

## PLANNING COMMITTEE – Thursday 23 October 2025

### PRELIMINARY REPORT

**25/1020/OUT – 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) at LAND EAST OF OXHEY LANE, CARPENDERS PARK, HERTFORDSHIRE.**

Parish: Watford Rural

Ward: Carpenders Park

Expiry of Statutory Period: 24 September 2025

Case Officer: Matthew Roberts

Extension of Time: 31 December 2025

**Application Type:** Major development

Reason for consideration by the Committee: This application has been called in by three members of the Planning Committee due to the scale of the development.

Recommendation:

- (1) That members agree for officers to arrange a site visit prior to this application being presented to Planning Committee for a decision.
- (2) That the Committee note the report and is invited to make general comments with regard to the material planning issues raised by the application.

**NOTE: A decision will NOT be made on this application at this time. The application will be returned to a future committee meeting for determination.**

To view all documents forming part of the application, please go to the following website:

<https://www3.threerivers.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=SWP9DAQFGLL00>

## 1 Relevant Planning History

- 1.1 25/0021/EIA: EIA Screening Request: Mixed-use development of up to 260 homes, a care home together with associated parking, open space, landscaping and vehicular access. Determined. Not EIA development.

## 2 Description of Application Site

- 2.1 The application site comprises three main greenfield parcels of land totalling approximately 12.7 hectares, located on the eastern side of Oxhey Lane, a classified main distributor road (A4008) on the edge of Carpenders Park.
- 2.2 The application site adjoins and wraps around Carpenders Park Care Home which fronts Oxhey Lane and a telecommunication mast, set behind the care home. A Public Right of Way (Watford Rural 013) extends through the site (running east to west) and is positioned towards the site's northern edge. To the east the site is predominately bounded by Merry Hill Wood with tree belts to fields parcels and other site boundaries. To the south of the site is the Hartsbourne Stream, a tributary of the River Colne and the Hartsbourne Stream Flood Storage Area.

- 2.3 The site has a varied topography with the land at its highest to the north sloping gently downwards towards the southern boundary.
- 2.4 On the eastern side of Oxhey Lane is the built-up settlement of Carpenders Park comprising a range of residential housing, a school and associated pre-school, church, Greenfield Park play area, local amenities and Carpenders Park train station. Beyond Carpenders Park, on the western side of the railway is South Oxhey.
- 2.5 The north eastern boundary of the site is also the administrative boundary between Three Rivers District Council (TRDC) and Hertsmere Borough Council (site solely within TRDC). Beyond the site to the south east is Mutton Wood with Grims Dyke Golf Course and the administrative boundary with the London Borough of Harrow.
- 2.6 In the wider vicinity of the application site to the south east is the London Coal Duty Marker (Burnt Oak Farm), stable buildings in the grounds of Melodies and Oxhey Lane Farmhouse (all Grade II listed buildings), Grim's Ditch (Scheduled Monument) and Grimsdyke (Grade II\*) and associated park and garden (Grade II). The Brookshill Drive and Grimsdyke Conservation Area within Harrow is also located approximately 900m to the south east. To the north is Oxhey Grange and the Front Lodge to Oxhey Grange (Grade II).
- 2.7 In terms of policy designations, the application site falls wholly within the Metropolitan Green Belt. To the south and south west there are local wildlife sites (Mutton Wood and Woodwalks, on the western side of Oxhey Lane).

### 3 Description of Proposed Development

- 3.1 The applicant is seeking **outline planning permission** 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).
- 3.2 Of the new homes proposed, 50% will be affordable, of which 70% would be social rent and 30% shared ownership. Additionally, 10% of market housing will be self/custom build.
- 3.3 The application has been supported by a Parameter Plan (P24-2204\_DE\_003\_10) and Illustrative Landscape Masterplan (P24-2420\_EN\_08B) which provides an indicative overview of how the development **could** be laid out at the quantum proposed. In the event that Outline planning permission was granted, a condition would require that subsequent Reserved Matters accord with the Land Use Parameters Plan.
- 3.4 It is however important to note that the plans are for **illustrative purposes** only. The plan identifies that the development would be accessed via Oxhey Lane, opposite the junction with Carpenders Avenue. The four-way junction would include puffin crossings and associated infrastructure. Internally within the site the main primary access road would meander into the site and would feed the remaining parcels of residential development.
- 3.4.1 The submitted details indicate that the development would be split into character areas; CA1-The Spine, CA2-Neighbourhood Core and CA3-The Green Edge.
- 3.5 The northern part of the site would comprise a surface water attenuation basin, open space, a new native woodland, a Locally Equipped Area for Play (LEAP) and community orchard with the public right of way maintained along its existing alignment. Centrally and towards the eastern part of this parcel, residential development is indicatively proposed up to two storeys with a native hedgerow border.
- 3.6 The second (central) part of the development site, located between Carpenders Park Care Home and Merry Hill Wood, would contain residential development including housing with care, all of which would be up to three storeys in height and would adjoin a green corridor.

To the north west of this parcel a strip of two storey residential development is proposed with a pedestrian access linking onto Oxhey Lane. Towards the main part of central parcel and to the north east of the green corridor, further housing is proposed up to two storeys.

- 3.7 The most southern parcel of the development site would comprise three storey residential development including a 4 bed children's home (for looked after children), native woodland planting, an attenuation pond (south eastern corner) and an emergency access with removable bollards proposed onto Oxhey Lane.
- 3.7.1 The housing with care element would be a 3 storey building supporting 60 x 1 and 2 bed self-contained apartments whereby residents would have access to a range of communal services, such as a dining room, lounge, reception, office and changing room and laundry rooms.
- 3.7.2 The children's home would include a 4-bed dwelling capable of accommodating up to three children as well as providing facilities for staff to stay on site.
- 3.8 A circular footpath route is proposed which would run parallel to the eastern boundary and link up with the Public Right of Way.
- 3.8.1 In addition to the primary access, there would be two further access points with Oxhey Lane, one restricted to pedestrians and cyclists and the most southern access would be for emergency access only (bollard operated).



Above: Indicative landscape plan

- 3.9 The application was accompanied by the following plans/reports:
- Parameter Plan
  - Proposed Site Access Arrangement
  - Emergency Access Plan
  - Tree Protection Plans
  - Planning Statement
  - Design & Access Statement
  - Ecological Assessment
  - Flood Risk Assessment and Drainage Strategy

- Framework Travel Plan
- Green Belt Assessment
- Heritage Statement
- Land Contamination Assessment
- Landscape and Visual Impact Assessment
- Planning Needs Assessment – Housing with Care
- Affordable Housing Statement
- Air Quality Assessment
- Sequential Test
- Sustainability and Energy Statement
- Transport Assessment
- Utility Assessment
- Arboricultural Impact Assessment
- Tree Survey & Plan
- Biodiversity Checklist
- BNG Report
- CIL Form

The following documents have been submitted during the course of the application:

- Amended Health Impact Assessment
- Applicant's response to HCC Highways
- Archaeological Desk Based Assessment
- Applicant's response to Woodland Trust
- Additional Grey Belt information

## 4 Consultation

### 4.1 Statutory Consultation

4.1.1 A summary is provided in the table below, with the full comments set out in **Appendix 1 at Section 9**.

Consultees		
Active Travel England	9.1	No objection
Affinity Water	9.2	No objection
Environment Agency	9.3	No objection
Herts Constabulary	9.4	No objection
Herts Fire & Rescue	9.5	No objection
Herts and West Essex ICB (NHS)	9.6	No objection subject to obligations
Herts Archaeology	9.7	No objection, subject to conditions
Herts Footpath Section	9.8	No response received to date
HCC Growth and Infrastructure Unit (Adult Care Services)	9.9	No objection subject to obligations
HCC Growth and Infrastructure Unit	9.10	No objection, contributions requested
Herts Ecology	9.11	No response received to date
HCC Highways	9.12	Objection
HCC Waste and Minerals	9.13	No objection subject to conditions
HCC Healthy Places	9.14	No objection
HCC Water Officer	9.15	No objection subject to condition / obligation
HCC Lead Local Flood Authority	9.16	Objection
National Grid	9.17	No response received to date
Natural England	9.18	No response received to date
NHS England	9.19	No response received to date

Sport England	9.20	No objection
Transport For London	9.21	No objection
Thames Water	9.22	No objection, subject to conditions
The Ramblers Association	9.23	No objection
TRDC Conservation Officer	9.24	No objection
TRDC Environmental Health	9.25	No response received to date
TRDC Environmental Protection	9.26	No objection, subject to obligations.
TRDC Housing Officer	9.27	No objection
TRDC Tree and Landscape Officer	9.28	Advisory comments
TRDC Leisure Officer	9.29	Advisory comments
TRDC Planning Policy / Local Plans	9.30	Advisory comments
TRDC Transport and Parking	9.31	No response received to date
WBC Environmental Health (Commercial)	9.32	No objection
Watford Rural Parish	9.33	Objection
Woodland Trust (not statutory)	9.34	Objection
<i>Adjoining districts / boroughs</i>		
Hertsmere Borough Council	9.35	Advisory comments
London Borough of Harrow	9.36	Objection (GB & highways)
Watford Borough Council	9.37	No response received to date

## 4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 238

4.2.2 No of responses received: 914

4.2.2.1 490 in objection.

4.2.2.2 422 in support.

4.2.2.3 2 neutral.

4.2.3 During the course of the application the applicant undertook a public engagement exercise which produced comments from individual households from Your Shout (these form part of the 914 responses). The applicant confirmed that the purpose of this exercise was to seek resident's views on the scheme and confirmation if they wished to offer either their support or objection.

4.2.4 Site Notices (x10): Expiry: 30.07.2025                      Press Notice: Expiry 25.07.2025

4.2.5 Summary of Responses:

Objections	
<b>Impact on Green Belt</b>	<ul style="list-style-type: none"> <li>- Urban sprawl and merging of towns</li> <li>- Should always be protected from development</li> <li>- Green space enjoyed by many for walking.</li> <li>- Fields are historic pastureland</li> <li>- Irreversible loss of countryside</li> </ul>

	<ul style="list-style-type: none"> <li>- Would unchecked urban sprawl of built-up areas from Stanmore and Headstone all the way to the Bushey area.</li> <li>- Lead to a merging of Bushey and Watford into a single urban area with Headstone and Stanmore.</li> <li>- Reduce the separation between Oxhey and Carpenders Park.</li> <li>- Set a precedent and weaken protections for all such land in the region.</li> </ul>
<p><b>Impact on Character</b></p>	<ul style="list-style-type: none"> <li>- Multi storey bulks out of character with area.</li> <li>- Development would result in a devastating change.</li> <li>- Development will blur the boundaries between urban and rural.</li> <li>- Development would erode the distinct identity of Carpenders Park</li> </ul>
<p><b>Impact on Traffic / Highway Safety</b></p>	<ul style="list-style-type: none"> <li>- Negative impact with increased congestion, noise and pollution.</li> <li>- Oxhey Lane heavily congested.</li> <li>- Car dependant development</li> <li>- No regular bus service on the Carpenders Park side of the rail line.</li> <li>- Lead to parking stress on adjacent roads leading to parking restrictions and permits.</li> <li>- Existing roads cannot cope as it stands.</li> <li>- Junction with new access will become hazardous.</li> <li>- Roads already a nightmare during rush hour.</li> <li>- Oxhey Lane is a very busy road so potential for accidents.</li> <li>- Place greater parking burden at Carpenders Park station and surrounding area.</li> <li>- The planned entrance is severely hazardous to residents emerging from Carpenders Avenue.</li> <li>- Adding 256 new homes would likely introduce hundreds of additional vehicles, increasing congestion, especially during peak hours.</li> <li>- Not enough schools will also increase traffic chaos - it's already worst around Bushey Arches and to and from route to Harrow during peak hours.</li> </ul>

	<ul style="list-style-type: none"> <li>- Put at risk the essential access of Emergency Services to/from Watford Fire Station.</li> <li>- Cars queuing during rush hour down Pinner Road and Villiers Road.</li> <li>- The Transport Assessment underestimates trip numbers and fails to reflect actual local travel patterns. Parking is insufficient, leading to overspill. Pedestrian and cycling provisions are inadequate, breaching NPPF paragraphs 110-112 and Policy DM1.</li> </ul>
<p><b>Impact on local resources</b></p>	<ul style="list-style-type: none"> <li>- Resources already stretched.</li> <li>- Development places additional strain on local resources.</li> <li>- Carpenders Park cannot sustain additional development.</li> <li>- Loss of vast natural water absorbent areas.</li> <li>- Local services under great stress, long GP waiting lists and stretched services of the NHS and Watford Hospital.</li> <li>- Pressure on local schools and utilities.</li> <li>- Local nursery and junior school provision is already inadequate and competition for secondary school education places is already severely under strain.</li> <li>- Only one primary school and no secondary school.</li> <li>- Transport infrastructure already busy.</li> <li>- Local infrastructure will not cope with the influx of families.</li> <li>- Site forms part of an important green corridor with a seamless link to the Hertsmere Merry Hill Woods Nature Reserve.</li> <li>- Lack of local recreational facilities – few green spaces and a modest play area on Greenfield Avenue.</li> <li>- Development does not enhance the area's recreational offer and contributes to its erosion.</li> <li>- Despite its name, there is no actual 'park' in Carpenders Park.</li> <li>- No water capacity.</li> <li>- When the houses were built in Horse Haven my water pressure noticeably dropped so have</li> </ul>

	<p>adequate measures been taken to ensure this doesn't make it even worse, it got so bad it wouldn't fire my central heating boiler on occasions.</p>
<p><b>Impact on Natural Beauty and Recreation</b></p>	<ul style="list-style-type: none"> <li>- Cherished green space that serves the health and wellbeing of the local community.</li> <li>- Green space enjoyed by many for walking and running.</li> <li>- Site balances urban and rural.</li> <li>- Area provides wild-growing fruit which can be harvested by locals.</li> <li>- Site should be preserved as a local asset.</li> <li>- Out of character with area.</li> <li>- Damage trees.</li> <li>- Destroy valuable Woodland Trust wildlife habitat in Merry Hill.</li> </ul>
<p><b>Impact on Wildlife</b></p>	<ul style="list-style-type: none"> <li>- Great impact on local wildlife.</li> <li>- Loss of young Oak trees that are part of a regenerating ecosystem.</li> <li>- Green space is mainly flora and fawn which will be destroyed.</li> <li>- Home to a variety of wildlife, including birds, hedgehogs and mature trees.</li> <li>- Ecological assessments are weak and lack enforceable biodiversity measures.</li> <li>- Off-site net gain proposals are vague and insufficient.</li> <li>- Many hedgerows will be destroyed.</li> </ul>
<p><b>Environmental Impact</b></p>	<ul style="list-style-type: none"> <li>- Loss of open spaces / green spaces which support biodiversity.</li> <li>- We do not need more homes.</li> <li>- Noise impacts.</li> <li>- Air pollution.</li> <li>- Development is unsustainable.</li> <li>- Contradictory to any plan for net zero.</li> <li>- Complete contradiction to climate control.</li> </ul>

<b>Impact on Amenity</b>	<ul style="list-style-type: none"> <li>- Loss of privacy and increase of over shadowing given the heights of the buildings.</li> <li>- Block sunlight.</li> </ul>
<b>Flooding</b>	<ul style="list-style-type: none"> <li>- Could increase the risk of surface water flooding.</li> <li>- Site prone to surface water issues.</li> <li>- Proposal lacks sufficient detail on drainage and flood mitigation.</li> <li>- Flood defences prevent flooding so further development may impact mitigation.</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>- Not earmarked for development in the adopted Local Plan or emerging draft version.</li> <li>- Development needs to demonstrate very special circumstances.</li> <li>- Application is inappropriate premature and contrary to national and local planning policy.</li> <li>- Population raise may lead to a rise in crime and antisocial behaviour.</li> <li>- Delivery of new homes does not in themselves constitute 'very special circumstances.'</li> <li>- People in favour do not live in Carpenders Park.</li> <li>- Beautiful view across to Carpenders Park would disappear.</li> <li>- No 'exceptional' reason to build these homes.</li> <li>- Emergency access via removable bollard is inadequate.</li> <li>- Care home will have to put up with construction work.</li> <li>- Abundant car parks, golf courses, and brownfield sites should be prioritised.</li> <li>- Empty properties and office-to-residential conversions are underutilised.</li> <li>- Creative solutions exist.</li> <li>- Loss of Community Identity.</li> <li>- The Council is legally obliged to publicise applications via site notices, neighbour letters, and local newspaper advertisements. Many affected residents, including myself, received no notification until this week, and no visible site notices have been displayed. This failure undermines transparency, limits public</li> </ul>

	<p>participation, and renders the application procedurally unlawful.</p> <ul style="list-style-type: none"> <li>- There is a clear conflict of interest since Three Rivers Council is both the applicant and decision-maker. This risks bias and damages public trust. Planning decisions must be impartial and transparent, but this process has lacked proper public engagement, breaching principles of natural justice.</li> </ul>
<b>Support</b>	
	<ul style="list-style-type: none"> <li>- Support care home building for elderly population</li> <li>- Need more homes</li> <li>- More parks for children</li> <li>- Happy to see affordable homes</li> <li>- Need more affordable homes</li> <li>- Waiting lists are long.</li> <li>- Need more open spaces with greenery</li> <li>- Planning gain money should be spent locally.</li> <li>- Well designed</li> <li>- Really hard to save up for a deposit so more housing is a great idea.</li> <li>- Young family homes required.</li> <li>- As a parent and a person with personal experience to be able to afford a home and support the scheme.</li> <li>- Keep the next generation near their families.</li> <li>- Struggling to get on the property ladder.</li> <li>- This is the best available site.</li> <li>- Low level development.</li> <li>- Create jobs.</li> <li>- Would support local services / community.</li> <li>- Great to see pathway (PRoW) being kept.</li> <li>- I would like this coming true for support people's needs.</li> </ul>

	<ul style="list-style-type: none"> <li>- Support special needs children home</li> <li>- Landscape promises with new woodland must be kept.</li> <li>- On balance a fair development, mixed and open spaces.</li> </ul>
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4.2.6 Four further comments were received in respect of incorporating swifts bricks into the development proposal.

## 5 Reason for Delay

5.1 The application has been extended beyond its original statutory determination period in order to enable the applicant to work with those statutory consultees who have raised technical objections.

## 6 Relevant Planning Policy, Guidance and Legislation

### 6.1 Legislation

Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38(6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990.

S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

S66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

Countryside and Rights of Way Act 2000.

The Localism Act received Royal Assent on 15 November 2011.

The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

The Environment Act 2021.

### 6.2 National Planning Policy Framework and National Planning Practice Guidance

In December 2024 the National Planning Policy Framework (NPPF) was updated and may be read along with the National Planning Practice Guidance (NPPG) as relevant government planning guidance. As is recognised in the NPPF, planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF and NPPG are 'material considerations' relevant to planning decision making. The NPPF is equally clear that "existing [development plan] policies should not be considered out-of-date simply because

they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework” (NPPF Annex 1: 225).

A number of NPPF chapters are relevant to the consideration of this application, with the most important being:

- 2 – Achieving sustainable development
- 4 – Decision-making
- 5 – Delivering a sufficient supply of homes
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 12 – Achieving well-designed and beautiful places
- 13 – Protecting Green Belt land
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

### 6.3 The Three Rivers Local Plan

The planning merits of the application have been assessed against the policies of the development plan, namely, the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013), the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1 (Overarching Policy on Sustainable Development), CP2 (Housing Supply), CP3 (Housing Mix and Density), CP4 (Affordable Housing), CP6 (Employment and Economic Development), CP8 (Infrastructure and Planning Obligations), CP9 (Green Infrastructure), CP10 (Transport and Travel), CP11 (Green Belt) and CP12 (Design of Development).

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1 (Residential Design and Layout), DM2 (Green Belt), DM3 (Historic Built Environment), DM4 (Carbon Dioxide Emissions and On Site Renewable Energy), DM6 (Biodiversity, Trees, Woodland and Landscaping), DM7 (Landscape Character), DM8 (Flood Risk and Water Resources), DM9 (Contamination and Pollution), DM10 (Waste Management), DM11 (Open Space, Sport and Recreation Facilities and Children’s Play Space), DM12 (Community, Leisure and Cultural Facilities), DM13 (Parking), Appendix 2 (Design Criteria) and Appendix 5 (Parking Standards).

Hertfordshire County Council’s adopted Minerals Local Plan 2002 – 2016.

The Waste Core Strategy and Development Management Policies 2011–2026.

The Waste Site Allocations Development Plan Document 2011–2026.

### 6.4 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

Stage 1 Green Belt Review – Strategic Analysis (2017).

Stage 2 Green Belt Assessment for Three Rivers and Watford Borough (2019).

Stage 4 Green Belt Review (draft form).

## **7 Planning Analysis**

### **7.1 Impact on the Green Belt**

- 7.1.1 The application site falls entirely within the Metropolitan Green Belt. Since December 2024, the context for assessing such sites has significantly changed with the concept of 'Grey Belt' introduced by the Government.
- 7.1.2 Policy CP11 of the Core Strategy (adopted October 2011) sets out that the Council will maintain the general extent of the Green Belt in the District and will encourage appropriate positive use of the Green Belt and measures to improve environmental quality. There will be a presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it.
- 7.1.3 Policy DM2 of the Development Management Policies LDD (adopted July 2013) notes that "as set out in the NPPF, the construction of new buildings in the Green Belt is inappropriate with certain exceptions, some of which are set out below". Relevant to this current application is a) New Buildings, which states "Within the Green Belt, except in very special circumstances, approval will not be given for new buildings other than those specified in national policy and other relevant guidance". Policy DM2 was adopted prior to the publication of the current NPPF. However, it was adopted after the publication of the original 2012 NPPF, and the Green Belt policies in the NPPF in relation to inappropriate development are not materially different between the two. On that basis, it is considered that Policy DM2 is in accordance with the NPPF and may be afforded weight. The NPPF is considered to contain national policy and therefore relevant guidance and a relevant material consideration.
- 7.1.4 NPPF Paragraph 145 states that "Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process". This application does not seek to alter Green Belt boundaries. It proposes development within the Metropolitan Green Belt.
- 7.1.5 Paragraph 151 states that "Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access..."
- 7.1.6 Paragraph 153 states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Paragraph 153 states "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".
- 7.1.7 Paragraph 154 states "A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are as follows:
- a) buildings for agriculture and forestry;
  - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
  - c) the extension or alteration of a building provided that it does not result in

- disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed used including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt;
- h) Other forms of development provided that they preserve its openness and do not conflict with the purposes of including land within it. These are:
  - i. mineral extraction;
  - ii. engineering operations;
  - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
  - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
  - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, of for cemeteries and burial grounds; and
  - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

7.1.8 This application, submitted in outline form with only details of access provided at this time, proposes the 'Development of 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'.

7.1.9 Paragraph 142 of the NPPF states "the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Paragraph 143 states that Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.1.10 In respect of paragraph 154, the proposed development does not fall into any of the categories.

7.1.11 Whilst the development would not comply with paragraph 154, it is also necessary to consider the development in relation to paragraph 155 of the NPPF which relates to 'grey belt'. This states that 'the development of homes, commercial and other development in the Green Belt should not be regarded as inappropriate where all of the following apply:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b) There is demonstrable unmet need for the type of the development proposed;
- c) The development would be in a sustainable location with particular reference to paragraphs 110 and 115 of this frameworks;
- d) Where applicable the development meets the 'Golden Rules' requirements set out in paragraphs 156-157.

7.1.12 Grey Belt is defined within Annex 2 of the NPPF. It states:

*'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously development land and/or any other land that, in*

*either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'*

- 7.1.13 The site is 'any other land' as it is not 'previously developed land'. For it to be considered Grey Belt it needs to not strongly contribute to any of the purposes (a), (b) or (d) in paragraph 143 of the NPPF. The Planning Practice Guidance (PPG) provides guidance in respect of consideration of the above matters.
- 7.1.14 The applicant has submitted a Planning Statement and Green Belt Assessment (Iceni, March 2025) and Additional Grey Belt Information (Boyer, dated 3 October 2025) which concludes that in their opinion the development complies with paragraph 155 ('grey belt') of the NPPF and is therefore not inappropriate.
- 7.1.15 Notwithstanding, at the time of writing this report officers have provided observations when applied to each part of paragraph 155 for member's considerations.

a) **to check the unrestricted sprawl of large built-up areas;**

- 7.1.16 It is acknowledged by the PPG that this purpose specifically relates to the sprawl of **built-up areas**, and that villages should not be considered large built-up areas. The application site lies directly opposite the built-up area of Carpenders Park, sited immediately to the west. The site is located a substantial distance from other nearby large built-up areas such as Bushey and Harrow so for the purposes of 'sprawl' they are unaffected by the development of the site.

Is Carpenders Park a village?

- 7.1.17 Carpenders Park is a large built-up area which contains places of work, amenities and transport connections (has its own designated train station), local amenities, school, public house, church and care home. Whilst socially Carpenders Park is viewed by local communities as physically separate from South Oxhey, in a geographical sense, it is only physically separated via a railway and its associated infrastructure, whilst there are pedestrian connections via Carpenders Park station and via Hartsbourne Woods (via Delta Gain) and a vehicular connection via Little Oxhey Lane. Whilst the two settlements feel somewhat detached as a result of the railway line, both South Oxhey and Carpenders Park when viewed from the ground, as a matter of planning judgement, are viewed as a single large settlement and are not to be taken as a village but viewed as a large built-up area.

Purpose a) - Contribution towards sprawl of large built-up areas?

- 7.1.18 In relation to the application site checking the unrestricted sprawl east of Carpenders Park, the PPG identifies that assessment areas that contribute **strongly** are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features:
- be adjacent or near to a large built up area
  - if developed, result in an incongruous pattern of development (such as an extended 'finger' of development into the Green Belt.)
- 7.1.19 The PPG states that assessment areas that contribute **moderately** are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land's contribution to this purpose, such as (but not limited to):
- having physical feature(s) in reasonable proximity that could restrict and contain development
  - be partially enclosed by existing development, such that new development would not

- result in an incongruous pattern of development
- contain existing development
- being subject to other urbanizing influences

7.1.20 In reviewing the criteria in the PPG, the site is adjacent to a large built-up area (Carpenders Park), is entirely free of existing development and would involve a new wedge of development onto the eastern side of Oxhey Lane within the Green Belt, noting that there is currently a strong Green Belt boundary edge as defined by the A4008. Both factors are important aspects relating to the 'strong' category, but are not determinative as to whether the site contributes strongly to purpose (a) and it is necessary to consider whether there are any other factors, such as the presence of existing development and physical features which could potentially weaken the land's contribution.

7.1.21 In this case, although the application site is free of existing development, it does possess physical features that restrict and contain development – in particular Merry Hill Wood, a publicly accessible area owned by the Woodland Trust to the north east which runs alongside the application site. Additionally, the application site is, in part, adjacent to Oxhey Lane, the Carpenders Park Care Home, a telecommunications mast, the Hartsbourne storm flood storage area (beneath ground storage) and tree lined boundaries.

7.1.22 Officers will need to consider the above when forming a judgement as to whether the site strongly or moderately contributes to purpose (a).

Purpose b) - to prevent neighbouring towns merging into one another:

7.1.23 The PPG states that assessment areas that contribute strongly are likely to be free of existing development and include all of the following features:

- forming a substantial part of a gap between towns
- the development of which would be likely to result in the loss of visual separation of towns.

7.1.24 South Oxhey and Carpenders Park are physically separate from the nearby settlements such as Oxhey Hall, Oxhey Village which incorporates Watford Heath to the north, Eastbury which forms part of Northwood / Greater London to the west and Harrow to the south (part of Greater London).

7.1.25 Having regard to their locational factors, both Oxhey Hall and Oxhey Village are considered to form part of Watford, a town. When considering the location of the application site relative to these areas, it is not considered that either are at risk of merging as a result of the development. For example, in respect of Oxhey Village (including Watford Heath), there is a substantial gap with the application site, made up of open fields and sporadic developments on the eastern side of Oxhey Lane.

7.1.26 In respect of Harrow, the application site would introduce development towards the direction of Harrow. There is a significant distance between the site and Harrow, as well as other factors such as the topography and the intervening woodland, golf courses and developments such as Carpenders Park Nursery and Lucketts.

7.1.27 With regards to Bushey, which lies to the east and is close to Watford geographically, it contains extensive amenities, schools etc. It is therefore considered that Bushey is a town in its own right.

7.1.28 Whilst the application site is sizable in its extent, there is a large gap with Bushey so the development of the application site means that the two towns are not at risk of coalescence, both towards the north and east, the latter of which is separated by a substantial woodland, Merry Hill Wood and associated grazing land / open space. The topography also plays a role with the application site on a lower gradient than land towards Bushey.

7.1.29 Officers will however need to consider the above when forming a judgement as to whether the site strongly or moderately contributes to purpose (b).

Purpose d) - to preserve the setting and special character of historic towns;

7.1.30 The nearest part of Watford to the application site falls within the Watford Heath Conservation Area (falling within Watford Borough Council). This conservation area was designated in 2001 and was extended in 2006 to include properties on Sherwoods Road and Pinner Road.

7.1.31 The application site is some distance away from special character of the Watford Heath Conservation Area which falls within the town of Watford and is separated by pockets of development and has no important visual, physical or experiential relationship to the historic aspects of this part of Watford.

7.1.32 Carpenders Park is not a historic town and Grims Dyke to the south east is not a settlement nor not part of Harrow.

7.1.33 Officers will need to consider the above when forming a judgement as to whether the site strongly or moderately contributes to purpose (d).

Summary:

7.1.34 At this time, it is not known whether any footnote 7 areas/assets would provide a strong reason for refusal (i.e. heritage and flooding). Flooding will be wholly dependent on how the scheme deals with any surface water or other flood risks.

7.1.35 In the event the application site was concluded as Grey Belt, this would therefore open up the ability for a future development to be appropriate development in the Green Belt, provided the scheme complies with paragraphs 155-157 of the NPPF.

Other Matters

7.1.36 Paragraph 155a of the NPPF states “the development of homes...should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.”

7.1.37 In respect of (a), if it is subsequently concluded that the site can be considered to be Grey Belt, the development must not fundamentally undermine the purposes taken together of the remaining Green Belt across the area of the plan.

7.1.38 The Stage 2 Green Belt review looked at the application site as forming part of a larger parcel (Parcel SO3). The review states:

*“...the parcel would have a significant impact on preventing urban sprawl and encroachment on the countryside and a moderate impact on preventing the merging of settlements. IT would have a moderate impact on adjacent Green Belt land. Therefore, the harm to the Green Belt of releasing the parcel would be very high”.*

7.1.39 The review states that the impact on adjacent Green Belt is moderate, that the release would not increase containment of any stronger performing Green Belt land however, it

would result in a significantly weaker and less consistent Green Belt boundary than that currently provided by the A4008.

- 7.1.40 The review also states that there are no notable variations of harm within the parcel and that any partial release along a narrower front would increase containment of adjacent Green Belt land.
- 7.1.41 The draft Stage 4 Green Belt Review uses the results of the 2019 Stage 2 Assessment to match these to the PPG's 'weak', 'moderate' and 'strong' contribution scale. In respect of Parcel SO3, the Stage 2 Assessment concluded that the parcel's performance was 'significant' for purpose (a), 'moderate' for purpose (b) and purpose (d) was not assessed. Based on this assessment, the latest Green Belt Review concludes that Parcel SO3 is Green Belt rather than Grey Belt on the basis that there is a 'significant' contribution with regards to purpose (a), which the review corresponds to 'strong'. The Stage 4 Green Belt Review is still only in draft form as such is of limited weight.
- 7.1.42 Notwithstanding, it must be acknowledged that the application site whilst large, only forms part of Parcel SO3 and thus the conclusion of the latest 2025 Green Belt Review should not automatically be assumed as directly comparable to the application site.
- 7.1.43 In respect of Green Belt purpose (a), the development would involve significant encroachment into the countryside although this is weakened by the presence of Oxhey Lane, the Carpenders Park Care Home and other developments mentioned above as well defensible edges such as Merry Hill Wood which prevent any further encroachment towards Bushey.
- 7.1.44 Officers will need to consider the above when forming a judgement as to whether the site would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan.
- 7.1.45 In respect of (b) it is noted that the submitted document references the councils published 1.7-year housing land supply position. The applicant also asserts that there is a demonstrable unmet need for the type of development proposed and this includes the care home / children's care home.
- 7.1.46 In respect of (c), the land is on the edge of Carpenders Park and would act as an urban extension. The applicant asserts that the land would be within easy reach of key amenities and transport connections and would therefore be in a sustainable location and would be made sustainable further by active travel measures and improvements to local walking and cycling routes.
- 7.1.47 In respect of (d) para 156 of the NPPF states:

"Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application<sup>59</sup>, the following contributions ('Golden Rules') should be made:

- a) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) **until such policies are in place, the policy set out in paragraph 157 below;**
- b) necessary improvements to local or national infrastructure; and
- c) the **provision of new**, or improvements to existing, **green spaces that are accessible to the public**. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces."

- 7.1.48 In respect of (a), the development is proposing 50% affordable homes, which in terms of tenure, equates to 70% social rent and 30% shared ownership. This particular Golden Rule would therefore be met.
- 7.1.49 In respect of (b), the development is likely to provide local infrastructure which are to be secured by S106 obligations (see paragraph 7.13). This particular Golden Rule is therefore likely to be met.
- 7.1.50 In respect of (c), the development would provide new green spaces on site that are accessible to the public, within a short walk of their home. This particular Golden Rule is therefore likely to be met.
- 7.1.51 Paragraph 158 of the NPPF states that a development which complies with the Golden Rules should be given **significant weight** in favour of the grant of permission.
- 7.1.52 In summary, if members come to the view (at the time of a resolution) that the application site is not Grey Belt, then the development would be an inappropriate form of development which, by definition, would be harmful to the Metropolitan Green Belt. Nevertheless, there is *likely* to be compliance with the Golden Rules which in accordance with paragraph 158 would be given significant weight in the planning balance. That said, very special circumstances would be required to outweigh the identified harm and any other harm. The material considerations put forward by the applicant of which are viewed collectively as forming very special circumstances will be noted at the end of this report (see paragraph 7.15).

#### *Openness of the Green Belt*

- 7.1.53 If the view is reached that the application site is not Grey Belt, it will be necessary to consider the impacts on the openness of the Green Belt, one of its essential characteristics.
- 7.1.54 In terms of openness, the PPG states that a number of factors are relevant when making an assessment and these include spatial impacts, visual impacts, the degree of activity and the duration of development. Consequently, it is not solely the “visual” harm as referred to by the applicant that is important, there are multiple variables which must be considered. This assessment would be set out in detail as part of the future report to committee.
- 7.1.55 The applicant in their Planning Statement acknowledges that spatially the site is free from built form development meaning there would be a reduction in existing openness simply by the extent of the proposed built form. The applicant also states that level of harm resulting from the development would be localised given the containment of the site via tree belts, internal field boundaries, woodland at Merry Hill and the development associated with the existing residential development at Carpenders Park. The level of harm associated with openness is, according to the applicant, considered moderate, but noting that this harm must be given significant weight if the site is not considered Grey Belt.

## 7.2 Impact on character and appearance of the locality, including Landscape

- 7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or

enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.2.2 Policy DM7 of the Development Management Policies LDD requires proposals to make a positive contribution to the surrounding landscape. Proposals that would unacceptably harm the character of the landscape in terms of siting, scale, design or external appearance will be refused planning permission. The Council will support proposals that:

i) Lead to the removal or a reduction in the impact of existing structures and land use that are detrimental to the visual quality of the landscape

ii) Enhance public access and recreation opportunities without detriment to the landscape or wildlife

iii) Contribute to delivery of Green Infrastructure

iv) Contribute to the measures identified in the Hertfordshire Landscape Strategy 2001 to strength, reinforce, safeguard, manage, improve, restore and reconstruct landscapes.

7.2.3 This application is submitted in outline, with only matters of access for detailed consideration. The application is accompanied by a Land Use Parameters Plan (ref. P24-2204\_DE\_003\_10) which demonstrates how the different components of the scheme could be incorporated. The Parameters Plan identifies areas for residential development; open space; sustainable drainage features; new native woodland and the primary access road. In the event that Outline planning permission was granted, a condition would require that subsequent Reserved Matters accord with the Land Use Parameters Plan.

7.2.4 The application is also accompanied by an illustrative masterplan which accords with the Land Use Parameters Plan and demonstrates how the site could be developed. It is important to note that the masterplan is submitted for illustrative purposes only to demonstrate how the site could be developed at the quantum proposed.

7.2.5 The indicative Building Heights Plan (page 44 of Design and Access Statement) indicates development up to 3 storeys in height. Development to the north would be up to 2 storeys (lower density) as would the most eastern part, adjacent to Merry Hill Wood, with the majority of the development site up to 2 or 3 storeys in height. The denser 3 storey element would be limited to the western part of the site subject of the housing for care.

#### *CA1 The Spine*

7.2.6 This area would be focused along the primary street which would be a tree lined avenue. It would have medium density development ranging from 2-3 storey buildings which would likely include a variety of typologies including short terraces, semi-detached dwellings and occasional apartments and detached properties.

#### *CA2 Neighbourhood Core*

7.2.7 This area covers development within the inner parts of the development as well as areas at the interface between the proposed and existing built-up areas at the site's immediate context. This area would be denser and include buildings up to 2-3 storeys of varying typologies.

#### *CA The Green Edge*

7.2.8 This part of the development includes areas which overlook proposed landscaped open space at the northern edge and running along the east of the site facing the woodlands. It would be of lower density with buildings up to 2 storey in height.

#### *Impact on local character / streetscene*

- 7.2.9 As a result of the development there will be a significant change in the character of the site, especially in the location of the new access which would be introduced and require the loss of existing hedgerows and through the introduction of built form on the northern parcel of the site, although mitigation planting is proposed. Currently, the A4008 and the field boundaries provide a strong defined buffer with Carpenders Park.
- 7.2.10 Consequently, it is likely that the change at this specific juncture would result in adverse impacts on the visual amenity of the streetscene and dilute the character of this part of Oxhey Lane.
- 7.2.11 The wider landscape impacts from the wider development are considered below.

#### *Landscape Character*

- 7.2.12 The application site is not subject to any statutory or non-statutory landscape protection designations. In terms of National Character Areas (NCAs), the site is located to the western edge of National Character Area: 111 – ‘Northern Thames Basin’. This character area extends from Hertfordshire to the Essex coast. The application site is also located within the ‘Hertfordshire plateaux and river valleys’ distinct character area and within the ‘Bushey Hill Pastures’ as set out within The South Hertfordshire Landscape Character Assessment.
- 7.2.13 The site comprises rough grassland with overgrown hedgerows, forming landscape belts of blackthorn and bramble scrub and mature trees. The land is also sloping, with a topographical variation across the site, broadly from the northeast to the southwest. The submitted Topography Plan (See LVIA) shows an approximate variation of 27m with the lowest point to the southwestern edge and the highest point adjacent to the northeast boundary, adjacent to Merry Hill Wood. There is also one public right of way (PRoW) ‘Watford Rural 013’ which passes through the northern parcel of the site, connecting with ‘Bushey 025’.
- 7.2.14 The application site can be regarded as forming part of a pleasant edge of settlement landscape that remains intact and unspoilt in this locality and assists in providing a rural buffer from Carpenders Park.
- 7.2.15 In terms of tranquillity, the submitted LVIA states that it falls within the ‘Least Tranquil’ end of the spectrum, typical of suburban settings close to the boundary of Greater London.
- 7.2.16 The submitted LVIA sets out that the immediate landscape is influenced by the settlement edge character of Carpenders Park, the A4008, and the 3-storey care home. It is argued that the development would strongly reflect the existing character of the adjacent settlement edge and link visually with the care home, whilst also being well contained by existing woodland. To mitigate against the landscape impacts from the development there will be new native tree planting and hedgerow restoration.
- 7.2.17 The proposed development is considered to cover approximately 53% of the application site and the overall gradient would remain as existing, with minor changes proposed as a result of excavations to facilitate the construction of the SUDs basins, road network, paths parking areas, driveways and digging of new building foundations. The submitted LVIA sets out that the development would avoid the steepest gradient land within the north western corner with the vehicular access designed to follow a gentler gradient across the contours within the northern parcel of the site. The PRoW is to be retained within an area of open space.
- 7.2.18 The character of the site itself would change as a result of the proposed development, with the existing open pasture land lost and replaced by a new residential development with associated open space and infrastructure. The submitted Landscape Visual Impact Assessment (LVIA) judges that the landscape character of the site has a medium overall sensitivity to the type of development proposed with a **moderate adverse effect** on

landcover from the loss of the rough grassland field parcels and a **minor adverse effect** upon topography where the landform would be largely retained at existing levels. The LVIA also suggests that the magnitude of change within the site results in a **major adverse effect**; however, this does not mean that the resultant development would be unattractive or inappropriate.

- 7.2.19 The Visual Impact Assessment concludes that the initial changes to visual amenity would be major adverse for users of the PRow reducing to moderate adverse effect at Year 15 following growth of mitigation planting. The same can be said for the settlement of Carpenders Park which would experience moderate adverse effects at Year 1 reducing to minor adverse at Year 15 as a result of mitigation planting. The assessment concludes that the proposed development has the potential to respect the surrounding landscape context and relationship to the existing settlement edge of Carpenders Park without causing unacceptable harm to the existing landscape and visual resource. On this basis the applicant asserts that there would be harm to the landscape character, however, this would be limited in their view.

#### Impact on trees

- 7.2.20 As previously noted, this application is submitted in outline with landscaping a reserved matter. Nevertheless, the application has been submitted with an illustrative landscape strategy.
- 7.2.21 Policy DM6 of the Development Management Policies LDD notes that proposals for new development should be submitted with landscaping proposals which seek to retain trees and other important landscape and nature conservation features. Development proposals on sites which contain existing trees and hedgerows will be expected to retain as many trees and hedgerows as possible. It also notes that planning permission will be refused for any development resulting in the loss or deterioration to protected woodland, protected trees, and hedgerows unless conditions can be imposed to secure their protection. It states that where the felling of a tree or hedgerow is permitted, a replacement tree or hedge of an appropriate species, size and in a suitable location will be required.
- 7.2.22 The application has been supported by an Arboricultural Impact Assessment (AIA), Tree Survey and Tree Protection Plans.
- 7.2.23 The application site has a strong physical connection to trees with all site boundaries heavily lined with mature trees, a line of mature Oaks behind the care home as well as the site influenced by vegetated field boundaries and Merry Hill Wood. The submitted Tree Survey has identified 68 trees across the site and a number of groups of Blackthorn trees.
- 7.2.24 The submitted AIA states that no trees are to be removed to implement the design proposals and that the only vegetation to be removed is limited to selective removal of 'Blackthorn Clumps' across the site and a section of boundary hedgerow for the access points.
- 7.2.25 No trees on or adjacent to the site (falling within Three Rivers) are protected.
- 7.2.26 The proposed construction footprint for a section of the internal roadway infrastructure is to be sited within the root protection areas (RPA) of two English Oak trees (T25 and T26), although the encroachment is less than 1% of both RPAs.
- 7.2.27 The applicant states that the site layout has been designed to ensure that the relationship of buildings would not result in any undue pressure to remove trees or excessively prune from any future occupants.

#### *Woodland Trust*

- 7.2.28 The Woodland Trust (WT) own land to the east of the application site which incorporates Merry Hill Wood. Whilst not a statutory consultee WT have highlighted some significant

concerns with the deterioration of a number of mature trees (referenced by WT as Veteran trees) as a result of the layout of the development.

7.2.29 The applicant has provided a response to WT and are of the view that the trees were surveyed to the recommendation as recorded within BS5837:2012 and that no recorded Veteran/Ancient trees are listed on WT Ancient Tree Inventory. The applicant therefore strongly holds the view that the proposed layout has been assessed against the constraints afforded to the trees and that the subject trees are not defined or considered Veterans.

7.2.30 To date the Council's tree officer has yet to confirm whether they hold the same view as WT.

### 7.3 Housing Mix

7.3.1 Policy CP3 sets out that the Council will require housing proposals to take into account the range of housing needs as identified by the Strategic Housing Market Assessment (SHMA) and subsequent updates. The need set out in the Core Strategy is 30% one-bedroom units, 35% two-bedroom units, 34% three-bedroom units and 1% four bedroom and larger units. However, the most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
Market Housing	4%	21%	42%	32%
Affordable Home Ownership	19%	39%	30%	13%
Social/Affordable Rented Housing	20%	32%	35%	12%

7.3.2 The housing mix is not a matter being determined at outline stage.

### 7.4 Affordable Housing

7.4.1 Core Strategy Policy CP4 states that in order to increase the provision of affordable homes in the district and meet local housing need, the council will seek an overall provision of around 45% of all new housing as affordable housing, incorporating a mix of tenures. All new development resulting in a net gain of one or more dwellings will be expected to contribute to the provision of affordable housing. As a guide, 70% of affordable housing would be social rented and 30% intermediate

7.4.2 For a major planning application such as this, it would be expected that all affordable housing is provided on site. This is reflected in Policy CP4 and the Affordable Housing SPD.

7.4.3 On 24 May 2021 the Government published a Written Ministerial Statement to set out plans for the delivery of First Homes. Following this, TRDC set out a Policy Position Statement on First Homes. First Homes are a specific kind of discounted market sale housing which must be discounted by a minimum of 30% against the market value, sold to a person meeting First Homes criteria and have a restriction to ensure this. Given the First Homes guidance, TRDC have been requiring 25% of affordable housing to be First Homes, 70% to be social rented and 5% to be intermediate. However, within paragraph 6 of the NPPF (2024), reference to the Written Ministerial Statement on Affordable Homes (24th May 2021), which contained policy on First Homes, has been removed and the prescriptive requirement that 10% of the total number of homes to be available for affordable home ownership as set out in former paragraph 66 has been deleted.

- 7.4.4 The applicant is proposing to deliver 50% of the dwellings as affordable units, with the remaining 50% being provided as market dwellings, although 10% would be self-build dwellings. **The affordable housing must be secured at the outline stage.**
- 7.4.5 Based on the delivery of 260 dwellings, the affordable housing would comprise 130 dwellings, with 70% Social Rent, 30% Shared Ownership. The Housing Development Officer has confirmed that they would generally support this application as proposed, provided that the size of the dwellings provided complies with the above housing mix. **The mix of affordable housing would be secured at the reserved matters stage.**
- 7.4.6 The application also proposes the construction of a 4-bedroom property for children's social care and supported living (Use Class C2). HCC welcome and supports the inclusion of a children's home on the site.
- 7.4.7 The application also proposes housing with care (Use Class C2). The Affordable Housing Supplementary Planning Document states that if the residential accommodation has shared facilities and is not self contained, as in the case of some supported and residential care homes, it is regarded as an institutional use and Policy CP4 will not apply. Officers are reviewing whether an affordable housing contribution would be triggered for this part of the development.
- 7.5 Impact of development on heritage assets
- 7.5.1 Strategic Objective S10 of the Core Strategy is "To conserve and enhance the historic environment by resisting the loss of, or damage to, heritage assets including important buildings". Core Strategy Policy CP12 states that "in seeking a high standard of design, the Council will expect all development proposals to conserve and enhance natural and heritage assets".
- 7.5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:  
"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 7.5.3 Paragraph 208 of the NPPF advises that:  
"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."
- 7.5.4 Paragraphs 212 and 213 of the NPPF state that:  
"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance." "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."
- 7.5.5 Paragraph 215 of the NPPF advises that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..."

- 7.5.6 The NPPG advises that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit
- 7.5.7 Policy DM3 of the Development Management Policies LDD (adopted July 2013) refers to the historic built environment and notes that when assessing applications for development, there will be a presumption in favour of the retention and enhancement of heritage assets. Applications will only be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.
- 7.5.8 The application site does not contain any designated or non-designated heritage assets, but several exist in the wider area.
- 7.5.9 The application is accompanied by a Heritage Assessment (Handforth Heritage, March 2025) (HA) which identified the following heritage assets which could be affected by the proposals through change within their settings.
- Front Lodge to Oxhey Grange (Grade II)
  - Oxhey Grange (Grade II)
  - Grim's Ditch (Scheduled Monument)
  - Grims Dyke Registered Park and Garden (Grade II)
  - Grimsyke (Grade II\*)
  - London Coal Duty Marker (Grade II)
  - Stable in grounds of Melodies (Grade II)
- 7.5.10 The HA highlights that Carpenders Park was originally an estate based around a manor house which was later converted to a girls school, Highfields, which was demolished to make way for United States Air Force married quarters, which were also in turn demolished in the late 1990s and replaced by residential development which exists today.
- 7.5.11 In relation to Oxhey Grange and the Front Lodge, the Conservation Officer has agreed that there is no indication of a historic and/or functional link between them with the main setting of Oxhey Grange being within its private grounds, and to a lesser extent in open space to the east of Oxhey Lane. The Conservation Officer is of the view that the development would have a neutral impact on the significance of these assets.
- 7.5.12 In respect of Grim's Ditch and Grims Dyke Registered Park and Garden and Grimsyke (Grade II\*) which are all located close together and are located partly or fully within Brookshill Drive and Grimsdyke Estate Conservation Area, the Conservation Officer agrees that based on the lack of apparent historic relationship, long distances and lack of visibility between these assets and the application site that the development would have a neutral impact on their significance. Harrow Borough Council were formally consulted and do not offer any comments on the impact on this asset.
- 7.5.13 The Conservation Officer has identified one asset which has not been individually assessed in the submission. This relates to 'Barn About 30 Metres North of Merry Hill Farmhouse, a late seventeenth or early eighteen century timber framed barn in Hertsmere. However, the related farmhouse has been demolished and is surrounded by modern development, so the development proposal is not considered to have a harmful impact on this asset. Hertsmere District Council were formally consulted and do not offer any comments on the impact on this asset.

- 7.5.14 In addition to the above, given the distances involved and due to their relatively localised settings, the development proposal is not considered to impact on the Grade II listed 'London Coal Duty Marker, northwest of Burnt Oak Farm and 'Grade II 'Stable in the grounds of Melodies.'
- 7.5.15 To the north, there are four conservation areas; Bushey High Street, Melbourne Road Bushey Conservation Area, The Lake Conservation Area and Bushey Heath Conservation Area. The Conservation Officer has confirmed that due to the distances involved, of approximately 2 kilometres, and the lack of visual connection, that no impacts are identified. Hertsmere District Council do not offer any comments on the impact on these assets.
- 7.5.16 Officers have formally consulted all adjacent Councils / Boroughs and none, at the time of writing this report, have provided any comments relating to heritage impacts stemming from the development.

#### Archaeological Considerations

- 7.5.17 Policy DM3 of the Development Management Policies LDD (adopted July 2013) advises that where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, it must be accompanied by an appropriate desk-based assessment. The submitted HA considers archaeological interest.
- 7.5.18 The Historic Environment Advisor had initially reviewed the submitted details and advised that an Archaeological Desk Based Assessment and Geophysical Survey shall be undertaken.
- 7.5.19 In response the applicant has submitted an Archaeological Desk Based Assessment which sets out that based on information held by Hertfordshire County Council Historic Environment Record (HHER) there is a high potential for archaeological remains dating to the Medieval, Post Medieval and Modern periods.
- 7.5.20 Due to the fact there is no current vehicular access onto the site, it has been agreed by parties that the Geophysical Survey can be undertaken prior to commencement.
- 7.5.21 The Archaeological Desk Based Assessment was considered acceptable upon a review by the Historic Environment Advisor. Given the size and scope of the development, it is advised that:
- A Geophysical Survey of the development area is undertaken prior to any development (excluding access) commencing
  - Trial trenching forming part of the archaeological field evaluation to take place prior to commencement of the development
  - Take the appropriate mitigation measures as indicated to preserve any remains in situ.
  - Undertake an analysis of the results including their publication
- 7.5.22 The above requirements are recommended to be captured within a planning condition.

#### 7.6 Highways & Transport Impacts

- 7.6.1 Core Strategy Policy CP10 states that development proposals will be expected to contribute to the delivery of transport and travel measures identified as necessary for the development, either on-site as part of the development or through contributions to off-site provision as appropriate. Provision for interchange and access by public transport, walking and cycling will be regarded as particularly important. The policy explains that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District.

Clearly the development subject of this application is specifically designed to cater for travel by motor vehicle.

7.6.2 Policy CP10 states that Development will need to demonstrate that it provides a safe and adequate means of access, is appropriate in scale to the existing transport infrastructure and where necessary infrastructure can be improved. It is necessary for the impact of the proposal on transport to be fully assessed through a comprehensive Transport Assessment.

7.6.3 The NPPF at paragraph 115 sets out that in assessing specific applications for development it should be ensured that a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.6.4 Paragraph 116 states that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

7.6.5 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.

7.6.6 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:

- i) It provides a safe and adequate means of access
- j) It is appropriate in scale to the existing infrastructure...
- k) It is integrated with the wider network of transport routes...
- l) It makes adequate provision for all users...
- m) It includes where appropriate, provision for public transport either within the scheme or through contributions
- n) The impact of the proposal on transport has been fully assessed...
- o) The proposal is accompanied by a draft Green Travel Plan

7.6.7 The matter of access is for full consideration as part of the application. The development would require significant highway works with a signalised new access directly onto Oxhey Lane. The application is supported by a TA (including addendum) and access drawing ITL200107-GA-002 Rev D.

7.6.8 Oxhey Lane (A4008) is a Main Distributor Road which has street lighting and a 40mph speed limit.

*Hertfordshire County Council – the Local Highway Authority (HCCHA)*

7.6.9 HCCHA had raised an initial objection to the application at this stage (see 9.13) and further details were required. Some of the initial matters raised by HCC are set out below (not an exhausted list).

- No details of the gradient profile or visibility splays have been provided within TA.
- No assessment made on the impact on street trees

- No safety audit provided for the new accesses
- Trip generation, distribution and assignments provided in the TA are not acceptable.
- Lack of bus service in the vicinity has not been addressed
- Proposed access onto the A4008 is contrary to policy 5(f) of the HCC's Local Transport Plan, 2018.

7.6.10 In response to HCCHA objection, an addendum to the TR has been provided by the applicant and seeks to address each point raised. This is currently under review with HCCHA. In summary, the addendum states:

- A more detailed walking and cycling audit is provided which assesses three key routes (1 - St Mery School & Little Hearts pre-school; 2 – to bus stop on By The Wood and 3 – to Carpenders Park station and South Oxhey local centre).
- Recognises potential improvements across the three key routes such as tactile paving at uncontrolled crossing points footway widening, resurfacing, controlled crossing point at Carpenders Avenue and Oxhey Lane junction. The applicant has confirmed a willingness to support necessary active travel improvements.
- Recognises that there are opportunities to uplift the level of bus accessibility and that a service to complement 'Service 328' may be beneficial for future residents of the site.
- Safety audit now provided regarding the new access and emergency access as well as an amended access design drawing (ITL200107-GA-002 Rev D).
- Gradient profile has not been determined at this stage, however, it is stated that the initial 15m of the access road has been designed with a 4% gradient in line with Design Manual for Roads and Bridges.
- Incursion of mature Oak tree to the north of the proposed site access would lead to a minor incursion, which is considered by the applicant to be mitigated through appropriate construction methods.
- Trip rates show that the impact from the development on the transport network are not significant in terms of capacity or congestion and fall well below 'severe'.

7.6.11 HCCHA have reviewed the additional information and made the following comments which are currently under consideration with the applicant:

- The improvements to walking and cycling routes as identified by the audit are necessary to support the development. Contributions to deliver the improvements should be secured by way of a Section 106 with the works themselves secured by planning condition.
- HCC public transport team propose a new bus service (hourly service with two vehicles) at an estimated annual cost of £350k. HCC would therefore seek an index-linked Strand 1 financial contribution of £350k per annum, for a period of five years totalling £1,750,000, secured by a Section 106 agreement. There will also be required provision for new bus stop infrastructure outside the site along Oxhey Lane (location tbc) and minor improvements to two existing bus stops close to By The Wood.
- HCC road safety team are currently reviewing the Stage 1 road safety audit / visibility splays.

- HCCHA accept that the incursion into the Oak tree can be addressed through appropriate construction methods.
- The gradient of the access can be conditioned in the event of an approval.
- HCCHA maintains its objection that the vehicular access is contrary to Policy 5(f) of HCC's Local Transport Plan 2018. A new access at this site would only be acceptable if it was an allocated site or that a planning application was considered acceptable by the LPA.

7.6.12 A meeting is due to be held between the applicant, HCC and officers from the LPA to discuss the above and any outstanding matters.

#### *Sustainability & Active Travel*

7.6.13 HCCHA had requested that a formal audit of the quality of local routes for cycling and walking in the vicinity of the site is provided, noting that local facilities including a post office and food store exist within 800m. It is noted that Carpenders Avenue is a key walking route (LCWIP identification) and has the potential to be subject to planning obligations to enhance identified deficiencies, but further information is required.

7.6.14 The Transport Assessment notes that Carpenders Park railway station is approximately 1km from the site, and that the nearest bus stop is circa 700m. It is HCCHA's expectation (P&MPDG) that all occupied parts of the development should be within 400m walking distance of a bus stop or transport hub by public walking route. HCCHA require further interventions to address the quality of cycling and walking routes and access to bus services.

7.6.15 At the current stage, HCCHA have commented that the submitted Travel Plan requires further work.

7.6.16 Active Travel England (ATE) have confirmed that they undertook a high-level review of the proposal and have advised that the LPA should consider their standing advice<sup>1</sup>.

7.6.17 The submitted Transport Assessment has acknowledged an Active Travel Strategy and it is acknowledged that a package of sustainable transport initiatives is likely to be proposed, primarily focussing on encouraging alternatives to private car use as well as alleviating the deficiencies described within the LCWP in respect of Carpenders Avenue (PR40) and Delta Gain (PR103). HCCHA have suggested that a bus service to complement 'Service 328' from South Oxhey to Watford, extending it to the new site. This is currently being explored further between parties.

#### *Transport for London*

7.6.18 Transport for London (TFL) have commented and advised that the LPA to secure S106 or S278 contributions towards improvements to the existing walking / cycle route to and from Carpenders Park Overground Station and the application site.

#### *Vehicle parking*

7.6.19 Development Management Policy DM13 requires development to make provision for parking in accordance with the parking standards and zone based reductions set out in Appendix 5.

7.6.20 This application is submitted in outline with only matters of access for consideration. The site's layout would be considered at a later date as a reserved matter, and it is expected that the proposed car parking layout and provision would be dealt with at that time. Having

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<sup>1</sup> [Active Travel England Standing Advice Note: Active travel and sustainable development](#)

regard to the number of dwellings proposed on site, it is acknowledged that a significant number of car parking spaces would be required in addition to car parking for the new housing with care.

## 7.7 Promotion of healthy and safe communities

7.7.1 The NPPF at paragraph 96 states that planning decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
- c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

7.7.2 In addition to the residential element (up to 260 dwellings), the application proposes the construction of a 4-bed property for children's home (Use Class C2) and housing with care (Use Class C2).

7.7.3 The proposal also includes a Locally Equipped Area for Play (LEAP), an area of amenity open space to encourage informal sports, games and recreation, community orchard and footpath routes.

7.7.4 The Leisure department have commented that the proposed play area should be reconsidered due to its lack of natural surveillance, resulting in potential anti-social behaviour, its distance from the majority of properties and the topography of this area in terms of access for existing and future residents. They have also requested whether consideration could be given to incorporate play provision for all ages, for example, a skate park, scooter park and parkour. The applicant is aware of the comments and is currently reviewing.

7.7.5 There is also a real opportunity to integrate the housing with care and the wider development through clever placement of play and or recreational facilities close to the green corridor (for example), to enable social interaction and a mix of different users.

7.7.6 A Health Impact Assessment has been submitted with the application which has been reviewed by HCC Healthy Places team with the findings considered acceptable. A revised assessment was submitted which has taken on board the comments.

## 7.8 Impact on residential amenity

7.8.1 Paragraph 135 (f) of the NPPF advises that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.8.2 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities. Design Guidelines for residential development are set out in Appendix 2 of the Development Management Policies LDD (adopted July 2013).

7.8.3 The application is submitted in outline, with matters of access for consideration. However, the application is accompanied by an illustrative Landscape Masterplan which suggests that new built form development would be set back from Oxhey Lane. However, impact on neighbouring amenity as well as any impact on Carpenders Park Care Home would be fully assessed at the reserved matters stage. The impact on the amenity of future occupiers would also be assessed.

#### Pollution – Air Quality

7.8.4 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations: (e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

7.8.5 The NPPG provides guidance as to when air quality would be relevant to a planning decision. In summary, it states that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would, amongst other considerations:

- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield.
- Introduce new point sources of air pollution e.g. furnaces.
- Give rise to potentially unacceptable impact (such as dust) during construction for nearby sensitive locations.

7.8.6 In relation to air quality, Policy DM9 of the Development Management Policies LDD (adopted July 2013) advises that development will not be permitted where it would:

- Have an adverse impact on air pollution levels, particularly where it would adversely affect air quality in an Air Quality Management Area and/or
- Be subject to unacceptable levels of air pollutants or disturbance from existing pollutant sources.

7.8.7 The application is accompanied by an Air Quality Assessment (March 2025) which has been review by the Environmental Protection Officer (EPO). The submitted Air Quality Assessment sets out that a range of best practice mitigation measures will be implemented to reduce dust emissions during construction.

7.8.8 The EPO has recognised that the air quality conditions for future residents have been shown to be acceptable and any additional traffic generated will have a negligible impact on air quality conditions at all existing receptors along the local road network. The EPO raises no objection as the impact of the proposed development on local air quality is not considered to be significant.

#### Pollution – Noise and Vibration

7.8.9 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by amongst other considerations:

- 7.8.10 Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.
- 7.8.11 Policy DM9 of the Development Management Policies LDD (adopted July 2013) sets out that planning permission will not be granted for development has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development, has an unacceptable adverse impact on countryside areas of tranquillity which are important for wildlife and countryside recreation.
- 7.8.12 The likely noise impacts resulting from the development are primarily in association with the increased traffic flows and general activity resulted from the development, as well as the LEAP. However, when considering the existing nature of Oxhey Lane, distances to the nearest dwellings on Carpenders Avenue, topography and boundary treatments, it is not considered that any unacceptable levels of noise will arise.

#### 7.12 Pollution – Light

- 7.8.13 Policy DM9 of the Development Management Policies LDD (adopted July 2013) sets out that development proposals which include external lighting should ensure that proposed lighting schemes are the minimum required for public safety and security, that there is no unacceptable impact on neighbouring or nearby properties or the surrounding countryside or wildlife.
- 7.8.14 As the application is in Outline, full details of lighting would be required at Reserved Matters stage or via condition if appropriate

#### Pollution – Land Contamination

- 7.8.15 Policy DM9 of the Development Management Policies LDD (adopted July 2013) states that the Council will only grant planning permission for development on, or near to, former landfill sites or on land which is suspected to be contaminated where the Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land, and there will be no adverse impact on the quality of local ground water or surface water quality.
- 7.8.16 The application is accompanied by a Phase 1 GEO-Environmental Assessment (March 2025) which has been reviewed by the Environmental Protection Officer (EPO). They note that the preliminary risk assessment undertaken has identified a number of plausible contaminant linkages (soil contamination) that require further investigation.
- 7.8.17 As such, an assessment of the potential risks associated with the site is considered necessary and the EPO therefore recommends the standard contaminated land condition be attached in the event that planning permission were to be granted.

#### 7.9 Impact on Wildlife, Biodiversity (including BNG) and Agriculture

- 7.9.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive.
- 7.9.2 Paragraph 187 of the NPPF advises that planning policies and decisions should contribute to and enhance the natural and local environment by: b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile

agricultural land, and of trees and woodland; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.

- 7.9.3 Footnote 62 states “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality”.
- 7.9.4 Paragraph 192 of the NPPF advises that in order to protect and enhance biodiversity and geodiversity, plans should: b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 7.9.5 Policy CP1 of the Core Strategy (adopted October 2011) advises that; “all development in Three Rivers will contribute to the sustainability of the District. This means taking into account the need to” (amongst other things) (f) “protect and enhance our natural, built and historic environment from inappropriate development and improve the diversity of wildlife and habitats”. Policy CP9 of the Core Strategy (adopted October 2011) advises that; “The Council will seek a net gain in the quality and quantity of Green Infrastructure, through the protection and enhancement of assets and provision of new green spaces”.
- 7.9.6 Policy DM6 of the Development Management Policies LDD (adopted July 2013) advises that development should result in no net loss of biodiversity value across the District as a whole.
- 7.9.7 The applicant has submitted an Agricultural Land Classification and Soil Resources Report (Reading Agricultural Consultants, July 2024) which concludes the land is Grade 3B land which is not considered best and most versatile land.
- 7.9.8 In respect of biodiversity, the submission includes Biodiversity Checklist, Ecological Assessment (Ecology Solutions (ES), dated March 2025) and Biodiversity Net Gain Report (ES, dated January 2025).
- 7.9.9 The Oxhey Local Wildlife Site is situated 17m south west of the site boundary at its closest point, comprising a small grassy bank. Mitigation throughout construction and additional measures should be undertaken to ensure new residents are aware of its ecological importance. The Carpenders Park Cemetery Woodland is located approximately 85m west of the site and supports a semi-natural broadleaved woodland and a tributary of the River Colne. Mutton Wood Local Wildlife Site adjoins the wider study area to the south, approximately 300m from the site boundary and comprising deciduous ancient woodland.
- 7.9.10 The Prestwick Road Meadows Local Nature Reserve is located approximately 1.4km south west of the site, situated within a residential area.
- 7.9.11 In respect of protected species, Herts Ecology have yet to review the submitted reports including the Ecological Assessment which assessing the ecology interest of the site (and wider area) with a survey undertaken in July 2024, the optimal survey period and static detectors deployment in August to collate evidence on bats.
- 7.9.12 As part of the survey work there was no evidence of badgers, but recognises that given the nature of the site and adjacent features that they cannot be discounted. In result of bats the site and wider area is identified as having a high suitability for foraging and commuting bats and several mature trees had evidence of roosting features, i.e. woodpecker holes peeling bark etc. To ascertain the general abundance of foraging and commuting bats across the site, ES conducted two further surveys in August and October 2024 which recorded a low level of bat activity.
- 7.9.13 The Ecological Assessment states that the site is of good ecological value comprising in the main of neutral grassland and blackthorn scrub. The report acknowledges that some of this

habitat would be lost to facilitate the development, however, recognises that new woodland planting, orchard, marginal and aquatic SUDs features will mitigate for habitat losses. A buffer zone would also need to be implemented for the woodland to the east.

7.9.14 In respect of BNG, the assessment undertaken concluded a baseline total of 128.36 habitat units are present pre-development. This is made predominately up of neutral grassland, Blackthorn Scrub and individual trees.

7.9.15 Whilst new habitats and hedgerows are to be created, the proposed scheme would result in a net loss of 43.61 habitat units, largely due to the losses to neutral grasslands, resulting in a loss of -33.97% in habitat units from pre-to post development. The development would therefore not achieve the mandatory 10% net gain, as per the requirements of the Environment Act. To meet the mandatory 10%, off-site compensation will be required.

## 7.10 Energy Use

7.10.1 Paragraph 161 of the NPPF states that “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.

7.10.2 Policy CP1 of the Core Strategy requires the submission of an Energy and Sustainability Statement demonstrating the extent to which sustainability principles have been incorporated into the location, design, construction and future use of proposals and the expected carbon emissions.

7.10.3 Policy DM4 of the DMLDD requires applicants to demonstrate that development will produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability. This may be achieved through a combination of energy efficiency measures, incorporation of on-site low carbon and renewable technologies, connection to a local, decentralised, renewable or low carbon energy supply. The policy states that from 2016, applicants will be required to demonstrate that new residential development will be zero carbon. However, the Government has announced that it is not pursuing zero carbon and the standard remains that development should produce 5% less carbon dioxide emissions than Building Regulations Part L (2013) requirements having regard to feasibility and viability.

7.10.4 The application is accompanied by a Sustainability & Energy Statement (Bluesky Unlimited, March 2025). This sets out that the proposed development is predicted to exceed Part L 2021 carbon emission reduction requirements. As this application does not seek approval for the appearance or layout of the proposed buildings, it is anticipated that any future Reserved Matters submission would provide full details of the energy efficiency of the proposed buildings and demonstrate their ability to comply with Policy DM4.

## 7.11 Flood Risk and Drainage

7.11.1 Policy CP1 of the Core Strategy (adopted October 2011) requires all development in Three Rivers to contribute to the sustainability of the District, by minimising flood risk through the use of Sustainable Drainage Systems. Policy DM8 of the Development Management Policies LDD (adopted July 2013) refers to Flood Risk and Water Resources, and states that development will only be permitted where it would not be subject to unacceptable risk of flooding. It also states that Development in all areas should include Sustainable Drainage Systems to reduce surface water runoff.

7.11.2 The application has been accompanied by a Flood Risk Assessment & Drainage Strategy (Arden, March 2025) and Sequential Test (Boyer, May 2025).

- 7.11.3 The site is wholly within Flood Zone 1 as defined by the Environment Agency. Flood Zone 1 signifies areas with the lowest probability of flooding (less than a 0.1% annual probability of river or sea flooding, equating to less than 1 in 1000 chance). Notwithstanding, the Hartsbourne Stream passes the southern boundary of the site, and flows in a westerly direction to the River Colne. In respect of surface water flooding, long term risk mapping shows a ribbon of surface flooding along the localised valley within the site and thus the application has been supported by a Sequential Test.
- 7.11.4 Since the submission of the planning application, the PPG has been updated in respect of the sequential approach. Paragraph 175 of the NPPF states that a proportionate approach should be taken. The PPG states (Para 027 Reference 7-027-20220825) states that:
- 'Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.'*
- 7.11.5 As part of the development a Sustainable Water Drainage Strategy is proposed which will incorporate attenuation basins and seeks to mitigate the surface water flood risk which currently exists.
- 7.11.6 The submitted FRA and Sustainable Drainage Strategy have been reviewed by the Lead Local Flood Authority (LLFA) prior to the change to the PPG. The LLFA requested additional be provided following their initial review. This has subsequently been provided and the LLFA are currently reviewing. If the LLFA were to remove their objection, the need for the sequential approach would subsequently fall away in light of recent PPG changes.
- 7.11.7 In relation to water quality, Affinity Water (AW) have advised that the proposed development site is not located within an Environment Agency defined Source Protection Zone or close to their abstractions. AW raise no objection but note that construction works should be in accordance with the relevant British Standards and Best Management Practices to minimise groundwater pollution risk. In relation to water efficiency, AW note that the site is within a water stressed area such they would expect it to include water efficient fixtures and fittings and measures such as rainwater harvesting. Whilst this level of detail would not be secured at Outline stage, it is noted that the submission (Sustainability & Energy Statement (Bluesky, March 2025) has considered water efficiency and refers to various measures which would be incorporated.
- 7.11.8 Thames Water (TW) have confirmed that they have identified an inability of the existing foul water network infrastructure to accommodate the needs for the development proposal and require a condition be attached to any planning permission that does not allow the occupation of the development until all foul water network upgrades are completed or a phasing plan agreed. TW have also confirmed that they have identified an inability of the existing sewage treatment works infrastructure to accommodate the needs of the development proposal and require a condition be attached to any planning permission that does not allow the occupation of the development until 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.
- 7.12 Refuse and Recycling
- 7.12.1 Policy DM10 (Waste Management) of the DMLDD advises that the Council will ensure that there is adequate provision for the storage and recycling of waste and that these facilities are fully integrated into design proposals. New developments will only be supported where:
- The siting or design of waste/recycling areas would not result in any adverse impact to residential or work place amenity
  - Waste/recycling areas can be easily accessed (and

moved) by occupiers and by local authority/private waste providers iii) There would be no obstruction of pedestrian, cyclists or driver site lines.

- 7.12.2 The County Council's adopted waste planning documents reflect Government policy which seeks to ensure that all planning authorities taken responsibility for waste management. This includes ensuring that development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and ensuring that the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.
- 7.12.3 HCC would therefore require a Site Waste Management Plan (SWMP) to be submitted which should aim to reduce the amount of waste produced on site.
- 7.12.4 In relation to minerals, the site falls within the 'Sand and Gravel Belt' as identified in HCC's Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt', is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire.
- 7.12.5 The county council, as the Minerals Planning Authority, encourage the opportunistic use of these deposits within the developments, should they be found when creating the foundations/footings. Opportunistic use of minerals will reduce the need to transport sand and gravel to the site and make sustainable use of these valuable resources.
- 7.12.6 In respect of domestic and commercial waste, it is considered that further details regarding the storage and management of waste on site would be considered at the reserved matters stage.
- 7.13 Infrastructure Contributions
- 7.13.1 Policy CP8 of the Core Strategy requires development to make adequate contribution to infrastructure and services. The Three Rivers Community Infrastructure Levy (CIL) Charging Schedule sets out that the charge per sq.m of residential development. The application site falls within Area C which has a nil (£0) charge.
- 7.13.2 The below summarises the contributions requested at this time, however, it is important to note that the report is preliminary only at this stage and therefore the below may be subject to change once a recommendation is finalised.
- 7.13.3 As set out above, the applicant is providing additional information in response to an initial objection from Hertfordshire County Council as Highway Authority. In the event that the objection is overcome it is anticipated that Hertfordshire County Council as Local Highway Authority will require contributions and highways works to be secured. Further details will be provided once received.
- 7.13.4 Hertfordshire County Council's Growth & Infrastructure Unit have set out a number of financial planning obligations towards non-transport services to minimise the impact of the development on services run by HCC.
- 7.13.5 They have calculated that contributions are required:
- **Secondary Education Contribution:** £1,942,832 (index linked to BCIS 1Q2024) towards the delivery of a new secondary school at Carpenders Park and/or provision serving the development of £1,942,832 (index linked to BCIS 1Q2024).
  - **Special Educational Needs and Disabilities (SEND) Contribution:** £362,609 (index linked to BCIS 1Q2024), towards new Severe Learning Difficulty (SLD) special school places (WEST).

- **Waste Service Transfer Station Contribution:** £26,033 (index linked to BCIS 1Q2024) towards increasing capacity at Waterdale Transfer Station and/or provision serving the development.

7.13.6 HCC will also charge monitoring fees, based on the number of triggers within each legal agreement.

7.13.7 The Hertfordshire and West Essex Integrated Care Board (HWE ICB) have set out their position on primary healthcare capacity and need arising from the development and the health financial contribution sought if planning permission was to be granted. Within their comments they comment that new residents will impact on several practices and primary health care networks. The table provided by HWE ICN at 9.6 sets out that all surgeries within the local area at capacity and their ability to accept additional patients is limited meaning the existing provision may not be able to accommodate the additional patient numbers arising from the development and indeed potential future housing growth in and around the vicinity of Carpenders Park and South Oxhey. The contribution therefore proposed to mitigate the health impacts arising from the development is:

- **Primary healthcare Contribution:** £428,032

7.13.8 Sport England have advised that if the proposal involves the provision of additional housing, then it will generate demand for sport and if existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy. The Leisure department have not yet identified any requirements for additional demand on existing capacity in the area.

#### 7.14 Referral to Secretary of State

7.14.1 The Town and Country Planning (Consultation) (England) Direction 2024 requires Local Planning Authorities to consult the Secretary of State before granting planning permission for certain types of development. These include inappropriate developments in the Green Belt that by reason of their scale or nature or location would have a significant impact on the openness of the Green Belt.

7.14.2 In the event that it is concluded that the development subject of this application is acceptable although contrary to the Development Plan, or that very special circumstances exist which are considered to outweigh the harm to the Green Belt by inappropriateness and any other harm, it would be necessary for the LPA to consult the Secretary of State prior to a decision being issued.

7.14.3 The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under section 77 of the Town and Country Planning Act 1990. If a planning application is called in, the decision on whether or not to grant planning permission will be taken by the Secretary of State.

#### 7.15 Material considerations / Benefits of the Scheme

7.15.1 The applicant has suggested that the development complies with paragraph 155 ('grey belt') of the NPPF and is therefore not inappropriate, but also sets out the following benefits of the scheme as set out within their Planning Statement to support their case for Very Special Circumstances (*in the event that LPA conclude that the development does not comply with paragraph 155 of the NPPF*). These benefits as presented by the applicant are summarised below with no weighting being given by the LPA at this time:

- **Housing provision:** With the emerging Local Plan currently at an early stage, adoption remains some time away. As such, the applicant asserts that this will further worsen the supply and delivery of housing in the district. The proposal to deliver 256 new homes will make a significant contribution to the need for more

housing, against a backdrop of very poor housing supply and delivery. The applicant is of the view that housing provision should be afforded **very substantial weight** in favour of the development.

- **Affordable housing:** An Affordable Housing Needs Assessment submitted by the applicant confirms that there is a clear and on-going pressing need for more affordable homes in Three Rivers. The applicant asserts that only 3 affordable homes were completed between 1 April 2023 and 31 March 2024 and that since monitoring began in 2011, 21.6% affordable homes have been delivered, significantly below the target requirement in Policy CP4 of 45%. The development will provide 50% affordable housing which exceeds the policy requirements and complies with the Golden Rules and therefore must attract significant weight as a minimum. The applicant is of the view that the benefits arising from the proposed affordable housing delivery should attract **very substantial weight** in favour of the development.
- **Self / Custom Build Housing:** The development seeks to deliver 10% of all market housing as self/custom build. The applicant sets out that Three Rivers apply a local connection test, an initial registration fee and annual retaining fee to remain on Part 1 of the Register. No self-build homes have been delivered. The applicant refers to the appeal decision in Sarratt (para 80) whereby it was accepted at the time that this type of housing in the District significantly exceeds supply. The applicant is of the view that self build / custom build housing should be afforded **substantial weight** in favour of the development.
- **Housing with care:** The development includes the provision of 60 bed housing with care. The submitted assessment by the applicant concludes that there are substantial shortfalls with other notable benefits arising from its use, such as health and wellbeing improvements, reduced reliance on the NHS, social benefits and freeing up family sized housing. The applicant is of the view that the delivery of the care housing should be afforded **substantial weight** in favour of the development.
- **Children's Home:** The development will provide a 4-bed children's home whereby a need for 24 new bedspaces has been highlighted within the South West Hertfordshire Local Housing Need Assessment (LHNA). The applicant is of the view that this benefit should attract **significant weight** in favour of the development.
- **Public Open Space:** The development will provide a variety of green infrastructure, totalling 6.2Ha, including play and recreational space. The applicant is of the view that open space provision should be afforded **moderate weight** in favour of the development.
- **Sustainable Transport Initiatives:** A signalised pedestrian crossing on Oxhey Lane will be provided, providing an alternative to the two existing uncontrolled crossings. Further pedestrian and cycle interventions would be proposed between South Oxhey and the site as well as a proportionate contribution to the delivery of benefits to support active travel improvements as identified in the LCWIP. The applicant is of the view that these package of measures should be afforded **moderate weight** in favour of the development.
- **Economic benefits:** The development would deliver economic benefits during both the construction and during the operational phases of the development with occupants supporting local economies. The application is of the view that given the scale of the development, these benefits should be afforded **significant weight** in favour of the development.

7.15.2 Other possible material considerations are set out below:

- **Other infrastructure contributions:** A number of financial contributions would be required to make the development acceptable to mitigate impacts on Herts County Council services and on the NHS.

## 7.16 Tilted Balance and Planning Balances

7.16.1 If members were later to conclude that the application site falls on Grey Belt land, it is necessary to, as part of the decision-making process to consider the planning balances that exist.

7.16.2 The Council can only demonstrate a 1.7-year housing land supply. As a result, the policies that are most important for determining the application are deemed to be 'out of date' and the tilted balance at paragraph 11 of the NPPF applies which sets out that decisions should apply a presumption in favour of sustainable development and for decision-taking this means:

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

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

7.16.3 In respect of d) i. the NPPF sets out that the policies referred to (that protect areas or assets of particular importance) include those relating to land designated as Green Belt. However, if the application site is considered Grey Belt, this particular reason would fall away. In respect of d) ii. the NPPF sets out that the policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

7.16.4 As part of the assessment of the proposal, it will be necessary to identify which policies are most important for determining the application, and the weight to be attributed to them notwithstanding that they may be considered out of date. It would then be necessary to undertake an assessment under i or ii above.

7.16.5 In respect of the planning balance it will be necessary for the decision maker to take account of the material planning considerations to the case, and balance any adverse impacts of the development against the benefits put forward by the applicant (see section above) and any other identified benefits. Any adverse impacts are likely to primarily be identified as part of an assessment of the proposal against the statutory development plan and other material planning considerations. These would need to be weighed against the benefits which may also be identified as part of the assessment.

7.16.6 As this stage the adverse impacts are unclear and to be determined in due course, although there is potential that harm would arise to the landscape character (accepted as limited harm by the applicant) and towards the impact on the visual amenity of Oxhey Lane as a result of the new access and associated infrastructure.

7.16.7 As part of a full assessment of the scheme to be presented at a later date, the full extent of any harm arising from the scheme would be identified, and this would be balanced against the benefits of the scheme to enable a recommendation to be made as to whether planning permission may be granted or not.

## 7.17 Site Visit

- 7.17.1 It is noted that this development is of a considerable size and scale, impacting a large area of land. On that basis, and given the case put forward by the applicant in support of their application and the LPA's housing delivery and housing land supply situation, it is recommended that Members agree to a site visit being arranged prior to the application being presented to Committee for a decision, to ensure Members have the opportunity to view the site and understand its topography, identify adjacent physical features and development and how it relates to its surroundings.

## **8 Recommendation**

- 8.1 That Members agree for officers to arrange a site visit prior to this application being presented to Planning Committee for a decision.
- 8.2 There is no recommendation for a decision to be made at this stage in the consideration of the application. Consequently, it is recommended that the Committee notes the report, and is invited to make general comments with regards to the material planning issues raised by the application.

## Appendix 1 – Consultee Responses

9.1	Active Travel England	No objection
<p>Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here:  <a href="https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes">https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes</a></p> <p>ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.</p>		
9.2	Affinity Water	No objection
<p><u>Water quality</u></p> <p>We have reviewed the planning application documents and we can confirm that the site is not located within an Environment Agency defined groundwater Source Protection Zone (SPZ) or close to our abstractions.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.</p> <p>For any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system), a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> <p><u>Water efficiency</u></p> <p>Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.</p> <p>We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit <a href="http://Water efficiency credits (affinitywater.co.uk)">Water efficiency credits (affinitywater.co.uk)</a>.</p> <p><u>Water efficiency</u></p> <p>Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.</p>		

We currently offer a discount to the infrastructure charge for each new development where evidence of a water efficiency design to a standard of 110litres (or less) per person per day is expected. The discount value for the charging period 2023/24 is £258. For more information visit [Water efficiency credits \(affinitywater.co.uk\)](http://Water efficiency credits (affinitywater.co.uk)).

9.3	Environment Agency	No objection
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The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding We have produced a series of standard comments for LPAs and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by case consultation with us. This proposed development falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at [Flood risk assessments: applying for planning permission - GOV.UK](http://Flood risk assessments: applying for planning permission - GOV.UK).

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

**Informative**

Please include the below informative for any permission granted.

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work

**Advice to Local Planning Authority**

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support Local Planning Authorities and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be

applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc.

The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

### **Sequential Test**

What is the sequential test, and does it apply to this application?

In accordance with the National Planning Policy Framework (paragraph 174), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories, or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test and:
- the proposed development is consistent with the use for which the site was allocated; and there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

### Who undertakes the sequential test?

It is for you, as the Local Planning Authority, to determine an appropriate area of search and to decide whether the sequential test has been passed, with reference to the information you hold on land availability. You may also ask the applicant to identify any other 'reasonably available' sites which are on the open market and to check on the current status of identified sites to determine if they can be considered 'reasonably available'.

Further guidance on the area of search can be found in paragraphs 027-030 of the Planning Practice Guidance [here](#).

### What is our role in the sequential test?

We can advise on the relative flood risk between the proposed site and any alternative sites identified - although your strategic flood risk assessment should allow you to do this yourself in most cases. We won't advise on whether alternative sites are reasonably available or whether they would be suitable for the proposed development. We also won't advise on whether there are sustainable development objectives that mean steering the development to any alternative sites would be inappropriate. Further guidance on how to apply the sequential test to site specific applications can be found in the planning practice guidance [here](#).

### Insurance eligibility

New homes built in flood risk areas after 1 January 2009 are not covered by the Flood Re-insurance scheme and may not be eligible for home insurance. We advise contacting an insurance provider to discuss whether your development would qualify for insurance.

### Flood Risk Management Scheme Funding eligibility

New properties and buildings converted to housings within areas of flood risk after 1 January 2012 will not be counted towards the outcome measures of any proposed future flood alleviation scheme. This is to avoid inappropriate development in flood risk areas.

Further information can be found at

<https://www.gov.uk/government/publications/calculate-grant-in-aid-funding-flood-risk-management-authorities>

### Flood mitigation

Although we have no objections to the proposed development, the developer may wish to include measures to mitigate the impact of more extreme future flood events. Measures could include raising ground or finished floor levels and/or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>.

## **Advice to applicant**

### Water Resources

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

### Residential developments

The supply of water in the area is under serious water stress (as identified in our report: Water stressed areas – 2021 classification). All residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within the Building Regulations &c. (Amendment) Regulations 2015. This standard or higher may already be a requirement of the local planning authority.

### Commercial/Industrial developments

We recommend that all new non-residential developments of 1000sqm gross floor area or more (i.e. 'major' developments) should achieve the BREEAM 'excellent' standard for water consumption (category 'WAT 01'), or equivalent. This standard may already be a requirement of the local planning authority.

### Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>

#### Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

9.4	Herts Constabulary	No objection
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I am pleased to see that it is the intention to build this development to the police minimum security standard, Secured by Design as detailed in the Design and Access statement (6.47 -6.51 page 53). I look forward to working with the architects and developer to achieve this.

9.5	Herts Fire & Rescue	No objection
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I have looked at the access for a fire appliance and as such HFRS are satisfied with the proposed access arrangements at this time.

9.6	Herts and West Essex ICB (NHS)	No objection, subject to contributions
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Please accept this letter as the HWE ICB's position on primary healthcare capacity and need arising from this planning application and the health financial contribution sought if TRDC is minded to grant planning permission.

The HWE ICB became a statutory body on 1 July 2022 and is the health commissioner responsible for delivering joined up health and social health care to a population of c1.5m. in Hertfordshire and west Essex.

The HWE ICB works in partnership with health providers, local authorities, and other organisations to:

- improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area. tackle the inequalities which affect people's physical and mental health, such as their ability to get the health services they need, and the quality of those services help tackle health and wider inequalities.
- get the most out of local health and care services and make sure that they are good value for money.
- help the NHS support social and economic development in Hertfordshire and west Essex.
- A strategic aim of the NHS HWE ICB is the improvement of primary, community and mental health care outside of hospitals. To achieve this, the NHS commissions a number of services from general practices in addition to their "core" activity. On the ground this means more joined up care, for example, primary and community healthcare hubs with co-ordinated multidisciplinary professionals/ teams. Therefore,

a doctors' general practitioners' surgery may also include an ancillary pharmacy and ancillary facilities for treatments provided by general practitioners, nurses and other healthcare professionals to provide care to residents.

### ***Primary Care Networks (PCNs)***

Within the HWE ICB there are 35 PCNs across the 14 localities, each covering a population of between circa 27,000 and 68,000 patients. PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services to ensure an integrated approach to patient care.

Patients are at liberty to choose which GP practice to register with, providing they live within the practice boundary. However, most patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons: walking distance, quickest journey time, accessibility by public transport, parking provision.

Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained, the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances.

The HWE ICB keeps up to date PCN patient lists and closely monitors the current and future capacity of GP surgeries against Local Plan allocations/ housing trajectories.

The HWE ICB also ranks PCNs using existing premises data and known development data. This will identify and rank hotspots across the PCN patch where there is a need to explore projects to increase capacity, for example, by either re-configuring, extending or relocating GP practices to provide sufficient space to increase resources and clinical services to keep patient lists open.

### ***Assessment of impact on existing Healthcare Provision***

The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in and around the vicinity of Carpenders Park and South Oxhey. This scheme is expected to deliver 256 homes, which based on an average occupancy of 2.4 will create circa **614.4 new patients.**

These new residents will impact on several practices and PCNs. It is difficult to analyse capacity on PCN level as there is little geographical alignment as most practices belong to different PCNs. Therefore, capacity analysis on surgery and settlement level would be more appropriate:

Surgery Name	Settlement/ Area	PCN	Number of patients capacity/ constraint relative to 18 per m2	Settlement level		
				Number of patients capacity/ constraint	Total NIA capacity/ shortfall	Capital impact of existing capacity/ shortfall
South Oxhey Surgery	South Oxhey/ Carpenders Park	MVPS	-1,840	-5,397	-300	£2,098,697
Pathfinder		MVPS	-1,487			
The Consulting Rooms		Alliance	-974			
Attenborough Surgery (Carpenders Park)		Attenborough	-1,095			

\*For the purposes of capacity assessment, we have adopted an alternative calculation to the NHS England "Principles of Best Practice" (referred to below) based on 18 patients per m2, which has regard to national GMS space guidelines but also considers opportunities for economies of scale.

This table demonstrates that all surgeries are at capacity and their ability to accept additional patients is limited. The closest practice to the proposed development is Attenborough Surgery branch in Carpenders Park. Even though a small extension was built in 2019, they are still high in terms of patients per m2. The nearby Pathfinder and South Oxhey Surgery are based in the NHS Property Services owned South Oxhey Clinic, which is a 1970s single storey building. Both practices are operating at capacity as can be seen from the table above. There have been several initiatives in the past 15-20 years to incorporate South Oxhey Clinic in the wider South Oxhey regeneration plan, in partnership with HCC and TRDC. Unfortunately, these initiatives have not been fruitful. Therefore, the need for a contemporary health facility in the locality remains.

In light of the above, it is evident that the existing provision would not be able to accommodate the additional patient numbers arising from this development, and indeed potential future housing growth in and around the vicinity of Carpenders Park and South Oxhey.

#### ***Cost calculation of additional primary care healthcare services arising from the development proposal***

The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the health impacts from this development has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in Carpenders Park and South Oxhey, or other development proposals in the area.

The proposed development would deliver 256 dwellings, which based on an average occupancy of 2.4 occupants per dwelling will create circa **614.4 new patient registrations**.

$614.4 \text{ new patient registrations} / 2000 = 0.3072$  of a GP \*GP based on ratio of 2,000 patients per 1 GP and 199m2 as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development"

$0.3072 \times 199 \text{ m}^2 = 61.1328\text{m}^2$  of additional space required

$61.1328\text{m}^2 \times \text{£}7,000^* \text{ per m}^2 = \text{£}427,929.60$  (\*Build cost; includes fit out and fees)

$\text{£}427,929.60 / 256 = \text{£}1,671.60$  per dwelling (rounded up to £1,672 per dwelling)

**Total GMS monies requested: 256 x dwellings x £1,672 per dwelling = £428,032** (indexed from the date of the planning permission)

The HWE ICB requests that the financial contribution that the HWE ICB is seeking, to mitigate the health impacts from this development is secured through a planning obligation attached to any grant of planning permission.

A trigger point of payment on occupancy of the 100th Dwelling is requested. Please note, the developer contribution figure referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

If planning permission is granted, the HWE ICB propose to focus Section 106 monies on additional primary care premises capacity in South Oxhey and/or Carpenders Park or any other provision serving the development.

In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

The HWE ICB requests that the financial contribution that the HWE ICB is seeking, to mitigate the health impacts from this development is secured through a planning obligation attached to any grant of planning permission.

A trigger point of payment on occupancy of the 100th Dwelling is requested. Please note, the developer contribution figure referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

If planning permission is granted, the HWE ICB propose to focus Section 106 monies on additional primary care premises capacity in South Oxhey and/or Carpenders Park or any other provision serving the development.

- i. **Necessary to make the development acceptable in planning terms.** The provision of community facilities including health is a material planning consideration. As explained above, a financial contribution has been sought to mitigate the primary health service impacts arising from this development, by creating additional primary care premises capacity
- ii. **Directly related to the development.** The new residents of the development will have an additional impact upon local health services. The financial contribution will be used towards additional facilities in the vicinity of the development. As such the contribution will be used for the benefit of the new residents.
- iii. **Fairly and reasonably related in scale and kind to the development.** The above financial contribution has been calculated based on 256 new dwellings and 614.4 new patients, to mitigate the primary health service impacts arising from this development.

With regards to the HWE ICB's own governance and scrutiny processes, please note:

All projects are subject to Full Business Case approval by the HWE ICB and NHS England.

A project identified and costed in response to the planning application may not meet the objectives of current strategies or could have significantly increased in cost, especially if there has been any significant time lapse from the date of the response to the date of implementation of the planning consent.

Subject to securing the healthcare developer contribution secured, as set out above, to mitigate the health service impacts arising from this development, the HWE ICB does not raise an objection to the proposed development.

9.7	HCC Herts Archaeology	No objection, subject to conditions
1 <sup>st</sup> Consultation Response		
<p>At this time we do not have enough information about the proposed development or the impact it will have on overarching site. The Design &amp; Access Statement (March 2025) and Heritage Statement (March 2025) submitted with the application does not offer a sufficient assessment of the direct, below ground impact the proposed development will have on the historic environment, only focusing on the above ground heritage assets.</p> <p>Given that the proposed development site should be regarded as having the potential to contain heritage assets with archaeological interest (NPPF para 207), we believe a Desk Based Assessment, at a minimum, should be produced by an appropriately experienced and recognised heritage and archaeology practice.</p> <p>We, therefore, advise that an Archaeological Desk Based Assessment and Geophysical Survey be undertaken, in order to provide sufficient information about the significance of heritage assets that may be affected by the development. This work should be carried out prior to determination of the application.</p> <p>The results of these assessments would determine whether any further archaeological work would be deemed necessary, either prior to the determination of the application, or following planning consent, should such consent be granted.</p>		
2 <sup>nd</sup> Consultation Response		
<p>As requested, the applicant has submitted a desk-based assessment, produced by HCUK, which considers below ground impact the proposed development will have on the historic environment.</p> <p>We largely agree with the conclusions made within the desk-based assessment, however, we do still believe there is archaeological potential on the site. Due to concerns raised by the applicant in regards to access onto the site we recommend that the geophysical survey previously advised to be carried out prior to determination can be secured via condition, along with an archaeological evaluation via trial trenching targeting its results.</p> <p>Therefore, I believe that given the size and scope of the proposed development, it should be regarded as having the potential to have an impact on heritage assets of archaeological interest, and I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> <li>1. A geophysical survey of the development area, prior to any development commencing;</li> <li>2. the archaeological field evaluation of the proposed development area, via trial trenching, prior to development commencing;</li> <li>3. such appropriate mitigation measures indicated as necessary by that evaluation.</li> </ol> <p>These may include:</p> <ol style="list-style-type: none"> <li>a. the preservation of any remains in situ, if warranted,</li> <li>b. appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of results,</li> <li>c. archaeological monitoring of the groundworks of the development (also including a contingency for the preservation or further investigation of any remains then encountered),</li> <li>d. such other provisions as may be necessary to protect the archaeological interests of the site;</li> </ol>		

4. the analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results;
5. such other provisions as may be necessary to protect the archaeological interests of the site;

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 16 (para. 218, etc.) of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

*A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:*

- 1. The programme and methodology of site investigation and recording*
- 2. The programme and methodology of site investigation and recording as required by the evaluation*
- 3. The programme for post investigation assessment*
- 4. Provision to be made for analysis of the site investigation and recording*
- 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- 6. Provision to be made for archive deposition of the analysis and records of the site investigation*
- 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.*

*B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)*

*C The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.*

If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

I hope that you will be able to accommodate the above recommendations.

Please do not hesitate to contact me should you require any further information or clarification.

9.8	HCC Herts Footpath Section	No response received to date
9.9	HCC Herts Growth and Infrastructure Unit (Adult Care Services)	No objection, contributions requested

I am writing to Three Rivers District Council to set out Hertfordshire County Council's position in relation to the above-named site.

It is our understanding that the site is being proposed for 60 units of market housing with care with associated communal facilities, although it is unclear from the Planning Needs Assessment whether the proposal will include the availability of CQC registered care onsite should a resident require it. Although the importance of onsite care is mentioned throughout the document, the proposed scheme states that the provision of care 'will be flexible and adaptable as required, with support available 24 hours a day, should this be necessary'.

#### Policy Position

The county council's current policy for older people's housing is to seek the provision of Housing with care at 65 units per 1,000 head of population aged over 75, Nursing Care at 45 units per 1,000 head of population aged over 75 and Residential Care at 20 per 1,000 head of population aged over 75.

These figures reflect the county council's policy to support a general increased provision of specialist housing. This also echoes the national government position which seeks to emphasise the key importance of the provision of housing for older people, as well as the findings of the Older Persons Housing Taskforce.

A report published on the 26 November 2024 by The Older Persons Housing Taskforce stresses the need for age-friendly and dementia friendly housing to be built to ensure that older people can live with dignity, independence, and wellbeing in their later years.

- The county council seek to reduce the reliance on residential care in most instances with a strategy of reducing this provision and steering it towards housing with care which is suitable for both low, medium and high levels of care. This type of housing ensures that the most appropriate and enabling environment is provided, allowing residents to stay within their own homes throughout their lifetime, including those who develop dementia, whilst also allowing general needs housing to be released back into the market. As such, the county council are particularly supportive of additional provision of this type where there is an established need for it and where it accords with the definition set out in the Planning Practice Guidance:

Extra care housing or housing-with-care: This usually consists of purposebuilt or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.

- The county council are also supportive of the provision of very specialist accommodation such as nursing and dementia care.

#### **Need**

The county council have undertaken an assessment of need for all types of accommodation in each local authority and based on an expected population growth in those aged over 75 of 13,512 people by 2042, have identified a future need of 857 units of housing with care (188 to be affordable), 284 nursing care beds and a surplus of 202 residential care beds. On this basis alone, the county council would support either housing with care or nursing care at this development, however these figures are dependent on the delivery of other similar schemes that may come forward sooner.

While this provides a mathematical assessment of need based on certain assumptions other real-world evidence such as vacancy rates, waiting lists and rate of sales/lettings can also indicate demand (or lack of) for specialist housing for older people and should be a consideration for the council. Equally, a mathematical surplus does not suggest that the existing provision should be automatically reduced. Evidence of vacancy rates and sales/letting rates may often be a sign of the age and/or quality of accommodation and should be a consideration for the council.

#### Other Considerations

- To ensure that specialist housing schemes meet the definitions set out within the PPG, particularly in relation to on-site care and support, the county council would encourage the LPA to secure provision through an appropriate planning obligation or condition. The county council have drafted template S106 wording for this purpose.
- The county council would encourage the LPA to ensure that any provision of specialist accommodation includes an element of affordable housing or offsite contribution. With any off-site contribution to be used towards alternative affordable specialist housing schemes.
- The county council would like the right of first refusal to be exercised through an option to take transfer of the land to enable the delivery of nursing care.
- The county council look more favourably on accommodation in sustainable locations and those that provide a range of facilities on site. It should have access (ideally within 500m) to public transport links and community facilities such as a GP surgery and shops. It would also benefit from providing a range of social and communal facilities, to ensure delivery of a high standard of accommodation. A full list of facilities and recommendations can be found in the county council's Service Provision and Placemaking Guide.
- To ensure, wherever possible, that communities are suitable for a range of ages, larger strategic developments should seek to include an element of specialist housing for older people. The county council would also encourage a range of typologies, built form and tenures at a more local level and would broadly support any diversification of supply particularly where there is an identified need and where very specialist accommodation is included
- The council should encourage the redeployment of any surplus stock to other tenures or levels of care in the first instance.
- The county council would also encourage the council to seek as much development to be built to M4(2) standards as possible, as well as seeking an element of M4(3), to ensure accommodation is better equipped to respond to changing needs. Although it is recognised that the provision of both affordable housing and M4(2)/M4(3) compliance have ramifications to a site's viability

The county council in principle supports this application but would like certainty on the onsite provision of CQC registered care and suggest that this is secured through an appropriate planning obligation or condition.

9.10	HCC Herts Growth and Infrastructure Unit (Adult Care Services)	No objection subject to obligations.
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I am writing in respect of planning obligations sought towards non-transport services to minimise the impact of development on Hertfordshire County Council Services for the local community. Based on the information to date for the development of 256 dwellings, 1 x 4 bed childrens home and 60 housing with care units we would seek financial contributions towards the following projects

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	38	20
3	50	28
4+	8	5
Total	96	53

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	33	18
2	37	20
3	0	0
4+	0	0
Total	70	38

Trajectory						
Year	2025	2026	2027	2028	2029	2030
Units	0	86	86	85	0	0

**PLEASE NOTE: The above development mix is based on a policy compliant mix discussed with the planning officer and the tenure details provided within the application form. If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought.**

**Secondary Education Contribution** towards the delivery of a new secondary school at Carpenter's Park and/or provision serving the development (£1,942,832 (which includes land costs of £38,442) index linked to BCIS 1Q2024).

**Special Educational Needs and Disabilities (SEND) Contribution** towards the delivery of new Severe Learning Difficulty (SLD) special school places (WEST) and/or provision serving the development (£362,609 index linked to BCIS 1Q2024).

**Waste Service Transfer Station Contribution** towards increasing capacity at Waterdale Transfer Station and/or provision serving the development (£26,033 index linked to BCIS 1Q2024)

**Monitoring Fees** – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not able to adopt a CIL charge itself. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

The county council methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): "fairly and reasonably relates in scale and kind to the development".

Outline applications will require the ability for an applicant to recalculate contributions at the point of a reserved matters application and as such a calculation Table will be provided as part of the S106 drafting process. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to amend the dwelling mix at a later stage and the financial contribution to be calculated accordingly.

Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

Justification The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021 and is available via the following link: Planning obligations and developer infrastructure contributions | Hertfordshire County Council In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

- (i) Necessary to make the development acceptable in planning terms. Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission." The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.
- (ii) (Directly related to the development. The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.
- (iii) Fairly and reasonably related in scale and kind to the development. The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).

9.11	HCC Herts Ecology	No response received to date
9.12	HCC Herts Highways	Objection
1 <sup>st</sup> Consultation Response		

**Recommendation**

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons: REASONS AND COMMENTS  
Objections are raised against approval of this application for the following reasons:

- i. No audit has been provided on the quality of cycling and walking routes in the vicinity of the proposed development. The sustainability of the proposal has therefore not been properly evaluated. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7 and 8 of Hertfordshire's Local Transport Plan, 2018.
- ii. The lack of bus services in the vicinity of the site has not been addressed. This further questions the sustainability of the proposal. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7, 8 and 9 of Hertfordshire's Local Transport Plan, 2018.

- iii. Trip generation, distribution and assignments provided in the TA are not acceptable. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
- iv. No safety audit has been provided in respect to the two proposed new accesses. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
- v. No assessment has been made on the impact of the development on street trees. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
- vi. The TA does not provide a gradient profile for the proposed new road onto the A4008. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
- vii. Visibility splays from the junction are not provided in the TA. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
- viii. The proposed access onto the A4008 is considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018.

### **Background**

The application is for 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). A Transport Assessment (TA) has been provided to support the application. As noted in the TA, HCC provided pre-application comments to the applicant earlier this year. These comments included the recommendation that "a scope for the TA is agreed with the highway authority prior to its preparation as part of its pre-application process". This was not however taken up by the applicant and no scope for the TA was agreed. It is noted that the TA includes an "Illustrative Masterplan" for the site. No commentary is provided on this. This would be a matter for consideration as reserved matters post any approval of the current Outline application.

### **Policy**

Relevant policy considerations include the NPPF and HCC's Local Transport Plan (LTP) 4 (2018). LTP 4 Policy 1 (Transport User Hierarchy) considers that "To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- Opportunities to reduce travel demand and the need to travel
- Vulnerable road user needs (such as pedestrians and cyclists)
- Passenger transport user needs
- Powered two-wheeler (mopeds and motorbikes) user needs
- Other motor vehicle user needs.

LTP 4 Policy 5 (Development Management) states that:

'The county council will to work with development promoters and the district and borough councils to:

- a) Ensure the location and design of proposals reflect the LTP Transport User Hierarchy and encourage movement by sustainable transport modes and reduced travel demand.
- b) Ensure access arrangements are safe, suitable for all people, built to an adequate standard and adhere to the county council's Highway Design Standards.

- c) Consider the adoption of access roads and internal road layouts where they comply with the appropriate adoption requirements and will offer demonstrable utility to the wider public. Where internal roads are not adopted the county council will expect suitable private management arrangements to be in place.
- d) Secure developer mitigation measures to limit the impacts of development on the transport network, and resist development where the residual cumulative impact of development is considered to be severe.
- e) Require a travel plan for developments according to the requirements of 'Hertfordshire's Travel Plan Guidance'.
- f) Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals.
- g) Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way especially for vulnerable road users.
- h) Ensure new developments provide facilities for charging plug-in and other Ultra Low Emission vehicles, as well as shared mobility solutions such as car clubs.

HCC LTP Policy 6 seeks to address accessibility. Policies 7 and 8 address walking and cycling respectively with policy 8 seeking a step change in cycling. Policy 9 seeks to promote and support bus services to encourage reduced car use.

Hertfordshire's Place and Movement Planning & Design Guidance was formally adopted in 2024 as a supporting document for HCC's Local Transport Plan.

### **Site**

Oxhey Lane (A4008) is considered to be a P2/M2 road under P&MPDG, albeit this is queried by the applicant in the TA. It is categorised as a Main Distributor Road. It has street lighting and a 40mph speed limit. The TA states that "northbound 85th percentile speeds range from 34.4mph to 40.0mph, and southbound between 34.6mph and 41.3mph" with southbound and northbound 85th percentile speeds of 37-38 mph at the Automatic Traffic Counter (ATC 1) situated just south of Carpenders Avenue.

A public right of way – footpath Bushey 025 – starts opposite Carpenders Avenue in Oxhey Lane and provides a link to Merry Hill. Separate comments will be provided by HCC's Rights of Way team. Section 3.8 of the TA details casualty data in the area for the last five years one involving a cyclist. Two serious and two slight injury incidents are noted. Two incidents involving injury took place in Carpenders Avenue, and two in Oxhey Lane.

The TA states that "The two serious PIAs were both caused by driver error. One of these involved a speeding vehicle travelling east on Carpenders Avenue over the brow of a hill, and crashed into a vehicle heading west as they did not react in time due to irresponsible speeds. The other serious PIA occurred when a driver failed to look properly when pulling out of Carpenders Avenue onto Oxhey Lane, resulting in sudden braking of a motorcyclist and a collision." The TA further notes that "there does not appear to be any existing highway safety concern close to the site, that the proposed development traffic would be exacerbating".

The site is about 1km from Carpenders Park railway station which has shops including a supermarket and pharmacy in its vicinity. Buses currently route via Carpenders Park railway station as indicated below.

Carpenders Avenue which links the site to the railway station is identified as a Key Walking Route in the LCWIP for this area.

### **Sustainability**

Table 3.3 and Image 3.5 sets out the location of local facilities including a post office and food store at 800 metres. The applicant however appears not to have carried out a formal audit of the quality of local routes for cycling and walking in the vicinity of the site. This is a standard

requirement for larger developments of this size. There are various methodologies for such an audit. HCC would not seek to be prescriptive in this respect. HCC's P&MPDG states "An example of good practice is the Active Travel Zone methodology developed by TfL."

The TA does reference the LCWIP identification of Carpenders Avenue as a key walking route with a suggestion of this being a potential planning obligation. It does not however provide any information on what it regards as necessary interventions in this respect. As noted below any such obligations need to be considered as Strand 1 obligations (HCC Guidance on Planning Obligation refers).

In respect to public transport, the TA notes that Carpenders Park railway station is about 1km from the site. It also notes that "the nearest bus stop is circa 700m." HCC's P&MPDG states an expectation all occupied parts of development should be within 400m walking distance of a bus stop or transport hub by public walking route". The TA does not address this shortfall in bus accessibility.

In summary, the TA is considered inadequate in assessing the sustainability of the site. It does not provide a formal audit of the quality of cycling and walking routes in the vicinity of the site. The TA also notes excessive distances to access bus services but offers no possible interventions to address this. This is considered contrary to paragraph 118 of the NPPF which states a requirement for a "vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored." It is also contrary to Policies 1, 5, 6, 7, 8 and 9 of HCC's Local Transport Plan 2018. An objection is raised in this respect.

To assist the applicant in their consideration of the bus stop accessibility HCC's bus service team has noted a possible way of addressing bus service provision related to the proposed development. This might be useful for the applicant to consider. They have suggested a service to complement Service 328 from South Oxhey to Watford, extending it to the new site. The new service could operate from the site via A4008 and B4542 down to Prestwick Road, then via a variation of the current 328 into Watford. There could be an option of extending this up to Watford Junction. This is offered as one possible solution for the applicant to consider. Alternative proposals are welcomed and will be considered by our public transport team.

### **Access**

A vehicular access is proposed directly onto the A4008. As noted above Policy 5(f) of HCC's Local Transport Plan 2018 states that HCC as HA will "Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals". In this respect the proposal was considered by HCC's Strategic Transport Infrastructure Board (STIB) on 5 March 2025. The view of STIB was that on the basis that this site does not have Local Plan designation it should not be deemed to have special circumstances at the current time.

The TA states that "this policy must be taken in the context of the NPPF, whereby developments should be assessed against the four key tests as noted above." Paragraph 2.4.1 of the TA states that "The NPPF identifies four key transport tests which can be summarised as follows:" This includes "Will the site layout comply with design guidance?". In this respect, Hertfordshire's Place and Movement, Planning & Design Guidance, 2024, clearly references policy 5(f).

The TA does not set out any special circumstances. An objection is therefore raised as the applicant has failed to demonstrate special circumstances; the application for an access onto the A4008 is therefore considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018.

In addition to the above, an emergency service access into the site from Oxhey Lane is proposed to the south of the existing care home.

No road safety audit (or Designer's Response) has been provided. This is contrary to advice provided at pre-application stage and contrary to HCC's P&MPDG. This is a necessary

requirement. For this site, the TA also notes departures from standards in respect to intervisibility, which raises specific safety concerns.

The pre-application comments also drew especial attention to the need to consider whether any street trees would be affected by the applicant's proposal. This appears not to have been addressed in the TA. HCC's street tree strategy is located here: <https://www.hertfordshire.gov.uk/media-library/documents/highways/plans-and-strategies/highway-tree-strategy-and-guidance-document.pdf>

Visibility splays from the proposed new junction are also not provided in the TA.

The gradient profile of the proposed new road onto the A4008 has not been provided.

Modelling of the proposed new junction arrangement is provided in the TA. The methodology for the trip generation, distribution and assignment for the proposed site was not agreed with HCC. The methodology used in the TA is not considered acceptable for the reasons stated below. The modelling is therefore regarded as premature.

It is noted that Hertfordshire's Fire Service have provided separate comments on the proposed accesses and have not raised any issues at this stage.

### **Trip generation, distribution and assignment**

The TA does not use the national standard trip data-base, TRICS, to provide a predicted number of trips by car. The TA justifies this by stating that "the site is unique in that it is not within the Greater London boundary, yet it has access to a regular London Overground service linking it to key destinations within Central London and Watford. There are very few sites within TRICS database with similar characteristics, and therefore a representative level of multi-modal trip rates may not be obtained from any multi-modal TRICS outputs."

It is not accepted that the site's location c.1km from a London Overground station "but not in London" makes this a unique site. Neither is it accepted that there are no TRICS sites with similar characteristics. It is noted that the railway line in question became a London Overground station in 2007 and prior to that offered a service to the capital like many other railway lines radiating out from London, which is still its function. The TA does not state why the change of this line from a "Silverlink" service" to a "London Overground" service makes the applicant's site "unique" or excludes an exercise in identifying sites with similar characteristics. As noted, HCC as highway authority encouraged the applicant to engage with it on the scoping of the TA prior to its preparation. This was not pursued by the applicant.

The TA goes further in its claim for the unique status of this site stating (in paragraph 6.4.1 that "the excellent public transport connections are of a different character to sites outside Greater London" requiring "bespoke multi-modal trip rates for this site." The suggestion of "excellent public transport connections" is not though established in the TA. The railway station at 1km from the site entrance is in excess of 800 metres, a distance often defined as the distance for a "Walkable Neighbourhood". Bus services are currently not available within the 400 metres detailed in HCC's P&MPDG. It is difficult to see how the applicant considers the site to have "excellent public transport connections". Reference to "excellent public transport" is often aligned to a PTAL rating of 6. If the applicant is making this specific claim, evidence should be provided to support this.

The "unique" status of this site claimed by the applicant is not considered as an acceptable basis for not deriving multi-modal trip rates from the industry standards TRICS database.

For noting, the trip generation set out in the TA pursues a route whereby total trips are derived from TRICS sites and then applying a TEMPro for modal split and trip purpose data. The view of HCC as highway authority does not accept a departure from the standard process of establishing vehicular trips directly from TRICS on the basis of proximity of a London Overground station.

Further, the use of 2011 Census Journey is still considered to offer the best means of considering Journey to Work data, once account is taken of developments since 2011 and planned developments. The basis for dependence on what the TA terms “bespoke” multi-modal trip rates is not accepted.

The applicant should provide trip generation figures based on a methodology agreed with HCC as highway authority. The applicant might wish to validate this against their TEMPro and National Travel Survey approach.

Paragraphs 7.55 – 7.59 and Table 7.3 indicate the basis for trip distribution proposed by the applicant. This should be validated against traffic counts available showing trip distribution for traffic entering and leaving Carpenders Avenue which provides a hyper-local view of likely trip distribution.

### **Travel Plan**

A Framework travel plan has been submitted as part of the planning application. This has been assessed by HCC’s travel plan team. Initial comments are provided below. At this stage the framework travel plan is not considered acceptable.

The team notes that there is no mention within the Travel Plan or Transport Assessment of improvements to bus accessibility – either infrastructure or services. The closest bus stop is 700m away (according to the Travel Plan) which is over the recommended accessibility criteria that we use. Discussions with our Integrated Passenger Transport Unit should take place to ascertain suitable measures to improve bus accessibility and attractiveness at the site. Without improvement, Travel Plan targets may not be achieved. Whilst there is a rail station within walking/cycling distance this only provides access to destinations accessible via the rail network.

This Travel Plan is good in some areas, although will require more detail and clarity before we can approve, in particular in relation to duration of the residential Travel Plan, management structure for the residential Travel Plan and any other on-site Travel Plans, and greater clarity over targets, monitoring frequency, methods and plan review.

Individual Full Travel Plans will need to be produced for the residential element and also for the housing with care. No. of beds is not given for the children’s home but that will require a Travel Plan Statement if it has between 30-50 beds and a Full Travel Plan if over this.

Detailed comments on the draft framework travel plan follows:

#### **Travel Plan Management**

- Travel Plan Co-Ordinators will be required for each Travel Plan. Contact details of the Travel Plan Co-Ordinator and that of a secondary contact in case of personnel changes should be made available to HCC on appointment. Time allocated to role and frequency on site should be given once known.
- A residential Travel Plan is expected to be in place until 5 years post full occupation, 5 years from first occupation for C2 land uses.
- Detail should be given as to the management structure – eg land use specific Travel Plans with their co-ordinators and a site-wide Travel Plan Co-Ordinator with overall responsibility for delivery of Framework Plan, and a mechanism for these individuals to liaise with each other and relevant stakeholders – eg a forum/steering group where site-wide issues can be discussed.
- We require a statement of management commitment from a suitable member of senior management - this demonstrates commitment to the robust implementation of the Travel Plan. This should be provided prior to occupation of the site. Measures
- These are generally appropriate and should be further tailored to the land use in question when individual Travel Plans are prepared.

- We require provision of residential travel vouchers (see paragraph 4.14-4.15 p13 of our Travel Plan Guidance (see [www.hertfordshire.gov.uk/travelplans](http://www.hertfordshire.gov.uk/travelplans)) to the value of £50 per flat, £100 per house (index-linked to RPI from May 2014). These ideally should be redeemable against multiple sustainable modes to maximise uptake (public transport and cycle equipment is mentioned in the Travel Plan but not walking equipment). Vouchers towards bus services should be discussed with our Integrated Passenger Transport Unit. We would also expect discounts to be made available as measures within the C2 land uses in any individual Travel Plans for those uses (eg Cycle to Work scheme, season ticket loans).
- Promotion of our Intalink website for bus information (<https://www.intalink.org.uk/>), our cycling webpages (<https://www.hertfordshire.gov.uk/services/health-in-herts/keep-active/hertfordshire-cycling.aspx>), and Hertfordshire Health Walks (<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-management/hertfordshire-health-walks/hertfordshire-health-walks.aspx>) should be included.

### **Targets, monitoring and action plan**

The vision for trip reductions from the site (5.1.2) only applies to trips associated with local schools and commuting, whilst the target that is given later within the same section (5.1.4, 5.2.8 and 5.2.11) - a 10% reduction does not specify particular trips. Modal shift proposed is on a par with what we would require - we require a min 10-15% mode shift (percentage change) for a Travel Plan in place for 5 years. However targets and measures should apply to all trips. We acknowledge that there is greater potential for mode shift in certain trip types than others given opportunities at the site – this is true of all sites.

Text about monitoring frequency is muddled with some paragraphs appearing to suggest annual monitoring, others alternate year monitoring and from different start points. The Action Plan is clearer, but only suggests traffic survey in alternate years, questionnaires annually for 5 years, and a monitoring report in years 1,3, and 5. We will accept the suggestion of monitoring starting at 50% occupation, but do require annual TRICS SAM standard monitoring and questionnaire surveys for a site of this scale. We often find that questionnaires do not achieve a high response rate.

Traffic counts if done as well provide a more adequate level of data on which to review the measures and targets. Review of the Travel Plan will be required annually.

HCC will seek Support and Evaluation fees of £6,000 index linked by RPI to May 2014 for both travel plans, i.e. a total index linked figure of £12,000.

### **Planning obligation**

Planning obligation in respect to travel plans are noted above.

Three Rivers District Council has adopted a CIL. Any additional planning obligations would therefore need to be Strand 1 obligations. This could potentially include measures to address the quality of local walking and cycling routes including measures along the “Key Walking Route” and bus service improvements. None of these issues have yet been evaluated by the applicant.

### **Conclusion**

Objections are raised against approval of this application for the following reasons:

- i. No audit has been provided on the quality of cycling and walking routes in the vicinity of the proposed development. The sustainability of the proposal has therefore not been properly evaluated. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7 and 8 of Hertfordshire’s Local Transport Plan, 2018.
- ii. The lack of bus services in the vicinity of the site has not been addressed. This further questions the sustainability of the proposal. This is considered contrary to paragraphs

<ul style="list-style-type: none"> <li>iii.</li> <li>iv.</li> <li>v.</li> <li>vi.</li> <li>vii.</li> <li>viii.</li> </ul>	<p>109-118 of the NPPF and Policies 1, 5, 6, 7, 8 and 9 of Hertfordshire's Local Transport Plan, 2018.</p> <p>Trip generation, distribution and assignments provided in the TA are not acceptable. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</p> <p>No safety audit (or Designer's Response) has been provided in respect to the two proposed new accesses. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</p> <p>No assessment has been made on the impact of the development on street trees. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</p> <p>The TA does not provide a gradient profile for the proposed new road onto the A4008. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</p> <p>Visibility splays from the junction are not provided in the TA. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</p> <p>The proposed access onto the A4008 is considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018.</p> <p>HCC as highway authority recommends that the planning application is not approved for the reasons detailed above.</p>
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**2<sup>nd</sup> Consultation Response**

<p><b>Recommendation</b></p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:</p> <p><b>REASONS AND COMMENTS</b></p> <p>HCC highway comments were provided on 6 August 2025. It was recommended that planning permission be refused. The reasons were summarised as follows:</p> <ul style="list-style-type: none"> <li>i. No audit has been provided on the quality of cycling and walking routes in the vicinity of the proposed development. The sustainability of the proposal has therefore not been properly evaluated. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7 and 8 of Hertfordshire's Local Transport Plan, 2018.</li> <li>ii. The lack of bus services in the vicinity of the site has not been addressed. This further questions the sustainability of the proposal. This is considered contrary to paragraphs 109-118 of the NPPF and Policies 1, 5, 6, 7, 8 and 9 of Hertfordshire's Local Transport Plan, 2018.</li> <li>iii. Trip generation, distribution and assignments provided in the TA are not acceptable. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</li> <li>iv. No safety audit (or Designer's Response) has been provided in respect to the two proposed new accesses. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.</li> <li>v. No assessment has been made on the impact of the development on street trees. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led</li> </ul>
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- transport assessment so that the likely impacts of the proposal can be assessed and monitored.
- vi. The TA does not provide a gradient profile for the proposed new road onto the A4008. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
  - vii. Visibility splays from the junction are not provided in the TA. This is considered contrary to paragraph 118 of the NPPF which requires a vision-led transport assessment so that the likely impacts of the proposal can be assessed and monitored.
  - viii. The proposed access onto the A4008 is considered contrary to policy 5(f) of HCC's Local Transport Plan, 2018."

A "Response to HCC Comments" dated 9 September 2025 has now been received. This is referred to as the "Response document" below. Comments are provided below on each point raised.

#### **i. Audit of walking and cycling routes**

The Response document notes that the TA provided "an overview of the walking and cycling routes between the site and local facilities" and now provides in Appendix B "a more detailed walking and cycling audit."

The audit examines three routes:

Route 1 – To St. Meryl School & Little hearts pre-school

Route 2 – To bus stops on By The Wood

Route 3 – To Carpenders Park station and South Oxhey local centre

The results of the audit suggest potential improvements which include:

- Installation of tactile paving at uncontrolled crossing points along Carpenders Avenue, Foxleys, The Mead and Gibbs Couch.
- Footway widening into existing grass verges on Oxhey Lane to ensure that the footways are wide enough to walk two side-by-side.
- Resurface existing footways on Oxhey Lane and Carpenders Avenue to improve accessibility and comfort.

The Response document however refers to making a contribution to "support necessary active travel improvements through a Section 106 contribution". This is not accepted. If potential improvements identified in the audit are considered "necessary" to support the development they should be secured against any planning approval as a "Strand 1 obligation" by way of an appropriate planning condition.

The applicant states that it would welcome the opportunity to discuss improvements with HCC. This appears to be a useful way forward. HCC would welcome a meeting with the applicant and the LPA.

#### **ii. Lack of bus services**

The TA claimed a unique status for this site stating (in paragraph 6.4.1) that "the excellent public transport connections are of a different character to sites outside Greater London". HCC comments noted that the nearest train station is in excess of 800 metres from the site. It was also noted that there are no bus services available within 400 metres (contrary to Part 1, Chapter 5, paragraph 7.9 of Hertfordshire's Place & Movement Planning Design Guidance). Specifically, the train station is approximately 1050 metres from the proposed entrance to the site and the nearest bus stops are at about 700 metres away. HCC highway comments therefore challenged the applicant's consideration of the site as having "excellent public transport connections".

In respect to bus services, the Response document states that “It is acknowledged that there are opportunities to uplift the level of bus accessibility in the local area, and that a service to complement the existing number 328 service may be beneficial for future residents of the site”.

HCC’s public transport team propose a new service - to complement Service 328 - from South Oxhey to Watford, and extending it to the new site. This new service would operate from the site via A4008 and B4542 down to Prestwick Road, then via a variation of the current 328 route into Watford. There would be the option of extending this up to Watford Junction. An hourly service should be achievable with two vehicles, at an estimated annual cost of £350k.

HCC is therefore seeking an index-linked Strand 1 financial contribution of £350k per annum for a period of five years totalling £1,750k. This would need to be secured by a Section 106 agreement.

In addition, provision would be required for new bus stop infrastructure. HCC’s public transport team has identified a need for a pair of new stops outside the site to support the potential new service and future proof the site. These would serve both new residents and the nearby care home. They suggest a location between the islands along Oxhey Lane to facilitate safe crossing. It would be useful if the applicant could look at their potential placement by way of a plan. They note the infrastructure that would be sited at each bus stop as follows:

1. **Carpenders Park, Oxhey Lane, Carpenders Avenue**
  - Kassel kerb
  - Bench (*Gladstones*)
  - RTI bus stop pole with RTI screen (*Journeo*)
  - Bus cage
2. **Carpenders Park, Oxhey Lane, opp Carpenders Avenue**
  - Kassel kerb
  - Bench (*Gladstones*)
  - RTI bus stop pole with RTI screen (*Journeo*)
  - Bus cage

To address accessibility, minor improvements are also recommended at the two existing bus stops below:

1. **Carpenders Park, By the Wood, Upper Hitch (21803900)**
  - Kassel kerb required.
2. **Carpenders Park, By the Wood, opposite Upper Hitch (21802940)**
  - Kassel kerb required.

HCC would also seek to secure the bus stop infrastructure proposals detailed above by way of planning condition.

### iii. Trip impact assessment

The TA stated that “Multi-modal trip rates have not been directly obtained from the industry standard TRICS database. This is because the site is unique in that it is not within the Greater London boundary, yet it has access to a regular London Overground service linking it to key destinations within Central London and Watford. There are very few sites within TRICS database with similar characteristics, and therefore a representative level of multi-modal trip rates may not be obtained from any multi-modal TRICS outputs.” And further noted “the excellent public transport connections.”

This was refuted in HCC’s comments dated 6 August 2025, which stated that:

“The TA goes further in its claim for the unique status of this site stating (in paragraph 6.4.1) that “the excellent public transport connections are of a different character to sites outside Greater London requiring bespoke multi-modal trip rates for this site.” The suggestion of “excellent public transport connections” is not though established in the TA. The railway station at 1km from the site entrance is in excess of 800 metres, a distance often defined as the distance for a “Walkable Neighbourhood”.

Bus services are currently not available within the 400 metres detailed in HCC’s P&MPDG. It is difficult to see how the applicant considers the site to have “excellent public transport connections”.

Reference to “excellent public transport” is often aligned to a PTAL rating of 6. If the applicant is making this specific claim, evidence should be provided to support this.”

The Response document does not seek to support the previously stated “excellent public transport” by means of an established assessment methodology. As noted in previous HCC comments the site would not be considered by HCC to have excellent public transport connectivity. Rather, there is a need to consider necessary public transport improvements as detailed under "Bus services" above.

In respect to trip impact assessment, paragraph 4.1.7 of the Response document states that “the multi-modal TRICS data in Table 4.1 has been used to assess the level of trips arising from the proposed development.” Paragraph 4.1.5 of the Response document notes that the TRICS assessment has been updated due to an update being available from TRICS. The residential sites chosen in the updated list are detailed in Appendix D of the Response document. This lists 22 sites all at “Edge of Town” locations. “Edge of Town” appears to be an appropriate location indicator. For the Housing with care and childrens’ home, Table 4.5 in the Response document reproduces Table 6.8 in the TA. Table 4.6 of the Response document shows the total peak hour vehicle flow based on the TRICS assessment.

The Distribution and Assignment detailed in the TA was also questioned by HCC. A simpler “hyper-local” assessment of trip distribution was suggested by HCC to act as - at least – a comparator to the figures derived in the TA. This has been presented in paragraph 4.2.4 of the Response documents and shows fairly close correlation to the previous distribution – reproduced in paragraph 4.2.3 of the Response document. Paragraph 4.2.7 notes that the “distribution of development traffic has been updated to reflect these changes and has been subsequently fed into an updated set of operational assessments.”

The revised trip matrices have been applied to the LINSIG model used in the initial assessment. The outputs are summarised in Table 4.9 (without vision) and Table 4.10 (with vision).

The results of the modelling show that all arms operate within capacity – well below a “Degree of Saturation” of 90% which would signify that the junction was nearing capacity. The results of the modelling are considered acceptable.

#### **iv. Safety audit**

The Response document provides a Stage 1 road safety audit and a Designer’s Response. Ten “Problems” are identified. HCC’s road safety team have been requested to review the documentation. It is expected that their examination will be completed shortly. Further comments will then be provided.

#### **v. Trees**

The Response documents states “HCC identified a mature oak tree to the north of the proposed site access location. This is identified as T1 in the Tree Protection Plan provided by ACD Environmental

Ltd along with the Root Protection Area (RPA) of the tree. The plan was submitted with the application along with an Arboricultural Impact Assessment. ACD have reviewed the site access against the access design and identified the footway would lead to 2.22% incursion into the RPA.

This is a small incursion which could be mitigated through appropriate construction methods.”

This satisfactorily addresses the issue raised by HCC highways.

#### **vi. Gradient profile**

The applicant’s Response document states that “The detailed alignment of the access road is not determined at this stage as the application is in outline”.

In order to determine that the access can be constructed at the intended location, the gradient of the access road into the site is considered a material consideration at Outline stage. The Response document states that: “the initial 15m of the access road has been designed with a 4% gradient in line with Design Manual for Roads and Bridges (DMRB)” and “The remainder of the access could be designed at a gradient of 6% in accordance with DMRB or 5% in accordance with HCC design guidance.”

This confirms that an HCC condition for maximum gradient of 1 in 20 can be applied to the proposed main access road into the development.

#### **vii. Visibility splays**

The Response document confirms visibility splays are provided in their drawing no. ITL200107-GA-002 Rev E which has been updated plan to show the visibility splay from the proposed new access road. As noted in iv above the road safety audit team will be reviewing the documentation, including the road safety audit and Designer’s response which would include visibility issues. This view should be provided shortly.

#### **viii. Policy 5(f)**

As noted in HCC comments dated 6 August, 2025, “A vehicular access is proposed directly onto the A4008. Policy 5(f) of HCC’s Local Transport Plan 2018 states that HCC as HA will “Only consider new accesses onto primary and main distributor roads where special circumstances can be demonstrated in favour of the proposals”. In this respect the proposal was considered by HCC’s Strategic Transport Infrastructure Board (STIB) on 5 March 2025. The view of STIB was that on the basis that this site does not have Local Plan designation it should not be deemed to have special circumstances at the current time.”

HCC maintains its objection in this respect. It is noted that the Response document states that “...if development is acceptable in this location whether through a LP designation or a planning application that would constitute special circumstances.” It is acknowledged that the LPA will need to consider policy 5(f) against this and other considerations.

#### **Conclusion**

The documentation including the road safety audit and Designer’s response is to be reviewed by HCC’s safety team. These will be provided as additional comments shortly.

The applicant has proposed a meeting with HCC highways and the LPA. This is welcome and should allow any outstanding matters to be addressed.

9.13	HCC Herts Waste and Minerals	No objection subject to conditions
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#### **Minerals**

In relation to minerals, the site falls entirely/partially within the ‘Sand and Gravel Belt’ as identified in Hertfordshire County Council’s adopted Minerals Local Plan 2002 –2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. Whilst the site falls

within the Sand and Gravel Belt, British Geological Survey (BGS) data does not identify any potential superficial sand/gravel deposits beneath the application site. Given the lack of deposits beneath the site, the Minerals Planning Authority does not have any mineral sterilisation concerns.

### **Waste**

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development. The National Planning Policy for Waste (October 2014) sets out the following: 'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

The supporting documents to this application make no reference to the adopted Waste Core Strategy and Development Management Policies DPD (2012). The policies in the adopted DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). The Executive Summary of the Sustainability and Energy Statement notes that a SWMP will be prepared prior to commencement of the project. The county council welcomes this commitment.

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips

are required for the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

#### Project and People

- Identification of the client
- Identification of the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

#### Estimating Waste

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes\_
- Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)

#### Space for Later Recordings

- Space for the recording of actual figures against the estimated figures
- Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to
- Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates.

As a SWMP has not been produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

#### **Condition:**

No development shall take place until a Site Waste Management Plan (SWMP) for the site been submitted to the Local Planning Authority and approved in consultation with the Waste 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 management actions for each waste type. 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 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)

9.14	HCC Healthy Places	No objection
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We are pleased to see that you have carried out a rapid HIA for the above proposal. The Health Impact Assessment has been quality assessed using the WHIASU Quality Assurance Review Framework (2017). The findings are detailed in this section. They have been broken down into four headings:

1. Clarifications required; 2. Strengths; 3. Weaknesses; and 4. Revisions required

Clarifications required

1. Who was involved in the scoping of the HIA?

2. Strengths

- The HIA report acknowledges the positive, negative, and neutral impacts of the proposed development and provides clear recommendations to reduce negative impacts. The report has confirmed that the recommendations will be implemented by planning condition and s106 planning obligations.
- The type of HIA is appropriate and proportionate to the scale and nature of the proposed development.
- The HIA refers to HCC's Health Impact Assessment Position Statement.
- The HIA considers the wider determinants of human health and refers to other technical evidence reports and statements submitted with the planning application which relate to identifying the impacts on the wider determinants of health.
- The HIA includes a description of the proposed development and information on the surrounding area. This includes access to existing services and amenities from the site, including schools, shops and public transport.
- The WHIASU methodology has been used to carry out the HIA.
- The WHO definition of health has been used in the HIA.
- The HIA has considered the health of the existing population of the surrounding areas and has identified vulnerable groups using the checklist provided.
- The report refers to a range of data sources to inform the assessment.
- The HIA report references National Planning Policy Framework, National Planning Practice Guidance, Health and Social Care Act 2012, Three Rivers Local Plan, and the Hertfordshire Health and wellbeing Strategy.
- The report includes a section which provides a local health profile for Three Rivers.
- The HIA considers the construction and operational impacts from the proposed scheme.
- The HIA considers monitoring the set of health recommendations.
- Report is clearly structured with subheadings.
- The HIA report includes assumptions and limitations

Weaknesses

- The Three Rivers District Council Health and Wellbeing Strategy and Three Rivers Climate Change Strategy has not been referenced in the HIA

The points included under 'weaknesses' have been included in our feedback for your consideration, which you may wish to address to improve the overall quality of the HIA report. Thank you again for consulting HCC Public Health on your HIA for this proposal. We are pleased with the outcome of this report and that recommendations will be implemented through planning conditions and s106 agreements.

9.15	HCC Water Officer	No objection subject to condition / obligation
Hertfordshire Fire and Rescue service (hydrants only) will require a condition for the provision and installation of fire hydrants, at no cost to the county council, or fire and rescue service.  This is to ensure there are adequate water supplies available for use in an emergency, at all times.		
9.16	HCC Lead Local Flood Authority	Objection

Thank you for your consultation on the above site, received on 26 June 2025, for an outline planning application. We have reviewed the application as submitted and wish to make the following comments.

It is understood that the outline application is seeking planning permission for access only, with all other concerns to be dealt with at the reserved matters stage. The proposed development is mixed-use to include the provision of up to 256 new homes, some sheltered accommodation and a children's home.

We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy relating to:

- The development is at risk of fluvial flooding from a Main river and also surface water flooding generated from runoff from land.
- Potential increase in flood risk as a result of the development and its proposed drainage scheme.
- We advise that you as Local Planning Authority, ensure that this application passes the Sequential Test. A Sequential Test for this application has been submitted and is stated to 'pass'. However, we do not believe that the sequential test has been adequately completed.
- The development is not in accordance with NPPF, PPG, National Standards for Sustainable Drainage Systems (June 2025) or Three Rivers local policies including Policy DM8 – Flood Risk and Water Resources and Policy DM9 – Contamination and Pollution Control.

Reason To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development. We will consider reviewing this objection if the LLFA concerns are adequately addressed. A summary of concerns has been indicated below, however, ALL concerns to be addressed have been detailed in a separate checklist document which should be reviewed alongside this letter.

- 1) The FRA and drainage strategy are in direct contravention with the new National Standards for Sustainable Drainage (June 2025) as no measures are in place to ensure the minimum 5mm of rainfall interception is achieved and source control measures are not duly considered.
- 2) The FRA also does not adequately meet the water quantity, quality, biodiversity and amenity requirements. The drainage strategy proposed relies upon a traditional 'pipe to pond' scenario, with no SuDS management train indicated on the drainage strategy.
- 3) There is a significant surface water flow path running through the site. The illustrative masterplan indicates that buildings will be located in this surface water flow path. The existing extents of flooding for both present day and climate change scenarios should be presented in context with the site's boundary. As this flow path is likely generated from land within the site's boundary, this flow path would not be present postdevelopment as it is assumed that rainfall and surface water will be captured and formalised within the provided surface drainage infrastructure. The applicant should address this and confirm evidence for mitigation within the proposals.
- 4) A Sequential Test has been undertaken by the applicant for which the applicant believes to 'pass'. However, we do not consider that the sequential test has been properly applied, and further consideration is required.
- 5) There are concerns that the FRA has not adequately addressed all source of flood risk including but not limited to the Hartsbourne Stream Flood Storage Area, reservoir, sewer, groundwater and historic flooding.

- 6) The drainage location hierarchy has not been followed. Infiltration as a source of surface water disposal has been discounted without undertaking any infiltration testing. In addition, rainwater harvesting has not been fully considered.
- 7) The southern part of the site is proposed to discharge to Hartsbourne Stream (main river) however there is no evidence of agreed access provided. The northern part of the site is proposed to discharge to a surface water sewer on Carpenders Avenue but no agreement in principle from Thames Water has been provided.
- 8) Emergency vehicular access lies outside of Flood Zones 2 and 3, but within an area of low surface water flood risk. Access to wider health and welfare facilities should be addressed.
- 9) Some simulations have used FSR rainfall rather than FEH13/FEH22 data. CV values of 0.75 have been used. We require a CV value of 1 to be used.
- 10) Modelling calculations have only been provided for the critical 1% AEP plus 40% climate change. Drainage calculations for all storm durations and return periods (e.g. 100%, 50%, 3.33% plus 35% climate change, 0.1% AEP) must be provided. Freeboard levels have not been considered and the FRA's calculated QBAR has not been met based on the simulations provided, thus proposals currently exceed greenfield rates and would therefore increase flood risk off-site. It is also uncertain if 10% urban creep has been applied to the simulations.
- 11) Causeway Flow calculations have applied an additional 20m<sup>3</sup> /ha of storage to each storage structure. This should be set to 0m<sup>3</sup> /ha.
- 12) Current attenuation calculations are considered to be underestimates and thus it is not confirmed if the site can accommodate the actual required storage.
- 13) Greenfield discharge rates within the submitted documents are inconsistent and are believed to be too high. These should be reviewed and clarified. Greenfield volume calculations have not been undertaken or evidenced.
- 14) The FRA does not consider which adoption authorities could adopt each SuDS feature

#### Informative

For further advice on what we expect to be contained within the FRA and/ or a Drainage Strategy to support a planning application, please refer to the Validation List and Proforma on our surface water drainage webpage :

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

this link also includes HCC's Flood Risk Management policies on SuDS in Hertfordshire. We do expect the Validation List to be submitted to the Local Planning Authority and LLFA to show you have provided all information and the Proforma to the LLFA to summarise the details of the proposed development.

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

Please note if, you the Local Planning Authority review the application and decide to grant planning permission, notify the us (the Lead Local Flood Authority), by email at [FRMConsultations@hertfordshire.gov.uk](mailto:FRMConsultations@hertfordshire.gov.uk).

9.17	National Grid	No response received to date
9.18	Natural England	No response received to date
9.19	NHS England	No response received to date

9.20	Sport England	No objection
<p>Thank you for consulting Sport England on the above application.</p> <p>The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.</p> <p>General guidance and advice can however be found on our website: <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications">https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications</a></p> <p>If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 104 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.</p> <p>If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: <a href="http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/">http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</a></p> <p>If the proposal involves the provision of additional housing, then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.</p> <p>In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.</p> <p>NPPF Section 8: <a href="https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities">https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</a></p> <p>PPG Health and wellbeing section: <a href="https://www.gov.uk/guidance/health-and-wellbeing">https://www.gov.uk/guidance/health-and-wellbeing</a></p> <p>Sport England's Active Design Guidance: <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a></p> <p><i>Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.</i></p>		
9.21	Transport For London	No objection
<p>Thank you for consulting Transport for London (TfL) on the above planning applications. The site is approximately 1050 metres east from Carpenders Park Overground Station.</p>		

We would encourage the local planning authority to secure S106 or S278 contributions towards improvements to the existing walking/cycling route to and from Carpenters Park Overground Station and the site. I hope that these comments are helpful and will be taken into account when the section 106 Heads of Terms are drawn up and the applications are determined.

9.22 Thames Water

No objection, subject to conditions

**Waste Comments:**

Waste Comments: Following initial investigations, Thames Water has identified an inability of the existing SEWAGE TREATMENT WORKS infrastructure to accommodate the needs of this development proposal. As such Thames Water request the following condition be added to any planning permission. "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 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. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (e-mail: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)) prior to the planning application approval.

Thames Water has identified that the existing SURFACE WATER network does not have sufficient capacity to support the proposed development. As such, we request that the following condition be attached to any planning permission granted: The development shall not be occupied until confirmation is provided that either:

1. All necessary upgrades to the surface water network to accommodate additional flows from the development have been completed; or
2. A phasing plan for development and infrastructure, agreed with Thames Water and the Local Planning Authority, is in place. Where such a plan exists, no occupation shall occur other than in accordance with the approved phasing schedule.

Reason: Network reinforcement is likely to be required to support the proposed development. These upgrades are essential to avoid the risk of sewer flooding and pollution incidents.

If the Local Planning Authority considers this condition inappropriate or is unable to include it in the decision notice, it is essential to consult with Thames Water's Development Planning Department at [Devcon.team@thameswater.co.uk](mailto:Devcon.team@thameswater.co.uk) before determining the application.

Please note where network modelling is required, Thames Water will need confirmation of outline planning permission, a development phasing plan, and evidence of land ownership to be submitted to [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk). Modelling can take 9-12 months to complete and will not commence until these have been provided.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

Thames Water would advise that with regard to the FOUL WATER network capacity, we would not have any objection to the above planning application, based on the information provided.

**Water Comments:**

Water Comments: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

9.23	The Ramblers Association	No objection
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I have recently been sent a copy of the above Planning Application via the Ramblers, an organisation for which I am District Footpath Secretary for Watford and Three Rivers.

Having examined the documents involved, principally the geographical plans, I am pleased to see that the proponents are fully aware of the existence of Public Footpath 13, which continues eastward over the boundary into Bushey to join up with Merry Hill Road, and as such is a very important and well used Right of Way. And I note from the 'Illustrative Landscape Masterplan' that it is "...to be retained along existing alignment" (note 4).

So, on behalf of The Ramblers, I have no objection to this proposal. If for any reason there is any change of plan regarding this Right of Way, it would be in everyone's interest that we discuss it at the earliest opportunity.

9.24	TRDC Conservation Officer	No objection
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The application is for 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).

An EIA screening request was submitted under reference 25/0021/EIA and a decision was issued on 27th January 2025, which stated that impacts on nearby heritage assets would be assessed at application stage.

The site contains a series of open fields and a Public Right of Way Footpath Bushey 13 and 025 which runs northeast to southwest across the northern part of the site. The site is on the boundary of two neighbouring districts, London Borough of Harrow and Hertsmere Borough Council. There are no designated heritage assets or locally listed heritage assets within the Site. There are several heritage assets in the wider area.

A Heritage Impact Assessment (HIA) has been submitted with the application. This has identified several heritage assets within the study area and found that no heritage assets were affected by the proposals due to a lack of visible or experiential connection. The HIA has provided an assessment of significance of the heritage assets below, including an assessment of the

contribution that their settings make, demonstrating that the Site has a neutral impact on their significance:

- A) Front Lodge to Oxhey Grange (List Entry Number: 1174337) 850 metres northwest of the site.
- B) Oxhey Grange (List Entry Number: 1101593) 700 metres northwest of the site.
- C) Grim's Ditch: Scheduled Monument section extending 1500yds (1370m) NE from Oxhey Lane' (List Entry Number: 1002044) 850 metres southeast of the site.
- D) Grims Dyke Grade II Registered Park and Garden (List Entry Number: 1001254) 850 metres southeast of the site. E. Grimsdyke, Grade II\* Listed Building (List Entry Number: 1079676), 1.14km southeast of the site.

In relation to A and B, Oxhey Grange and the related front Lodge, the Site is over 700m away and there is no indication of a historic and/or functional link between them with the main setting of Oxhey Grange being within its private ground to the southwest, and to a lesser extent in open space to the east of Oxhey Lane. In addition, it does not appear that currently there are views between them and the Site. Based on this, the Site does not contribute to the significance of these heritage assets. Development as shown on the submitted illustrative plans, which would be set well to the south of the northern site boundary at height of 2-3 storeys would have a neutral impact on the significance of these assets.

Assets C to E are all located close together. Based on the lack of apparent historic relationship, relatively long distance and lack of visibility between these assets and the Site, the Site currently has a neutral impact on their significance. Development as indicated in the illustrative plans is likely to have a neutral impact on their significance. Assets C to E are all located partly or fully within Brookshill Drive and Grimsdyke Estate Conservation Area. External views to the north in the general direction of the Site are highlighted in the adopted Conservation Area Appraisal and Management Strategy. Due to the distances involved of approximately 2 kilometres, and related lack of visual connection as well as lack of apparent historic or functional connection it is considered unlikely that the proposal would have an impact on this Conservation Area. However, these assets are all in the London Borough of Harrow and it is recommended that a formal consultation is made to LB Harrow in relation to the application.

One asset in the wider study area that has not been individually assessed in the submission is 'Barn About 30 Metres North of Merry Hill Farmhouse' (List Entry Number: 1346914), which is a late seventeenth or early eighteenth century timber framed barn. Tithe maps indicate land within the same ownership was in or adjacent to the Site, which indicates a historic, functional link. However, the related farmhouse has been demolished and is now surrounded by modern development, the Site no longer contributes to the significance of the barn, so no harmful impact has been identified. This listed building is in Hertsmere District, under Hertsmere Borough Council.

There are four Conservation Areas in Hertsmere District to the northeast of the Site: Bushey High Street Conservation Area, Melbourne Road Bushey Conservation Area, The Lake Conservation Area and Bushey Heath Conservation Area. In relation to Bushey High Street and Melbourne Road Bushey Conservation Area, views southwards in the direction of the Site are highlighted in the adopted Conservation Area Appraisal. In relation to the Lake Conservation Area and Bushey Heath Conservation Area, no relevant viewpoints are highlighted in the Design Guidance. Due to the distances involved of approximately 2 kilometres, and related lack of visual connection as well as lack of apparent historic or functional connection it is considered unlikely that the proposal would have an impact on these Conservation Areas, but it is recommended that formal consultation is made to Hertsmere BC in relation to the application.

Other heritage assets are shown in the HIA map but were similarly discounted for the distance from the Site and/or due to their relatively localised settings such as the Grade II listed 'London Coal Duty Marker On County Boundary Immediately Northwest of Burnt Oak Farm' and Grade II 'Stable In The Grounds of Melodies' both over 800 metres to the south of the site.

There is no objection to the proposal based on the submitted information, but it is recommended that consultation is made to the relevant neighbouring authorities. This response has been made regarding Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework 2024, the relevant chapter is 16 'Conserving and Enhancing the Historic Environment'.

9.25	TRDC Environmental Health	No response received to date
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9.26	TRDC Environmental Protection	Obligations would be required.
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This development will require significant additional resources to implement and sustain scheduled collections of recycling, residual waste, food and garden waste. These cannot be absorbed within the exiting route structure so will require capital investment and ongoing revenue provision.

9.27	TRDC Housing Officer	No objection
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Policy CP4 of the Adopted Core Strategy requires that 45% of new housing should be provided as Affordable Housing, unless it can be clearly demonstrated through financial evidence that this is not viable. As a guide, the tenure split should be approximately 70% rented (of which 70% should be social rent and 30% affordable rent) and 30% affordable home ownership.

The Local Housing Market Assessment (2024) outlines the recommended proportions for housing mix in development proposals submitted to Three Rivers District Council. These proposals should generally aim for a mix of 19% 1-bed units, 39% 2-bed units, 30% 3-bed units, and 13% 4-bed units.

However, the identified need for affordable housing, based on the current housing register and the family composition of customers in temporary accommodation provided by the Council, suggests the following updated preferred mix: 20% 1-bed units, 45% 2-bed units, 30% 3-bed units, and 5% 4+ bed units. The primary need is for 2-bed, 4-person units, as there is a significant demand for family-sized accommodation to ensure families in temporary housing are offered permanent, suitable properties in a timely manner.

I can confirm that Housing Services would generally support this application as the proposed 50% affordable housing, comprising 70% social rent and 30% shared ownership, on the basis that the size of dwellings provided fulfils our current requirements.

9.28	TRDC Tree and Landscape Officer	Advisory comments
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The direct impact on trees appears limited, with the main removals being areas of Blackthorn, that will have more of an ecological impact than arboricultural. The loss of grassland and removal of dead trees will also have a major ecological impact. I note it does not meet the meet the BNG mandatory net gain of 10%, and this can't be achieved on on-site. It does occur to me that there are number of development proposals in this area, and its all a bit piecemeal. It would be good if there was more of strategy for this area, and if they were to co-ordinate better, some land could be retained as open space, and for BNG.

The indirect impacts on trees will need more consideration. I think we'll need more detail on the proposed landscaping around retained trees to understand whether they will be protected from future impacts, if the site is developed.

9.29	TRDC Leisure Officer	Advisory comments (condition suggested)
<p>After full consideration of all of the documents and information relating to the above planning application, Leisure Development Officers would recommend the following, in the submission of the planning application to Three Rivers DC.</p>		
<p>These comments are given to help the development achieve the aims of Three Rivers District Council's Local and in accordance with the National Planning Policy Framework:</p>		
<ul style="list-style-type: none"> <li>• Achieving Sustainable Development</li> <li>• Promoting Healthy Communities</li> <li>• Health and Wellbeing</li> </ul>		
<p>Officers would recommend the location of the proposed play area be reconsidered due to:</p>		
<ol style="list-style-type: none"> <li>1. Lack of natural surveillance in this area, resulting in potential anti-social behaviour</li> <li>2. Distance from the majority of proposed properties</li> <li>3. The proposed site for the play area is on a slope. Consideration must be taken for the safety and accessibility issues for existing residents of Carpenders Park and new residents.</li> </ol>		
<p>Consideration of play provision that incorporates all ages e.g. SK8 park, scooter park, parkour and play area.</p>		
<p>Outdoor leisure equipment must conform to the following standards:</p>		
<ol style="list-style-type: none"> <li>i. Playground Equipment &amp; Surfacing – BS EN 1176 &amp; 1177</li> <li>ii. MUGA's (Multi Use Games Areas) – BS EN 15312 – Free Access Multi Sports</li> <li>iii. Skate Parks – BS EN 14974 – Roller Sports Equipment</li> <li>iv. Outdoor Fitness Equipment – BS EN 16630</li> <li>v. Parkour Equipment – BS EN 16899</li> </ol>		
<ol style="list-style-type: none"> <li>4. New play spaces should be located with regard to areas of deficiency (and designed following the same principles as if they were being implemented by the local authority)</li> <li>5. Particular attention should be given to DDA compliant access to any leisure areas including pathways, seating and equipment as per the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland).</li> <li>6. Provision of sustainable active travel to support an active lifestyle, such as being bike friendly.</li> <li>7. Where leisure provision is made by the developers, design advice must be sought from Three Rivers Leisure team which must include DDA compliant access, details of installation, quality details of all materials used, adherence to RoSPA recommendations such as gates and fences etc and RoSPA inspection of installed pieces of equipment.</li> <li>8. Please consider vehicle access for maintenance of any leisure areas.</li> <li>9. Operator signs for any leisure areas will need to be included for reporting of maintenance or reparation issues.</li> <li>10. A full Risk assessment of any leisure equipment should be considered.</li> <li>11. A RoSPA report or assessment should take place of any proposed play and/or leisure equipment.</li> <li>12. Provision for the on-going maintenance of any leisure facilities should be detailed, particularly if it the developer plans to formally hand over to the leisure facility to the Parish Council or Three Rivers District Council. This must include DDA compliancy certification as per the Equality Act 2010 (or the Disability Discrimination Act 1995 in Northern Ireland)., details of installation, quality details of all materials used with the relevant certification, detailed maintenance guides for each piece of equipment,</li> </ol>		

RoSPA inspection of installed pieces of equipment, adherence to RoSPA recommendations such as gates and fences etc.

13. Officers would recommend that guidance on leisure facility planning (eg: Play England or Sport England) is sought from the relevant bodies and adhered to.

Therefore, A pre-commencement condition is therefore requested which requires

It is **requested that the following condition is imposed** which is based on:

- (a) No development shall commence until the play area document designs have been submitted to and approved in writing by the Local Planning Authority after consultation with Three Rivers District Council's Leisure Team in addition to ongoing maintenance schedules and a programme of implementation.**

Three Rivers District Council's Leisure team can provide examples of acceptable completed documents and contractor's specifications to the applicant to assist with meeting the requirements of the above condition.

9.30	TRDC Planning Policy / Local Plans	Advisory comments
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The proposal relates to the development of up to 256 residential dwellings, housing with care, a children's home and associated works. The application site is located wholly within the Metropolitan Green Belt.

The application site has not been allocated as a housing site by the Site Allocations Local Development Document (2014) and as such is not currently identified as part of the District's housing supply. The site should therefore be considered as a windfall site. Policy CP2 of the adopted Core Strategy (adopted 2011) states that applications for windfall sites will be considered on a case by case basis having regard to:

- i. the location of the proposed development, taking into account the Spatial Strategy
- ii. the sustainability of the development and its contribution to meeting local housing needs
- iii. infrastructure requirements and the impact on the delivery of allocated housing sites
- iv. monitoring information relating to housing supply and the Three Rivers housing target.

The Spatial Strategy states that new development will be directed towards previously developed land in the urban area of the Principal Town (Rickmansworth) which is identified as one of the most sustainable locations in the District. The site is not within a defined settlement (although adjoins the eastern boundary of the Secondary Centre of Carpenders Park) and is not previously developed land. The development would result in the net gain of up to 256 new dwellings. The Council cannot currently demonstrate a five-year supply of housing land as required by the NPPF and currently has a 1.7-year housing land supply. The delivery of up to 256 dwellings would make a significant and positive contribution to much needed housing provision within the District. Additionally, there has been an undersupply of affordable housing within the District throughout the plan period and as such there is a pressing need for the delivery of affordable housing. The submitted planning statement sets out that up to 50% of the dwellings would be affordable housing, which would make a significant and positive contribution to the affordable housing need within the District.

The application site is located in the Metropolitan Green Belt. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 further sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 154 of the NPPF states that development in the Green Belt is

inappropriate unless certain exceptions apply. Paragraph 154 of the NPPF sets out the following exceptions to inappropriate development in the Green Belt:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*
  - i. mineral extraction;*
  - ii. engineering operations;*
  - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
  - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;*
  - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
  - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

Additionally, paragraph 155 of the NPPF sets out that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a.) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b.) There is a demonstrable unmet need for the type of development proposed;*
- c.) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d.) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157*

Policy CP11 of the Core Strategy states that 'there will be general presumption against inappropriate development that would not preserve the openness of the Green Belt, or which would conflict with the purpose of including land within it'.

Policy CP3 of the Core Strategy states that the Council will require housing proposals to take into account the range of housing needs, in terms of size and type of dwellings as identified by the Strategic Housing Market Assessment (SHMA). The most recent version of the Local Housing Needs Assessment (LNHA) was finalised in 2024 and is the most recent update to the SHMA. The recommended mix for Three Rivers in terms of market housing, affordable home ownership and social/affordable rented housing identified in the LNHA is shown below:

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Market Housing</b>	4%	21%	42%	32%
<b>Affordable Home Ownership</b>	19%	39%	30%	13%
<b>Social / Affordable Rented Housing</b>	20%	32%	35%	12%

It must be noted that Policy CP3 recognises that a proposed housing mix may need to be adjusted for specific schemes to take account of market information and specific site factors; where adjustment to the proportions is sought, applications should explain how relevant factors have contributed to the mix of housing proposed.

Policy CP4 of the Core Strategy requires 45% of all new housing to be provided as Affordable Housing, unless it can be clearly demonstrated with financial evidence that this is not viable. Policy CP4 sets out that the Council will “as a guide, seek 70% of the affordable housing provided to be social rented and 30% to be intermediate”.

Policy CP3 of the Core Strategy states that the Council will promote high quality residential development that respects the character of the District and caters for a range of housing needs. The Local Housing Needs Assessment (LNHA) considers the need for older persons accommodation within a C2 Use Class. The LNHA expresses the need under two scenarios. The first scenario is based on the Housing Learning & Information Network’s (SHOP@) modelling assumptions. The second scenario is an Enhanced Extra Care scenario which aligns with Hertfordshire County Council’s Strategy to more strongly develop the provision of specialist housing, particularly for extra care (assisted living), as an alternative to providing care home bedspace (which is expected to reduce future needs for residential care accommodation). The proposal would contribute to meeting this need.

The Local Housing Needs Assessment (LNHA) also considers the need for children’s home spaces typically within a C2 Use Class and estimates a notable need for 24 spaces over the period 2024 – 2041. The proposal would contribute to meeting this need.

The site adjoins a small section of a Local Wildlife Site to the south. Policy DM6 of the Development Management Policies Local Development Document sets out that:

*“Development that would affect a Site of Special Scientific Interest, Local Nature Reserve, Local Wildlife Site or protected species under UK or European law, or identified as being in need of conservation by the UK Biodiversity Action Plan or the Hertfordshire Biodiversity Action Plan , will not be permitted where there is an adverse impact on the ecological, geological or biodiversity interests of the site, unless it can be demonstrated that:*

- i) The need for the development would outweigh the need to safeguard the biodiversity of the site, and where alternative wildlife habitat provision can be made in order to maintain local biodiversity; and*
- ii) Adverse effects can be satisfactorily minimised through mitigation and compensation measures to maintain the level of biodiversity in the area.*

9.31	TRDC Transport and Parking	No response received to date
9.32	WBC Environmental Health (Commercial)	No objection
<p>I have reviewed the information supplied and the conclusions.</p> <p>11.3 Air quality conditions for future residents of the proposed development have been shown to be acceptable, with concentrations well below the air quality objectives throughout the site.</p> <p>11.4 The assessment has demonstrated that the emissions from the additional traffic generated by the proposed development will have a negligible impact on air quality conditions at all existing receptors along the local road network.</p> <p>11.5 The overall operational air quality effects of the proposed development are judged to be 'not significant'.</p> <p>Based on the information supplied we are satisfied that there is no need for further conditions relating to air quality from the operations stage of the development. The TRDC Environmental Health Team would normally review the construction controls proposed.</p>		
9.33	Watford Rural Parish	Objection
<p>Watford Rural Parish Council has reviewed the above application and submits this formal objection on behalf of residents in Carpenders Park Ward, who will be directly and significantly affected by the development. This application is unacceptable in principle and practice, conflicting with local and national planning policy and placing an unsustainable burden on local infrastructure.</p> <p><b>1. Inappropriate Development in the Green Belt</b></p> <p>The application site lies entirely within the Metropolitan Green Belt. Under the National Planning Policy Framework (NPPF 137–151), inappropriate development in the Green Belt is harmful by definition and should not be approved except in very special circumstances. This proposal fails to demonstrate such circumstances. The development would:</p> <ul style="list-style-type: none"> <li>- Cause substantial harm to openness through built form, lighting, and urbanising infrastructure</li> <li>- Represent urban sprawl, eroding the strategic gap between Carpenders Park and surrounding settlements</li> <li>- Be premature, as the site is not allocated for development in the adopted or emerging Local Plan The application is therefore fundamentally contrary to Green Belt policy.</li> </ul> <p><b>2. Highways Safety, Parking Pressure, and Congestion</b></p> <p>The proposed access onto Oxhey Lane presents significant safety risks, especially near existing bends and junctions. The Transport Assessment fails to account for:</p> <ul style="list-style-type: none"> <li>- Traffic impacts on Little Oxhey Lane, Prestwick Road, and through to Watford</li> <li>- Inadequate visibility at the proposed access junction</li> <li>- Lack of protected facilities for cyclists and pedestrians, especially near schools</li> </ul> <p>Moreover, the proposal worsens an existing local transport challenge:</p> <ul style="list-style-type: none"> <li>- Carpenders Park train station has insufficient parking provision, leading to overspill into surrounding residential streets such as Delta Gain and Little Oxhey Lane.</li> </ul>		

- These roads already suffer from congestion, obstructed driveways, and road safety issues, particularly at school times.
- Introducing 256 additional homes will significantly intensify vehicle movements and parking demand near the station.

The proposal is therefore unsafe, unsustainable, and contrary to Policy CP10 and DM13.

### **3. Landscape and Visual Harm**

The submitted LVIA (Landscape and Visual Impact Assessment) admits to adverse effects from key viewpoints, particularly from Oxhey Lane and Attenborough Fields.

- The area serves as a green buffer separating Carpenders Park from Watford.
- The proposed development would significantly urbanise this rural edge, introducing built form inconsistent with the open landscape character.
- The Parameter Plan shows dense blocks with limited vegetative screening. The proposal is visually and environmentally harmful, contrary to Policy CP12 and NPPF 174.

### **4. Ecology and Biodiversity Impact**

Despite submitted assessments, the application poses risks to local biodiversity:

- Loss of semi-improved grassland, hedgerows, and mature trees used by nesting birds and foraging bats
- Biodiversity Net Gain calculations rely on off-site mitigation with no delivery mechanism or binding legal commitment
- No comprehensive habitat creation or long-term management plan This undermines NPPF 180 and Local Plan Policy DM6, which require demonstrable **gains for biodiversity**

### **5. Flood Risk and Inadequate Drainage Strategy**

The Flood Risk Assessment (FRA) and Drainage Strategy raise several concerns:

- Sloping topography increases surface water runoff potential toward lower-lying land
- Reliance on infiltration basins and attenuation ponds lacks viability testing
- No clear commitment to Sustainable Drainage Systems (SuDS) beyond indicative proposals.

The development risks increasing flood vulnerability downstream and is non-compliant with Policy DM9 and NPPF 167.

### **6. Heritage and Local Character Impact**

The Heritage Statement provides insufficient consideration of:

- Impacts on the setting of Oxhey Grange and historic landscape views
- Visual and character harm to Carpenders Park's semi-rural fringe.

There is no design evidence that respects the local identity, pattern, or scale of development in Carpenders Park. This is contrary to Policy DM1 and NPPF 130.

### **7. Infrastructure Pressure – Schools, Health and Services**

The application significantly underestimates the pressure this development will place on local services and infrastructure:

#### **Education**

- The only local school, St Meryl Primary, has limited capacity (240 pupils) and is already near full.

- There is no secondary school in Carpenders Park; local children rely on facilities in Bushey and South Oxhey, many of which are oversubscribed.
- The development would increase pressure for places, without contributing school expansion.

**Healthcare**

- Attenborough Surgery, the sole GP practice in Carpenders Park, already operates at near capacity.
- No evidence is provided of additional provision or coordination with NHS services to absorb the increased population. Public Transport and Parking
- As noted in Section 2, Carpenders Park Station lacks adequate parking, causing spillover and obstruction on surrounding streets.
- Increased commuter population will exacerbate this issue. Other Services
- The application provides no analysis of:
  - Utility capacity (water, sewerage, electricity)
  - Play space, parks, or community infrastructure
  - Waste and recycling capacity for increased households

**Conclusion:** The scale of the proposal is incompatible with the current and planned capacity of local services. It is contrary to Policy DM1 and CP2 and places an unsustainable burden on infrastructure.

**8. Summary and Recommendation**

Watford Rural Parish Council urges Three Rivers District Council to refuse planning application 25/1020/OUT on the following material grounds:

1. Inappropriate Green Belt development with no very special circumstances
2. Unsafe and unsustainable highway access, and station-related parking pressures
3. Adverse landscape and visual impacts on Carpenders Park’s rural edge
4. Unacceptable biodiversity losses and mitigation shortfalls
5. Inadequate drainage and flood risk strategy
6. Harm to heritage setting and local character
7. Overdevelopment incompatible with local infrastructure capacity

This site is not allocated in any adopted plan and should not be brought forward in isolation, absent coordinated strategic planning and infrastructure investment.

Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions, and you should satisfy yourselves on any facts before reaching your decision.

9.34	Woodland Trust	Objection
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Please find a summary of the Woodland Trust’s comments below, followed by further detail and advice. Our comments are based on a review of the information provided in the planning application. We are an evidence-led organisation, using our policy and planning expertise to assess impacts of development on ancient woodland and veteran trees.

Summary The Trust objects to this application, in its current form, due to the deterioration of multiple veteran trees Details on the trees of concern are outlined in the table below, including the tree numbers provided within the arboricultural information submitted as part of this application.

Tree No.	Species	Categorisation	Impact
T21, T23, T26, T27	Common Oak	Veteran	Deterioration due to: - encroachment on the root system and rooting environment - significant development surrounding the tree
T41, T64, T66	Common Oak	Veteran	Deterioration due to encroachment on the root system and rooting environment
T53	Common Oak	Veteran	Deterioration due to significant development surrounding the tree; potential encroachment on the root system and rooting environment
T68	Common Oak	Veteran	Potential deterioration due to encroachment on the root system and rooting environment

Veteran trees are irreplaceable habitats and should be protected from loss, deterioration or harm. Natural England and Forestry Commission have identified impacts of development on ancient and veteran trees within their standing advice (see Annex). This guidance should be considered Government's position with regards to development impacting ancient or veteran trees. The applicant should ensure that the proposed works will not result in any detrimental impact on veteran trees in line with paragraph 193(c) of the National Planning Policy Framework (NPPF) and Natural England's standing advice.

**Impact on Veteran Trees** Ten veteran trees have been identified within the Tree Survey. The development would introduce a considerable number of new dwellings and associated infrastructure in close proximity to nine of these trees and significantly alter the landscape they sit within. Whilst BS 5837 guidelines state that trees should have a root protection area of 12 times the stem diameter (capped at 15m), they also recognise the additional care and attention required to ensure the long-term retention of veteran trees. Paragraph 5.2.4 of the guidelines states, "particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development" and that "adequate space should be allowed for their long-term physical retention and future maintenance". Natural England and Forestry Commission's standing advice states: "For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area. Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone." **Works Proposed Within Root Protection Areas (RPAs)** Various forms of work are proposed within the RPAs of veteran trees, and we anticipate adverse impacts occurring to the affected trees during both the construction and occupational phases of the development. None of the veteran trees on site appear to have been given root protection areas calculated at 15 times the stem diameter. The impacts discussed below relate to works proposed within the 12x stem diameter RPA. If given 15x RPAs, there would be additional impacts to veteran trees across the site. For example, it is likely that an access road and drainage pipes would be within T21's RPA if calculated at 15 times the stem diameter, and a footpath and tree protection fencing would be within the 15x RPA of T68.

**Built Infrastructure** An access road is proposed partially within the RPA of T26. The plans also appear to show an area of hardstanding partially within the RPAs of T26 and T27. The surface water and foul water sewer pipes go through the RPA of T26, and the foul water rising main drainage pipe appears to be within the RPA of T23. These works have the potential to result in root severance and damage, soil compaction, disturbance within the rooting environment impacting existing soil structure and condition, soil contamination, and loss of available rooting area resulting in reduced water and nutrient availability for the trees. Cumulatively, these impacts are likely to affect the overall, and future, vitality of these trees and result in their long-term deterioration. We note that a 'no-dig' solution is proposed for the access road within T26's RPA. We would refer the applicant to sub-clause 7.4 (Permanent hard surfacing within the RPA) of the BS 5837:2012 which states that "This subclause does not apply to veteran trees, where it is recommended that no construction, including the installation of new hard surfacing, occurs within the RPA". It is not appropriate to undertake construction work or propose new hardstanding within the RPA of a veteran tree. This is contrary to NPPF 193(c), Natural England and Forestry

Commission standing advice, and BS guidelines. All veteran trees on site should be afforded an un-encroached buffer zone in line with Natural England and Forestry Commission's standing advice, and no development works should be undertaken within this area.

**Footpaths** Footpaths are shown within the 12x RPAs of T23, T26, T27, T41, T64 and T66. Siting footpaths in close proximity to these trees will increase the human activity in their vicinity, which will in turn increase the need to manage the trees for safety reasons. Veteran trees typically feature significant deadwood habitat of great value for biodiversity, e.g. retained deadwood in the crown, broken or fractured branches, trunk cavities and wounds. As they age, the trees will inevitably shed limbs and branches, presenting a risk to their surroundings. As such, the health and safety risks associated with these trees will change and result in a requirement for more intensive management. This will lead to a loss of habitat from sanitisation of such trees through removal of deadwood, as well as the potential for consequential decline or need for removal. Increased footfall will likely also impact the root systems and rooting environment around the trees, for example by reducing soil porosity and affecting water, oxygen, and nutrient delivery capability.

We note the plans label the footpath positions as indicative and state: "Will be aligned outside the RPAs of trees identified for retention. Where realignment not feasible then a 'nodig' surface solution will be utilised.". For veteran trees, we advise that 'no-dig' solutions are not appropriate and should not be considered - any works within the root protection areas of veteran trees is likely to affect their long-term vitality and future retention. All footpaths should be repositioned outside of the RPAs of the veteran trees on site to ensure the trees have adequate space within the development for future movement and growth, to protect the tree roots and rooting environment, and to reduce the risk of intensified management.

**Tree Protection Fencing** Tree protection fencing is shown within the 12x RPAs of T21, T23, T26, T27, T41, T64 and T66. This should be repositioned outside of the 15 times RPA buffer of all veteran trees to ensure they are afforded construction exclusion zones of an appropriate size, and to prevent adverse impacts such as ground compaction from vehicles or stockpiles occurring during construction.

**Landscape Change** The site currently consists of open grassland fields. The introduction of significant amounts of hardstanding has the potential to affect the quality and quantity of ground and surface water across the site and result in adverse hydrological impacts on the veteran trees. It may also result in the contamination/pollution of the rooting environment of the trees, for example from surface water run-off from roads. The applicant should demonstrate there will be no adverse hydrological impacts to any veteran trees on site as a result of the development.

**Significant Development Surrounding Trees** NE/FC standing advice is clear that 15 times the tree's diameter is the minimum buffer that should be afforded to veteran trees. Given the site context, we consider there are multiple veteran trees that will require larger buffers and additional mitigation measures to ensure they are not subject to deterioration as a result of the development. The proximity of built infrastructure will increase for all veteran trees on site, however there are some of particular concern. T23 will be closely bounded by housing with care to the west, and an access road and residential development to the east. T26 and T27 both have residential development proposed to the east and west and are closely bounded by a footpath on the eastern side. T26 also has an access road to the north. T21 and T53 both have substantial blocks of residential development to the north and south of them. The development will lead to a substantial change in the immediate environment of these trees, and they will become far more vulnerable within the landscape as a result. In addition to issues already discussed (soil compaction, root damage, intensified management etc.) we are concerned about the increased risk of accidental damage and vandalism to the trees. In the case of these trees, it is unlikely that the minimum veteran tree buffer will be sufficient to prevent adverse impacts occurring to the trees. We would advise that T21, T23, T26, T27, and T53 should be afforded larger buffer zones, and additional mitigation measures should be considered to prevent the long-term deterioration of these trees. Examples of measures which may be appropriate in this situation include knee-

high fencing around the buffer zone to prevent access; signage explaining the ecological importance and increased vulnerabilities of veteran trees; and a specific veteran tree management plan being included in the LEMP (ideally done by a specialist e.g. VET-cert arborist).

Planning Policy The National Planning Policy Framework, paragraph 193, states: “When determining planning applications, local planning authorities should apply the following principles:- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>70</sup> and a suitable compensation strategy exists;” Footnote 70 defines exceptional reasons as follows: “For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.” There is no wholly exceptional reason for the development in this location and as such this development in its current form does not comply with national planning policy.

Conclusion Veteran trees are irreplaceable habitats and must be protected from loss, deterioration or harm. The Woodland Trust objects to this application on the basis of deterioration of multiple veteran trees. The applicant must demonstrate that all veteran trees on site will be appropriately protected from detrimental impact and harm in line with paragraph 193 of the NPPF. The applicant should provide un-encroached buffer zones for all veteran trees on site. If the minimum veteran tree buffer of 15x RPA is proposed, the applicant should provide clear evidence to demonstrate this will provide effective mitigation from anticipated impacts.

*Adjoining districts / boroughs*

9.35	Hertsmere Borough Council	Advisory comments
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I refer to your adjacent authority consultation request received on 27th June 2025 in respect of application ref. 25/1020/OUT.

It is acknowledged that the application site is located within the Green Belt. The applicant has set out within their Planning Statement that the application site comprises grey belt and in their view would not be inappropriate development by virtue of compliance with NPPF paragraphs 155 and 157.

Referring to the guidance set out within the PPG on grey belt assessments, the application site may make a strong contribution to Green Belt Purpose a) (checking the unrestricted sprawl of large built up areas). Development along Oxhey Lane is almost entirely located on the western side of the road, which acts as a physical boundary for Carpenders Park. The proposed development would be sited on the eastern side of Oxhey Lane and therefore would lack physical features to restrict and contain development on the northern, eastern, or southern boundaries.

We suggest that the resulting development could appear as an incongruous pattern of development in light of the above context.

If this view is taken by the Case Officer, consideration of the applicant’s case for very special circumstances would be required. We offer no comment on this.

The above comments are made in the knowledge that they are a matter of planning judgement and that the case officer may be minded to take a different view. No other concerns are raised at this stage, subject to the Case Officer having regard to the comments made by statutory consultees and neighbours.

Therefore, Hertsmere Borough Council raises **no objections** to this application.

Three Rivers Council may therefore proceed to assess the application against their statutory development framework.

9.36 London Borough of Harrow

Objection

The Planning Policy Team recommends that the Council raise a formal objection to this proposal due to the factors detailed below:

- The Policy Team considers that parcel SO3 makes a significant contribution to purpose b and not a moderate contribution as indicated by the Three Rivers Stage 2 Green Belt assessment.
- The potential release/development of the application site will result in the expansion of intervening settlement between the former towns, along the A4008 that connects into Harrow and will significantly harm the visual and physical separation between these. Further, the application site has a sloping topography, which means development will have an adverse impact on the visual openness of the Green Belt across a wider area, including from areas within Harrow. Overall, it is considered the potential development of this site will have a significant impact on the contribution on purpose b, as it would result in physical or visual coalescence of towns and result in a reduced physical gap between them.
- Therefore, the Planning policy team do not consider that the application site meets the definition of Grey Belt included within the NPPF (2024), as it is considered the site strongly contributes the Green Belt purposes a, b of the NPPF.
- It is considered the proposed residential development on the application site would constitute inappropriate development that will be harmful to the Green Belt and that para 153 of the NPPF should apply for determining this. In line with this, the applicant would need to demonstrate very special circumstances for it to be permitted and demonstrate that the very high harm to the Green Belt and other harms is clearly outweighed by other considerations.
- Overall, the Policy team consider that the proposal should be regarded as inappropriate development and contrary to para 155 of the NPPF. This is due to factors such as the potential harm of this on the Green Belt purposes included within the NPPF and adverse impacts on the essential characteristics of the designation that are its openness and permanence.

#### Parking

- Concern re: potential to generate overspill, creating an impact back onto the Harrow highway network.
- Given the flow levels and the type of highway network immediately surrounding the development it is thought that the importance of containing overspill parking within the development is high.

#### Trip Generation

- The impact of the development's trip generation on Harrow's highway network will be minimal, given the proximity of the site from the boundary, and the barrier the strategic highway network will provide to the dissipation of trips into Harrow.
- The transport assessment has considered over bust trip right for the development which max. mises 100 vehicles during the AM peak these are two-way flows.
- No information has been provided to show how the development will impact on the junction of Oxley Lane and Uxbridge Road.

- The level of trip generation by the proposed development should highlight toward a signalised access.
- Without traffic modelling for the junction of Oxley Land and Uxbridge Road a recommendation for approval cannot be supported.

#### Cycle parking/usage

- The development has cycle parking facilities provided. The transport assessment highlights a number of sustainable facilities which can be used by cyclists accessing the development there is also some mention of upgrades to the to these facilities and the implementation of new facilities. Cycle parking looks to be of a convenient nature with the majority of large residential units containing within the back garden within designated facilities.

#### Access

- The proposed access is not signalised and is of a give way nature there is good visibility in both directions.
- Given the flows associated with the access it is thought that there should be some level of signalised junction proposed in association with the future development.
- The bottom access which provides entry for emergency vehicles and pedestrians should show some level of Highway makeup to ensure them emergency vehicles will be able to traverse through the access an into the development without the risk of bogging or getting stuck.
- The current access arrangement and detail is not suitable for the scale of development proposed for the site.

#### Construction phase

- The proposed CMP/CEMP considered the impact of the construction phase of the development on the surrounding highway network.
- The document will need to mitigate the developments impact on the immediately surrounding highway network (of Which LB Harrow are not the highway authority for) and further afield.
- It should be noted that the CMP (submitted with the application) should propose that no construction routes are on Harrow roads, with the majority of the routes keeping to the strategic highway network.
- Relevant construction related vehicles also meet CLOCS safety standard, as such vulnerable highway users have a suitable level of protection from dangerous vehicles in place.

#### Recommendation

Without detail relating to the access arrangements and traffic modeling for the Harrow strategic highway network, a recommendation for approval cannot be supported as no robust assessment of the developments impact on the Harrow highway network can be made.

#### Drainage Authority:

The proposals would not be acceptable to us. However, we are not convinced it would impact Harrow in any way.

#### Our detailed concerns:

- Firstly, CFS would be required for loss of floodplain. They claim that positive drainage will remove the risk (paragraph 4.10) but loss of floodplain should be restored.
- Secondly, sw discharge level should be restricted to a greenfield run-off rate of 5 l/s/ha max with total discharge at 27 l/s not 45 l/s as proposed.
- Thirdly, permeable paving should be used (even in clay) for all new hardstanding and laid on 250mm gravel layer minimum.

The Consultation Protocol agreed by the Association of London Borough Planning Officers agreed on 12 June 2008 sets out the requirements for notification by the determining Local Planning Authority. The Local Planning Authority (LPA) determining the application is responsible for notifying all those properties affected by the development and carrying out publicity in the locality. The Protocol outlines that if the determining LPA decides that properties in another London Borough are affected by the development and should be notified about it, the LPA are responsible for notification and publicity unless they agree alternative arrangements with a particular London Planning Authority.

## RELEVANT POLICIES

When considering an application for planning permission or permission in principle, section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990) states that the decision-maker must have regard to the provisions of the Development Plan, so far as material to the application; whilst Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The NPPF 2023 states that its content is to be a material consideration in the determination of applications. Guidance from the document emphasises that due weight should be given to the adopted policies of the Development Plan according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The New Local Plan Proposed Submission (Regulation 19) Version (2021-2041) has now been through the required consultation stages and the LPA has considered all representations received. The New Local Plan Proposed Submission (Regulation 19) Version (2021-2041), along with all relevant supporting information, including representations received and any proposed modifications to the Plan, has been submitted to the Planning Inspectorate for Examination in Public. In general terms it is considered to have substantial weight in the determination of planning applications. Notwithstanding this, consideration of relevant New Local Plan Proposed Submission (Regulation 19) Version (2021-2041) policies and weight given are set out within this report, having regard to paragraph 49 of the NPPF 2024.

### **Planning Policy and Green Belt**

Harrow Council objects to the development, on the grounds that the proposal is not considered to be acceptable with regard to, or comply with, the Green Belt provisions of the NPPF (2024). There are serious concerns regarding the harmful impact the development of this site will have on the openness and permanence of the Metropolitan Green Belt, as well as on the capacity of the existing infrastructure across the wider area, including within Harrow.

*Site Location*

The proposal is on a greenfield site in open countryside, consisting of farmland and is located outside of the built-up area of the settlement of Carpenters Park and within the existing strong Green Belt Boundary that is clearly defined by the A4008. Further, this site is located within a sensitive gap between the urban areas of Harrow, Bushey and Watford, near the areas of Hatch End and Pinner, and therefore makes a major contribution to the characteristic's openness and permanence of the Metropolitan Green Belt (para 142 of the NPPF).

#### *Impact on the Metropolitan Green Belt*

The NPPF (2024) emphasises that the determination of applications within the Green Belt should ensure substantial weight is given to any harm to this designation, including to its openness. It notes that inappropriate development, is by definition, harmful to the Green Belt and should only be approved in very special circumstances, which will not exist unless the potential harm to the Green Belt/other harms are clearly outweighed by other considerations (Para 153).

The NPPF (para155) sets out the policy approach for determining whether development would be inappropriate within the Green Belt and introduces a new concept of Grey Belt. This paragraph notes that development of homes, commercial and other development would not be inappropriate within the Green Belt if it "utilises grey belt and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan", as well as complies with all of the criterion included within this. The glossary of the NPPF (2024) defines Grey Belt Land as "land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143".

We note the Three Rivers Stage 2 Green Belt Review (Part 2, page 349) was undertaken in 2019 and an update to this has been commissioned to ensure compliance with the NPPF (2024) and consider whether land would fall within the definition of Grey Belt, to inform their new Local Plan.

The Stage 2 Green Belt Review indicates the application site falls within Parcel SO3 South Oxey. This assessed the contribution this parcel makes to the NPPF Green Belt purposes and the potential harm of release/new development of this, to this designation. The key findings of this are.

Purpose (a): Check the unrestricted sprawl of large built-up areas. This parcel makes a significant contribution against this purpose, as it "lies on the edge of South Oxhey, which is contiguous with Greater London and forms part of the large built-up area. The A4008 and the landform provide strong distinction from the inset settlement edge and the parcel is open and uncontained therefore, development would constitute sprawl."

Purpose (b) - Prevent neighbouring towns merging into one another. This parcel makes a moderate contribution against this purpose as it "lies in the gap between Bushey and Pinner however, this is a relatively large and robust gap limiting the role of the parcel in maintaining separation."

Purpose (d) To preserve the setting and special character of historic towns. The Stage 2 Green Belt Review indicates the assessment of this purpose was not relevant, as it did not identify any historic towns that had a significant relationship with the Green Belt land and the historic aspects of a settlements setting.

#### **Overall harm to the Green Belt:**

The potential release of this will result in very high harm to the Green Belt purposes, as it would have a "significant impact on preventing urban sprawl (part a) as well as moderate impact on preventing the merging of settlements (Part b)". Further, it states it would result in a significantly weaker, less consistent Green Belt boundary than the A4008 by virtue of it representing an encroachment on the countryside (part c).The Green Belt study concluded that the parcel makes

a significant contribution to purpose c, as it “is undeveloped and uncontained, with strong distinction from the inset urban edge and a relationship with the wider countryside”.

While we generally agree with the findings of the Three Rivers Stage 2 Green Belt assessment of the contribution parcel SO3 makes to the NPPF purposes for this designation, Harrow considers that this parcel makes a significant contribution to purpose b and not a moderate contribution as indicated by this assessment. Based on the methodology set out in this assessment, the key reasons are that the application site is located within open countryside, outside of the existing built-up area of Carpender’s Park and forms a fragile gap between Hatch End and Pinner within the urban area of Harrow, and Watford. The potential release/development of the application site will result in the expansion of the intervening settlement between the former towns, along the A4008 that connects into Harrow and will significantly harm the visual and physical separation between these. Further, the application site has a sloping topography, which means development will have an adverse impact on the visual openness of the Green Belt across a wider area, including from areas within Harrow. Overall, it is considered the potential development of this site will have a significant impact on the contribution on purpose b, as it would result in physical or visual coalescence of towns and result in a reduced physical gap between them.

Therefore, we consider that the application site does not meet the definition of Grey Belt included within the NPPF (2024), as it is considered the site strongly contributes the Green Belt purposes a, b of the NPPF.

For this reason, it is considered the proposed residential development on the application site would constitute inappropriate development that will be harmful to the Green Belt and that para 153 of the NPPF should apply for determining this. In line with this, the applicant would need to demonstrate very special circumstances for it to be permitted and demonstrate that the very high harm to the Green Belt and other harms is clearly outweighed by other considerations.

On a separate note, were Three Rivers Council to accept the applicants’ view that their site is considered Grey Belt in line with the definition included within national policy, the balance of paragraph 155 of the NPPF (2024) will apply. In line with this, the proposal for residential and supporting uses on the application site would not be regarded as inappropriate development within the Green Belt, if the applicant can demonstrate compliance with the criteria a-d of this paragraph. The ‘In principle’ objections in relation to these are included below:

- a) *The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.*

As noted above, it is considered that the potential development of the subject site will fundamentally undermine the purposes (taken together) of the remaining Green Belt because the application site will reduce the visual and physical sensitive gap, along the A4008 between the urban areas of Harrow, Bushey and Watford. It is considered to make a strong contribution to checking unrestricting sprawl of larger built area, preventing the merger of towns and encroachment of the countryside, as well as will result in a weaker Green Belt boundary. Due to this, the Three Rivers Stage 2 Green Belt review indicated the release of this site will result in very high harm to this designation.

- b) *There is a demonstrable unmet need for the type of development proposed.*

*This is a matter for Three Rivers Council to determine if the proposal meets this requirement.*

- c) *The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework.*

The above sections of the NPPF seek to ensure significant development is located within locations that sustainable or can be made sustainable, in order to reduce private vehicular use,

congestion and promoting the use of sustainable modes of transport for accessing local services, facilities. There are concerns in relation to whether the proposal that is of a significant scale will comply with these NPPF requirements. The key reasons are it is located on the edge of Carpender's Park that is categorised as a secondary centre that contains a limited range of facilities and services. This may result in the high reliance of private vehicular use for access day to day facilities, services. Further, it located off the A4008 and there are concerns whether this can be redesigned to be well linked/integrated to the existing built-up area of Carpender's Park. Further, the topography of the A4008 that has steep slopes may pose challenges to create safe, sustainable transport links with Carpenders Park. Harrow's Highways Authority would also address this matter.

d) *Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below*

In summary the golden rules for major housing development to include a sufficient level of affordable housing (. i.e. 15% higher than the highest existing affordable housing that is capped at 50% subject to viability), necessary improvement to local/national infrastructure, the provision of new/enhanced accessible green spaces.

The applicant planning statement indicates that the proposal will deliver 50% affordable housing (70% social rented housing and the remainder shared ownership) and new/enhanced green spaces. These are matters for Three Rivers Council to consider in detail.

In regard to ensuring the proposal is supported by new/enhanced infrastructure we note that the Three Rivers Draft Local Plan (Part 2) Reg 18 document (2021) indicates there is a need to identify a site to deliver a new secondary school to address the future pupil needs of Carpenders Park and surrounding areas. The applicant has not yet provided any evidence that this issue has been considered or will be addressed, in partnership with Hertfordshire County Council. Therefore, this application should be refused, until there is certainty in relation to the provision of a new secondary school or expansion of existing schools, either via the Local Plan or application process. Further, the applicant will need to demonstrate that the potential impacts of the development on the capacity of the existing infrastructure capacity within the wider areas such as Hatch End and Pinner have been adequately assessed and enhancements/new provisions (particularly public transport and highway, healthcare) are delivered (if necessary) to address additional needs and deliver sustainable development.

### **Conclusion**

Overall, we consider that the proposal should be regarded as inappropriate development and contrary to para 155 of the NPPF. This is due to factors such as the potential harm of this on the Green Belt purposes included within the NPPF and adverse impacts on the essential characteristics of the designation that are its openness and permanence.

9.37	Watford Borough Council	No response received to date