAL VISUAL AMENITY

- 6.1. Based on the LVIA Viewpoint Assessment (**CD1.36 § 6.24 – 6.26**) and my Site visits, it is evident that due to the very well contained nature of the Site, the local topography, and the notable existing and proposed woodland, tree and hedgerow cover, the actual visual envelope and visibility of the scheme from the surrounding area would be very limited.
- 6.2. The Proposed Development would result in only limited effects on local visual amenity, with notable effects limited to locations on or immediately adjacent to the Site, and some very limited visual effects from locations in close proximity to the Site.
- 6.3. The LVIA (**CD1.36**) concludes that initial changes to visual amenity would be Major adverse for users of the PRow footpath route 'Watford Rural O13' which passes through the northern section of the Site, reducing to a Moderate adverse effect at Year 15, following the growth of mitigation planting. For other receptors the level of effect would be moderate adverse at worst upon completion and would reduce over the passage of time with maturing of the landscape proposals.
- 6.4. Consequently, visual effects arising from the Proposed Development are not considered to be significantly adverse overall, in the longer term and in the wider context of the Site.

## **7. EFFECTS ON RESIDENTIAL VISUAL AMENITY**

- 7.1. I have visited the Site and the surrounding residential areas mindful of the various parameters as identified in the preceding paragraphs and on that basis, I consider that there would be no unacceptable effects on the visual component of the residential amenity for any nearby properties, particularly those in closest proximity to the Site backing onto Oxhey Lane together with those fronting onto Carpenders Avenue further west.
- 7.2. It is accepted that the Proposed Development would result in a change to some views, and this would involve a change to the composition of a number of private views, however, I consider this change in itself is not unacceptable, in private visual amenity terms. I note the proposed residential properties would be seen to varying degrees from these existing properties but would not be visually overbearing, overwhelming or oppressive in these views. Given the size and location of the proposed properties, the distances involved, the orientation of the existing properties and the nature of the views, any effect on outlook would not cross the public interest test here.

## **8. CONCLUSION**

- 8.1. For the reasons stated above it is my view that the Site qualifies as Grey Belt under the definition provided within the Glossary of the NPPF. Further, the removal of the Site from the Green Belt would not fundamentally undermine the five purposes when taken together of the remaining Green Belt within the wider plan area. On this basis, paragraph 155 (a) is satisfied. Therefore, on Green Belt and Landscape and Visual grounds I consider that there are no substantive reasons for refusing planning permission for the Proposed Development (although I recognise that the overall judgment on whether permission should be granted or not is a matter for the planning witness having regard to my assessment of the effects).

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

**Cirencester**

33 Sheep Street, Cirencester,  
Gloucestershire, GL7 1RQ  
T 01285 641717  
E [Cirencester@pegasusgroup.co.uk](mailto:Cirencester@pegasusgroup.co.uk)  
Offices throughout the UK

# Expertly Done.

DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



All paper sources from sustainably managed forests

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales.

Registered office: Querns Business Centre, Whitworth Road, Cirencester, Gloucestershire, GL7 1RT  
We are ISO certified 9001, 14001, 45001



[Pegasus\\_Group](#)



[pegasusgroup](#)



[Pegasus\\_Group](#)

**PEGASUSGROUP.CO.UK**