

Town and Country Planning Act 1990

Section 77 Call-in

By

Burlington Developments London Limited

Council Ref: 25/1020/OUT

PINS Ref: APP/P1940/V/26/3378268

Proposals

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).

Land East of Oxhey Lane, Carpenders Park

Proof of Evidence (Planning)

of

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June 2026

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1. EXECUTIVE SUMMARY

- 1.1 The proposals seek outline planning permission for the development of the site to deliver up to 256 new homes (including affordable and self/custom build housing), housing with care, a children's home for looked after children together with associated access, open space and landscaping (ref: 25/1020/OUT).
- 1.2 The Site, which totals approximately 12.7 ha, is situated immediately to the east of Oxhey Lane (A4008). The Site falls outside of the existing defined urban area of Carpenders Park, which is a suburb of Watford, within Three Rivers District. The Site is wholly within the Green Belt. The Site comprises open grassland fields with a varying topography. There are trees along the northern, eastern and western boundaries, as well as two belts of hedgerow across the Site.
- 1.3 The proposed development will comprise of the following elements:
 - The delivery of up to 256 new homes on a site which is both available and deliverable, which will make an immediate, significant & valuable contribution to the supply of housing in the district;
 - Of the new homes (C3 use class) 50% will be affordable, of which a total of 70% would be social rent and 30% shared ownership; 10% of all market housing as self/custom build, providing an opportunity for local people to build their own homes (this level of provision is in addition to the proposed affordable housing offer);
 - Provision of Housing with Care (Use Class C2), to accommodate increasing demand across Hertfordshire;
 - Provision of a 4-bed children's home (Use Class C2) to address the need for additional bedspaces across Hertfordshire (as identified by the South West Hertfordshire Housing Needs Update (March 2024));
 - Delivery of a significant amount of high-quality public open space throughout the Site, including the provision of new recreational walking routes around the site; and
 - Enhancements to transport infrastructure to support sustainable travel.
- 1.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan for Three Rivers comprises of the Core Strategy (2011), Development Management Policies Local Development Document (2013) and Site Allocations Local Development Document (2014).
- 1.5 In addition, there are a number of material considerations relevant in this case; such as the NPPF (2024) and updated PPG Guidance (2025) and the Council's evidence base, published to inform the emerging Local Plan process.

- 1.6 The application was presented to the Council's Planning Committee on 19 March 2026 with a positive officer recommendation. Notwithstanding this, Members resolved to refuse permission however before the Council formally issued a decision the application was called-in by the Secretary of State. I understand that had a decision been issued the Council would have refused it on Green Belt related matters (and the absence of any completed legal agreement). The Council did not consider that the site would constitute grey belt (and meet with the provisions of paragraph 155 of the NPPF) and that very special circumstances do not exist.
- 1.7 As set out in the accompanying Planning Statement of Common Ground, a number of matters are agreed between the Applicant and the Council, namely the proposals would accord with paragraph 155b and 156(a-c), there are no footnote 7 factors relevant (other than Green Belt) and that proposals would not strongly contribute to purpose (b) or have any impact on purpose (d) of including land within the Green Belt.
- 1.8 On this basis, the area of disagreement relates to the sites contribution to Green Belt purpose (a) and whether the proposals comply with paragraph 155(a) & (c). The District Council (and Rule 6 party) claims the site makes a strong contribution to purpose (a) and would not be in a sustainable location. As such the Council is of the view that the Site cannot be considered grey belt. I take a different view and reach the firm conclusion that the Site makes no more than a moderate contribution to purpose (a) and all aspects of paragraph 155 can be satisfied and thus can be considered grey belt.
- 1.9 I also consider it relevant that at the time that the application was determined at Committee, Members had either in front of them or were aware of legal opinions instructed by both the District Council and Applicant. Whilst the opinions differ slightly in content, there is unanimity in view that the Site should be considered grey belt. Furthermore, the second legal opinion from the Applicant clearly sets out that the site is in a sustainable location.
- 1.10 All this being the case and notwithstanding my view that the Site is grey belt and therefore the proposed development is acceptable in principle, I have also considered whether very special circumstances exist in the event that the Site is not considered to constitute grey belt and comply with the provisions of paragraph 155 of the NPPF.
- 1.11 In terms of harms, I consider that overall, aside from the definitional harm caused by development in the Green Belt, given the characteristics of the Site, the level of harm to Green Belt openness is generally limited to the immediate Site. This moderates the level of Green Belt harm however as set out by paragraph 153 of the NPPF this harm must be given substantial weight. In addition, I also consider that there is some landscape harm which should attract moderate weight in my view. I have reviewed points raised by the Rule 6 party and conclude that there would not be any other harms arising from the proposed development.
- 1.12 I consider that the proposed development would deliver a range of benefits as set out in Table 1. It has not been possible to agree the weighting scale with the Council, the disagreement relating to the use of the 'very substantial' category. I consider that the inclusion of this category is common parlance and is a category used by a number of Inspectors and is necessary in order to reach an appropriately nuanced and valued judgement on weighting of

benefits. On this basis I adopt the following scale: very substantial, substantial, significant, moderate and limited.

Table 1 – Benefits Weighting

Benefit	Weighting
Market Housing	Very Substantial
Affordable Housing	Very Substantial
Self / Custom Build Housing	Substantial
Housing with Care	Substantial
Children’s Home	Significant
Economic Benefits	Significant
Compliance with ‘Golden Rules’	Significant
Public Open Space	Moderate
Connectivity enhancements / Sustainable transport initiatives	Moderate

- 1.13 In light of the above I consider that the benefits of the development clearly outweigh the totality of the harm and as a result very special circumstances exist in accordance with Policy DM2 of the Development Management Policies Local Development Document and paragraph 153 of the NPPF.
- 1.14 In light of this it stands to reason that the harm associated with the proposed development would not significantly or demonstrably outweigh the benefits meaning that the proposals accord with the presumption in favour of sustainable development.
- 1.15 Overall, I therefore consider that the proposals would be in accordance with the development plan and that there are no material considerations that suggest otherwise. For this reason, I respectfully request that the application is permitted subject to appropriate conditions and legal agreement.

2. INTRODUCTION

Personal Introduction

- 2.1 My name is Philip Allin and I hold a BA (Hons) and Diploma in Town Planning from Oxford Brookes University. I am also a member of the Royal Town Planning Institute (RTPI) and have been since 2006.
- 2.2 I am a Director within Boyer's London & South East Office. Boyer is a national town planning consultancy with five offices and forms part of LRG, one of the largest property services groups in the UK. Boyer employs around 70 professional staff covering specialisms of town planning, masterplanning and architecture.
- 2.3 I have over 20 years' professional experience in planning, within Boyer (since 2007) and previously at Nathaniel Lichfield and Partners (now Lichfields).
- 2.4 Across the whole of my professional career, I have worked for a number of public and private sector clients on a variety of residential based developments across south London and the south-east of England including within Three Rivers District Council.
- 2.5 I am experienced in site appraisal and providing planning advice (and project managing) detailed and outline planning applications (including those that require an ES) on greenfield and Green Belt edge of settlement locations across a number of authorities in the South East. I have participated in Local Plan examinations and have acted as planning witness in planning appeals for new residential development.
- 2.6 I have acted on behalf of the Applicant on land east of Oxhey Lane, Carpenders Park since early 2024, having promoted the site through the Local Plan process and in parallel being involved in the preparation of the planning application which was submitted in June 2025. Prior to this I acted as expert witness for Burlington in respect to proposals for 92 new homes on two sites at Sarratt which were granted at Appeal in May 2024 (PINS refs: 3311477 & 3311479).
- 2.7 The evidence which I have prepared and provided for this called-in application is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

Scope of Evidence

- 2.8 The evidence prepared within this proof will address:
 1. Site and Surrounding context;
 2. Scheme proposals;
 3. Relevant Policies and material considerations (i.e. the planning context);
 4. Planning Assessment;
 5. Other relevant matters; and
 6. Conclusions.

2.9 My evidence should be read alongside that of Mr Jonathan Evans (Landscape / Green Belt), Mr Phil Hamshaw (Highways), Mr Nathan Stevenson and Mr Richard St John Williams (Mortgagee in Possession Clause).

3. SITES & SURROUNDINGS

- 3.1 I summarise a description of the site below. Further information on the Site and its character is set out within the supporting Planning and Design & Access Statement (**CDs1.38 & 1.27**).
- 3.2 The Site, which totals approximately 12.7 ha, is situated immediately to the east of the A4008. The Site falls immediately adjacent to the existing defined urban area of Carpenders Park, which is a suburb of Watford. The Site is wholly within the Green Belt.
- 3.3 The Site comprises open grassland fields. The topography of the Site varies within the northern field rising from west to east. The remaining fields have a shallower slope from north to south. There are trees along the northern, eastern and western boundaries, as well as two belts of hedgerow across the Site. A provisional Tree Preservation Order (TPO) has been made by TRDC 'Tree Preservation Order no.937 (Carpenders Park Dairy)' which includes trees located on the Site, along the northern and eastern boundary of the Site. A copy of this provisional TPO is included as **CD4.1**.
- 3.4 The Site surrounds a substantial modern care home which has recently been built to the east of Oxhey Lane (Carpenders Park Care Home). The development comprises a single building separated into three elements; a central section running north to south with two wings running east to west to either end of the central section. It sits at 2.5 storeys in height with roof level accommodation served by dormers and rooflights.
- 3.5 The A4008 forms the western boundary of the Site whilst the Merry Hill Wood (owned by the Woodland Trust) borders the Site and represents the border between TRDC and Hertsmere Borough. Merry Hill is a 76-hectare wooded habitat which contains a mix of old trees, newly planted woodland and open meadows. Access to the wood is available directly from the surrounding urban roads via two entrances on the north-eastern boundary off Merry Hill Road, and from several points on the north-western boundary via Attenborough Fields. Access can also be gained via a public footpath "Watford Rural 013' on the south-western boundary from Carpenders Park, which runs east to west across the northern edge of the Site. The wood is subject to the Merry Hill Management Plan (**CD4.3**) which sets a number of short term (5 years) and long term (50+ years) objectives which overall seek to increase people's awareness and enjoyment of woodland by continuing to provide and maintain appropriate access paths and facilities throughout the wood. A plan showing the extent of Merry Hill Wood is enclosed at Appendix 1.
- 3.6 On the Southern boundary of the Site is a river watercourse and the Hartsbourne Flood Storage Area. The construction of the storage area was granted planning permission on 24th October 1991 under planning reference: 8/543/91. Information relating to this permission is included within Appendix 2. According to the TRDC Level 1 Strategic Flood Risk Assessment (January 2026)(**CD4.2**), the flood storage area is characterised by a 280m long earth dam, with a crest height of 4.1m, above the valley floor, and is designed to hold 42,000m³ of water (section 6.5.1).

- 3.7 The northern boundary comprises a number of mature protected trees along with a well-established hedgerow beyond which is land owned by Hertfordshire County Council (HCC) which is identified as a proposed allocation for a new secondary school in the emerging Local Plan (ref: CFS11).
- 3.8 In respect to heritage, the Site does not contain any statutorily or locally listed buildings. The closest heritage assets are three Grade II listed buildings and structures further to the south on Oxhey Lane (opposite Grims Dyke Golf Club), Grim's Ditch (a Scheduled Monument) and Grims Dyke (a Grade II listed park and garden). The closest of these is approx. 700m (at the closest point). Additionally, Carpenders Park has no conservation area, and the closest is the 'Brookshill Drive and Grimsdyke Estate' Conservation Area within Harrow, approximately 900m to the southeast.
- 3.9 The Site is within Flood Zone 1 (low probability of flooding) with a very small part of the southern boundary falling within Flood Zone 2. A small area running vertically through the south of the Site is at risk of surface water flooding.

Carpenders Park

- 3.10 Carpenders Park is a settlement located within TRDC originally comprising of an interwar private housing estate, later extended by Council Housing built by Watford Rural District Council after the second world war. At the same time, the London City County built thousands of homes in a new estate, 'South Oxhey', immediately to the west of Carpenders Park. While Carpenders Park and South Oxhey are adjoining settlements interdependent of each other, they were divided not just by different Councils but also the railway line running in between. In 1974, both estates were transferred into the then new TRDC administrative area.
- 3.11 Within TRDC's current local plan, Carpenders Park is classified as a Secondary Settlement ('smaller sized settlements'), while South Oxhey is designated as a Key Centre ('medium sized settlement'). Secondary Centres *"provide a more limited range of services and facilities than the Key Centres but are still important in meeting local needs. They are generally well located with regard to access to adjoining centres and public transport facilities"*. Key centres *"provide a range of services and facilities, and access to public transport is generally good."*
- 3.12 The planning case officer in his report to Committee (see paragraph 7.2.19, **CD2.2**) makes the following observation: *"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"*.
- 3.13 Carpenders Park and South Oxhey are served by a frequent commuter train service from Carpenders Park Station. It provides reliable and regular services to London Euston and Watford Junction via the London Overground Lioness Line. It is located 1,200m (equivalent to a 15-minute walk) when measured from the centre of the residential plots on Site.

- 3.14 Additionally, the proposed development is located 800m walking distance (measured from the centre of the residential plots on Site) from the bus stop 'Upper Hitch, which is located on By the Wood Road, to the north of the Site. It is served by bus routes 346 (Watford – Carpenders Park), R17 (Carpender Park Railway – Hatch End Harrow Arts Centre), and R16 (Bushey Railway Station – North Watford Sainsburys).
- 3.15 As identified by the supporting Transport Assessment (Table 3.3 & Image 3.5 **CD1.42**) there are a whole host of services and facilities within both Carpenders Park and South Oxhey that would meet the day-to-day needs of residents which are accessible by foot or cycle.
- 3.16 In light of the accessibility of the Site and its proximity to a range of services and facilities means that I consider it to be a sustainable location for the proposed development, as was noted by the case officer in his report to Committee (see paragraph 7.1.10, **CD2.2**). The case officer also identified that there are several amenities in walking distance including a local parade of shops (Delta Gain Parade), a doctor's surgery, a play area, skate park and a church within Carpenders Park, as well a further offer of amenities and services on the western side of the railway line within South Oxhey.
- 3.17 In summary, Carpenders Park alongside South Oxhey are key settlements within the District, with a range of services and facilities that would meet the day-to-day needs of residents, whilst there are excellent public transport services that provide connections further afield. The Site is well located in respect to the existing settlement, and I consider that the Site would comprise a sustainable location for new development.

4. SCHEME PROPOSALS

4.1 The proposed development would comprise of the following elements:

- The delivery of up to 256 new homes on a Site which is both available and deliverable, which will make an immediate, significant & valuable contribution to the supply of housing within the district;
- Of the new homes (C3 use class) 50% will be affordable, of which a total of 70% would be social rent and 30% shared ownership; 10% of all market housing as self/custom build, providing an opportunity for local people to build their own homes (this level of provision is in addition to the proposed affordable housing offer);
- Provision of Housing with Care (Use Class C2), to accommodate increasing demand across Hertfordshire;
- Provision of a 4-bed children's home (Use Class C2) to address the need for additional bedspaces across Hertfordshire (as identified by the South West Hertfordshire Housing Needs Update (March 2024));
- Delivery of a significant amount of high-quality public open space throughout the Site, including the provision of new recreational walking routes around the Site;
- Enhancements to transport infrastructure to support sustainable travel; and
- Provision of economic benefits in relation to construction of the Site and longer-term local spending & jobs.

4.2 A new primary access is proposed off Carpenders Avenue into the northern section of the Site, and two new pedestrian and a further cycle access is proposed (including one emergency vehicle access). The main vehicular access will be via a signalised crossroad junction from Oxhey Lane, opposite Carpenders Avenue. The access is located to the north-western corner of the Site and will extend eastward across the northern section of the Site, then run vertically to the south.

4.3 I set out the weight I consider should be attached to each element of the proposed development later within my planning assessment chapter however, in the first instance, I briefly describe the main component parts of the proposals.

Provision of New Housing

4.4 The proposals will deliver new market, self/custom build, and affordable housing, as set out below.

Market Housing

- 4.5 The proposals would deliver up to 128 new market homes with the illustrative layout showing a mix of houses with the majority of new homes being family sized housing. The delivery of new market housing will make a meaningful contribution to remedying the current housing shortfall in the District which is, quite simply, woeful.
- 4.6 The Council’s latest Housing Land Supply Update (Published April 2026) is the most up to date published statement by the Council. This update states that the Council is able to demonstrate a 1.2-year supply of deliverable housing, resulting in a numerical shortfall of 3,808 new homes (Paragraph 3.6, **CD4.4**). This represents a further deterioration from the position set out in the previous Housing Land Supply Statement (Published December 2024) which is referred to in the case officers report to committee (Paragraph 7.2.56, **CD2.2**), i.e. 1.7 years with a numerical shortfall of 2,536 homes.
- 4.7 It must be highlighted that the acute need for housing does not just exist now, rather it has existed for an extended period of time, over which it has progressively worsened. This is demonstrated in the below table, which summarises the Council’s published Housing Land Supply Updates since 2018. This confirms that the Council has not been able to demonstrate a 5-year supply for the last 8 years and is now at the lowest it has ever been, which underlines the critical need for additional housing in Three Rivers.

Table 2 – TRDC Housing Land Supply Position (2018-2025)

5 Year Period	Housing Land Supply Position (numerical housing shortfall)
2018-23	3.7 years (646 homes)
2019-24	2 years (2,211 homes)
2020-25	2 years (2,311 homes)
2021-26	1.9 years (2,362 homes)
2022-27	1.9 years (2,376 homes)
2023-28	1.9 years (2,371 homes)
2024-29	1.7 years (2,536 homes)
2025-30	1.2 years (3,808 homes)

- 4.8 The Council’s significant housing shortfall reinforces the importance of boosting housing delivery. If any more evidence was required, this collapse in housing delivery is highlighted in the Borough’s Housing Delivery Tests (HDT) results. The latest HDT results (2023) illustrate that the Council has the 5th lowest score in the Country, with a score of 30%; meaning that the Council is subject to the presumption in favour of sustainable development. The Council has consistently delivered below the target set by the standard method, as illustrated in the below Table. This confirms that, again, Three Rivers’ latest HDT score is the lowest it has ever been.

Table 3 – TRDC HDT Results

Year	Housing Delivery Test Score
2018	67%
2019	41%
2020	54%
2021	46%
2022	46%
2023	30%

4.9 In light of the Council’s chronic shortfall in supply and delivery, the provision of up to 128 new market homes in a range of house sizes represents a significant positive aspect of the proposed development.

Affordable Housing

4.10 The continued failure of the Council to meet anything approaching its housing requirement is having a number of real-world implications, none more so when it comes to the provision of new affordable homes.

4.11 The supporting Affordable Housing Statement (**CD1.16**) details the stark reality of the situation in setting out the rather obvious conclusion that there is a clear and on-going pressing need for more affordable homes in TRDC.

4.12 The Affordable Housing Statement makes reference to the Southwest Hertfordshire Local Housing Needs Assessment Update (March 2024), which provides the most up-to date assessment of affordable housing need in TRDC. The assessment identifies a net need for 512 affordable homes per annum over the 2020-2036 period, equivalent to a total of 8,192 net affordable/social rented dwellings over the 16-year period.

4.13 The delivery of affordable housing in TRDC has fallen strikingly below the target set out in the Local Housing Needs Assessment. The latest Annual Monitoring Report (AMR) covering the period 2023-24 identifies that only 3 affordable homes were completed between 1st April 2023 and 31st March 2024, amounting to 1.1% of the total completions (276) in the same period. Whilst affordable delivery increased in 2024/25¹ it remains at a level miles away from getting even close to meeting the identified need.

4.14 The Council’s abysmal level of affordable housing delivery, combined with the high private sector rent and house prices, has led to a significant affordability crisis within the District. As outlined at Paragraph 5.29 of the Affordable Housing Statement, the lower quartile rent of £1,100 pcm in 2022/23 is 50% higher than the East of England figure of £735 pcm and 76% higher than the national figure of £625 pcm. In addition, Paragraph 5.37 of the Affordable Housing Statement, outlines that in 2024, lower quartile house prices in Three Rivers

¹ See paragraph 3.16, Statement of Case (**CD6.1**)

(£410,000) were 67% higher than across the East of England Region (£245,000) and 116% higher than the national figure (£190,000). All these factors combine to create a challenging situation for anybody in need of affordable housing to rent or to buy in Three Rivers.

- 4.15 In light of the above, boosting the supply of affordable homes will mean that households needing affordable housing will spend less time in unsuitable accommodation. This will improve the lives of those real households who will benefit from the provision of high quality, affordable homes that meet their needs. The local need for additional affordable housing is underlined by the public engagement exercise undertaken by the Applicant which highlighted that this was a pressing issue for many local people. A copy of the engagement report is enclosed at [Appendix 3](#).
- 4.16 The proposals will deliver up to 128 new affordable homes in a 70/30 rented/intermediate split with 50% of the rented provision being for social rent, a tenure split that has been agreed with the Council's housing officer and will be secured by the legal agreement. It is therefore evident that this provision will make an important contribution to the significant need for affordable housing in the District.

Provision of Specialist Housing Accommodation

- 4.17 As noted in Paragraph 61 of the NPPF, the needs of groups with specific housing requirements should be met. In addition to the market and affordable housing, the proposals will deliver a range of specialist housing for which there is a demonstrable need in this district, comprising housing with care, a children's home and self/custom build housing. I set out further information below but in short I consider that the range and extent of proposed housing types represents a powerful set of benefits.

Housing with Care

- 4.18 The proposals include 60 housing with care homes that will be sited to the rear of the Carpenders Park Care Home, located to the immediate west of the Site
- 4.19 The proposals are supported by an assessment undertaken by Carterwood (**CD1.35**), which identifies the net need of this type of accommodation. It concludes that there is a substantial shortfall of 953 private housing-with-care units in the 4-mile market catchment and 301 in the Three Rivers District Council local authority area, as at 2028, the earliest the proposed new homes could be delivered.
- 4.20 The Carterwood assessment includes all planned provision (both with extant permission and pending a decision) and therefore the undersupply could well be greater on the basis that some schemes may not be delivered. The shortfalls are projected to increase significantly in line with the ageing demographic.

- 4.21 I consider that the Adult Social Care Strategy (**CD4.14**) also provides strong evidence of the need for housing with care in Hertfordshire where, to meet need, significant growth is required. The Council is ambitious to ensure there is a suitable and sustainable pipeline of accommodation for older people citing an estimated demand for 251 units of market extra care in the Three Rivers District by 2030 (section T9, p5 **CD1.35**).
- 4.22 The South West Hertfordshire Local Housing Needs Assessment (LHNA) Update (2024) provides two scenarios for specialist older persons housing provision. Based on existing and planned supply in 2022, it advises that the net need for market housing with care to 2041 in the Three Rivers District ranges between 473 and 693 units.
- 4.23 The qualitative benefits of the proposed scheme are numerous and include improvements to the health and wellbeing of residents, reduced reliance on, and costs to, the NHS, benefits to families having difficulty meeting the care of loved ones, a reduced overall need for care staff with care being provided on one site (compared with domiciliary care in the wider community), together with the freeing up of family sized housing.
- 4.24 Most importantly, the scheme will enable older people to 'right size' from their existing homes (which may no longer be suitable for their needs), into a welcoming, attractive, specifically designed extra care scheme, where they can benefit from social interaction and improved wellbeing and remain close to family and friends. While this intangible benefit is difficult to quantify, it is nevertheless a significantly important benefit of the proposal.
- 4.25 The proposals would therefore assist in addressing the existing significant shortfall and the increasing future need for private housing-with-care in both the 4-mile market catchment and Three Rivers District.

Children's Home

- 4.26 The proposals include a children's home for looked after children.
- 4.27 A Statement of Common Ground has been prepared with Hertfordshire County Council (Appendix 2, **CD1.38**), which identifies a need in Three Rivers for 24 new bedspaces in children's homes up to 2041, as confirmed in the SW Hert's LHNA (2024).
- 4.28 As set out in the Statement of Common Ground, HCC set out that it is the desire of the County Council to meet this need via 4-bed homes distributed across the district, which would each accommodate three children and one carer. Given the scale of development proposed, one house is proposed on the Site, a position that has been agreed with HCC. The new home will be integrated into the proposed layout and an indicative location has been discussed with HCC, with the final location to be agreed through engagement with HCC at reserved matters stage.
- 4.29 The SoCG confirms HCC support for this provision. As confirmed in the Written Ministerial Statement (WMS) prepared by the Minister of State for Housing and Planning on 23rd May 2023 (**CD4.15**), LPAs should give due weight to applications for accommodation for looked after children in their area that reflect local needs, to ensure that children in need of

accommodation are provided for in their communities.

- 4.30 Additional information on this need is set out within the Hertfordshire Sufficiency Summary (Annual Update 2025, **CD4.31**). This identifies that as of 2024/2025 there were 996 looked after children in the county, which represented a continuing increase over the previous 2 years (page 10), over half (58.2%) were children aged between 13-17 years (page 11).
- 4.31 Alongside this the County have developed a Residential Strategy in order to improve the outcomes for looked after children by seeking to achieve a number of primary objectives which include ensuring the right children are in appropriate care, at the right time, to facilitate family time, promote reunification and be able to offer more homes locally to allow children to be close in the county that they know. Furthermore, the County is seeking to create the right type of residential provision in order to create stability, improved access to health and education provision and improved chances of step down to foster care or a return to family.
- 4.32 In addition, the NSPCC have published information on the topic (extracts enclosed at [Appendix 4](#)). This information identifies that a looked after child, or child in care, is a child (aged under 18) who has been in the care of their local authority for more than 24 hours noting that many children in care have experienced abuse, neglect or other forms of trauma. The NSPCC set out that it is important that children in care are provided with the care and support they need to be healthy and safe, have the same opportunities as their peers and move successfully into adulthood.
- 4.33 The needs and requirements of each looked after child is very much down to the circumstances of the individual and therefore it is not possible to be definitive on which children the home will cater for. Notwithstanding this, what is not in doubt is the growing need for this type of accommodation (for which there is no plan led solution) and the fact that such accommodation will have a transformative effect on the children that will be housed within this new home. Issues associated with providing appropriate accommodation for looked after children has been highlighted by a recent BBC article, enclosed at [Appendix 5](#), which also identifies problems with private sector provision. This article just reiterates the need to provide appropriate accommodation to house some of the most vulnerable children in society.
- 4.34 On that basis, it is agreed by the Applicant and HCC that this is a clear benefit of the proposed development.

Self/Custom Build

- 4.35 It is proposed to deliver 10% of all market housing as self/custom build. The Council's self-build list identifies a clear need for this type of housing whilst secondary data sources, such as Buildstore's Plot-Search and Custom Build Register platforms illustrate a demand for at least 1,199 serviced plots in Three Rivers District in January 2023. Other secondary data sources indicate that as many as 1,504 people may be interested in building their own home in the foreseeable future and that annual needs could fall in the range of 45 to 64 plots per annum, equivalent to 900 to 1,280 plots over the 20-year Plan period. The provision of new self/custom build plots will make a meaningful contribution to meeting this need.

Open Space

- 4.36 The proposals involve large areas of green infrastructure, including a large area of open space in the northern part of the Site, which altogether totals 6.2Ha. This will be accessible for future residents, as well as existing residents within Carpenders Park.
- 4.37 This green infrastructure will comprise of various different elements including woodland planting to enhance visual screening of proposed new built form whilst scattered native tree planting is also proposed to reflect the character of the adjacent Merry Hill Wood. Alongside this, existing hedgerows will be supplemented with blocks of mixed species native shrub planting and hedgerow trees to provide habitat connectivity through the Site.
- 4.38 New circular footpath connections through the areas of open space and around the periphery of the Site would be provided creating new connections with the existing public right of way that crosses the Site (ref: 013). In addition, a number of natural-style timber equipped play spaces within walking distance to both existing and proposed residents will be provided across the Site. Overall, the proposed green infrastructure exceeds policy standards and will provide secured public access across the Site, a considerable benefit of the proposals.

Improved Connectivity

- 4.39 The main Site access junction will provide a signalised pedestrian crossing on Oxhey Lane to link to the footway on the western side of the carriageway. This will provide a much improved and safer alternative to the two existing uncontrolled crossings, which is also a relevant consideration in the context of the potential proposed allocation of the land to the north of the Site for a secondary school (Site ref: CFS11). To the south of the Site is an emergency / pedestrian / cyclist access from Oxhey Lane, with a further pedestrian access to Oxhey Lane connecting to the centre of the Site.
- 4.40 In addition to this and to enhance the sustainability of the Site and encourage active travel, a number of on and off-site improvements are proposed which are detailed within the accompanying Statement of Common Ground agreed with HCC Highways. Whilst I acknowledge that, in part, these measures are required to mitigate the impacts of development they nevertheless will have a wider benefit.

5. PLANNING CONTEXT

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

Statutory Development Plan

- 5.2 The statutory development plan for TRDC comprises of the Core Strategy (2011), Development Management Policies Local Development Document (2013) and Site Allocation Local Development Document (2014).
- 5.3 The key policies of the Statutory Development Plan relevant to this appeal is set out within Appendix 2 of the Statement of Common Ground (**CD6.4**). Within our Statement of Case (**CD6.1**), we briefly summarise the main policies in relation to Green Belt and given the matters that have been agreed within the Statement of Common Grounds means that I do not seek to set out the key policies here.
- 5.4 The Council are in the process of preparing its new Local Plan, a matter that I return to in further detail below.

Material Considerations

- 5.5 In this case there are a number of material considerations, which I summarise below and consider further in my planning assessment.

Emerging Local Plan & Supporting Evidence Base

- 5.6 The Site has been promoted through the Local Plan process for a considerable period of time.
- 5.7 The Council published an initial Regulation 18 Draft Local Plan in June 2021 which proposed to deliver a total of 10,919 new homes over the Plan period (2018-38). This level of provision would have delivered c85% of the requirement derived from the standard method, as it was at that time (12,624 new homes). As part of this draft Plan, the Site was included as a proposed allocation for 485 new homes which was expected to be delivered in years 6-15 of the Plan (Site ref: CFS69a). A copy of the proposed allocation is included as [Appendix 6](#).
- 5.8 Following some further targeted consultations, the Council published an updated Regulation 18 Draft Local Plan in October 2023 which proposed a 'low growth' housing target of just 4,852 new homes (over an amended Plan period of 2023-2041). The rationale for this reduction was based on the Council's position of the Green Belt representing a significant constraint such that any site that was considered to result in more than 'moderate' harm (based on the findings of the Council's Stage 2 Green Belt assessment) was discounted. The result, highlighted with much flourish by the Leader of the Council in the Forward to the draft Plan, would result in 98% of the District's Green Belt being protected. The implications of this approach on housing provision in the various iterations of the draft Plan (up to this point) is set out in the following table:

Table 4 – Draft Local Plan Housing Growth Options

Growth Option	Standard Method	Standard Method	High Growth Option	Low Growth Option
Reg 18 Stage	At Part 1 & 2 Consultation	At Part 3 Consultation	After Part 3 Consultation	At Part 4 Consultation
Plan Period	2018-38	2018-38	2023-41	2023-41
Standard Method (pa)	630	630	637	637
Housing Requirement	12,624	12,624	11,466	11,466
Total Proposed Dwellings	10,919	11,306	10,839	4,852
Delivery pa	546	565	602	270
Shortfall to Target	1,705	1,318	627	6,614

- 5.9 In light of the Council’s proposed revised approach the Site was omitted from the draft Plan on the basis that it was within an area of very high Green Belt harm (based on the Council’s evidence). Mr Evans covers the Council’s Green Belt evidence in greater detail but as I set out in the following section, the Parcel assessed by the Council’s Green Belt Assessment covers a much larger area than the Site and so applying the Parcel conclusions to the Site is not correct and results in an inaccurate assessment of impact. Notwithstanding this, land immediately to the north of the Site was (and continues to be) proposed for allocation for a new secondary school and is within the same Parcel assessed by the Council’s Green Belt assessment. This is a matter I return to.
- 5.10 Following the change in Government in July 2024 and publication of the updated NPPF and standard method in December 2024, the Council undertook a further Plan consultation in July 2025 to consult on newly submitted (or amended) sites as well as new and updated Local Plan policies. It was clear from the Forward by the Leader that the aim of this was not to make a meaningful attempt to meet the (now higher) housing requirement, rather it was an attempt to provide added justification to support the Council’s ‘low growth’ approach.
- 5.11 Notwithstanding the above, the sites subject to this consultation were split into three categories: ‘potentially suitable’, ‘some concerns’ and ‘significant concerns’.
- 5.12 The Site was included within this consultation for a potential allocation of 381 new homes (Site ref: NCFS12), expected to be delivered in the first 5 years, with the Site falling within the ‘some concerns’ category. The officer commentary associated with the Site stated *“We have some concerns as the development will protrude into open countryside. However, despite this key concern, there are few others to consider at this stage, aside from minor flood risk concerns relating to a small part of the Site, a footpath and hedgerow easements”*.

- 5.13 Following this consultation, we note that officers recommended that the Site (along with 62 others) be proposed for allocation which in total would deliver 10,662 homes (85% of the standard method housing requirement). Notwithstanding this, at the Full Council Committee in January 2026, it was agreed to remove the Site (alongside 5 others) from the draft Local Plan which had the effect of reducing housing delivery by 3,635 homes (to 56% of the standard method).
- 5.14 Within the officers report to Full Council on 27 January 2026 the risks of this were made clear to Members at paragraphs 3.21 – 3.24 (i.e. the Council would be at risk from Government intervention with the Plan being found unsound which would have significant cost implications for the Council)(**CD4.16**). As such, officers recommended that these sites be added back into the draft Local Plan (see paragraphs 3.36 – 3.38), a recommendation that was not accepted by Members.
- 5.15 One of the reasons that the Site was removed from the draft Plan was due to the conclusions of the Council's Green Belt Assessment however as made clear at paragraph 3.32 of the officers report, this Green Belt Assessment is only one consideration and where a more granular assessment has been undertaken (as it has by both the Applicant and planning officers) then it is entirely reasonable that a different conclusion can be reached (which was the case as set out in the officers report to Committee).
- 5.16 Despite the officer recommendation, the Council decided to move forward with a draft Local Plan that would only meet 56% of the identified housing requirement. As a direct consequence the Housing Minister intervened raising significant concerns with the Council's approach, for the reasons set out in his letter dated 8 February 2026 (**CD4.17**). Following the Council providing further information (**CD4.18**), the Housing Minister again wrote to the Council on 18 March 2026 (**CD4.19**)(the day before the application was reported to the Council's Planning Committee) directing the Council to include the site (and 5 others) as a proposed allocation within the Regulation 19 Local Plan, which is to be published for consultation no later than the end of July 2026 and submitted for examination no later than November 2026.
- 5.17 The Leader of the Council wrote to the Housing Minister on 26 March 2026 to justify the Council's approach however in his response, dated 15 April 2026, the Minister reaffirmed his direction to the Council to include the Site as a proposed allocation.
- 5.18 It is evident from the emerging Local Plan process that the Site has been considered (and included) as a proposed allocation with the only reason that it has been previously discounted was the perceived extent of Green Belt harm. For the reasons that I and Mr Evans set out I consider that this was misconceived and I am of the firm view that the Site is capable of forming a sound allocation within the Local Plan.
- 5.19 I also consider that it is relevant to consider the fact that land immediately to the north of the Site is proposed for allocation for a new secondary school (the land being owned by Hertfordshire County Council). The Site was proposed for allocation in the 2021 draft Local Plan (Site ref: CFS11) with the importance of this piece of social infrastructure being underlined by the Council's Infrastructure Delivery Plan (February 2026).

- 5.20 The Infrastructure Delivery Plan identifies that secondary school provision in TRDC is currently operating at full capacity and that new secondary education capacity will therefore be required to accommodate proposed new growth over the plan period (paragraph 5.1.46, **CD4.23**). As a result it identifies a number of projects that are deemed 'essential' which includes the new secondary school at Carpenders Park with delivery planned for the mid- to late-plan period (paragraph 5.1.56). The IDP assumes that the new school will be up to 10FE with a capital cost of c£62.5m funded by s106 & CIL (Appendix E, **CD4.23**).
- 5.21 Overall, I accept that given the current stage of the emerging Local Plan, only limited weight can be attached to its policies however nevertheless it provides a clear direction of travel that there will be further eastwards growth of Carpenders Park, east of Oxhey Lane. Notwithstanding this, I consider that the supporting evidence base is a material consideration in the determination of this application.

NPPF / PPG

- 5.22 The publication of the 2024 NPPF (and associated PPG updates) introduced the grey belt concept at paragraphs 155-159 with the definition of grey belt land as set out within the glossary to the NPPF.
- 5.23 In addition, there are other policies set out within the NPPF that are relevant in the consideration of the proposals including paragraph 11 (presumption in favour of sustainable development), Chapter 5 (Delivering a sufficient supply of homes), in particular paragraphs 61, 66, 67, 72 and 78. Whilst not exhaustive, other parts of the NPPF are relevant including paragraphs 110 and 115 (promoting sustainable development) and 124 (making effective use of land).
- 5.24 Alongside the NPPF, the PPG was updated in February 2025 to provide additional guidance on how to assess whether sites can be considered grey belt, in particular that set out within paragraph 005 Reference ID: 64-005-20250225.
- 5.25 The Government has recently published changes to the NPPF which have recently been the subject of public consultation. Given that these changes are in draft, I have not considered this any further although I reserve the right to comment further should a final NPPF be published prior to a decision being made on this application.
- 5.26 I assess the implications of the NPPF and PPG in respect of the proposed development within the following chapter.

Written Ministerial Statement 'Building the homes we need'

- 5.27 The WMS, published on 30 July 2024 (**CD4.24**), is a statement of the Government's policy for the use and development of land as it sets out, in clear terms, the Government's commitment to improving affordability, turbocharging growth and building the 1.5 million homes within the current Parliament.

5.28 The WMS makes clear that the Government is seeking to strengthen the general presumption in favour of sustainable development, again outlining its strong commitment to ensuring that planning permission is granted on suitable sites in sustainable locations. Within the conclusion, the WMS states that “*there is no time to waste. It is time to get on with building 1.5 million homes*”. This underlines the importance placed on the delivery of new homes to meet this national objective.

Sarratt Appeal Decisions (PINS ref: 3311477 & 3311479)(CD5.1²)

5.29 There have been two appeal decisions at Sarratt which were determined in 2024 and were for linked proposals from our clients. Whilst I accept that each scheme should be determined on its own merits, the Inspector reached conclusions on a number of matters relevant to the current proposals.

5.30 The proposals involved the erection of 83 homes and a Doctors surgery (Site A) and erection of 9 homes (Site B), of which up to 48 homes would be affordable and up to 9 homes would be for custom/self build. Both appeals were allowed with the Inspector concluding that ‘Very Special Circumstances’ existed (the decisions predated the publication of the new NPPF in December 2024).

5.31 When considering the relevance of the Council’s Green Belt Assessment, the Inspector recognised that whilst it was a relevant consideration and helpful, it was not determinative as it was a relatively coarse-grained exercise looking at broad areas or ‘Parcels’ (paragraph 25, **CD5.1**).

5.32 In terms of the benefits of the proposals, the Inspector referred to the fact that at the time of the decision the Council was only able to demonstrate a 1.9 year supply (it has since worsened) and the acute affordability issues affecting the District. Furthermore, in the appeals the Council acknowledged that no custom and self-build homes had yet been delivered in the District (paragraphs 79-80).

5.33 This being the case, in the context of Appeal A, the Inspector attached very substantial weight to the delivery of market and affordable homes and substantial weight to the delivery of self and custom build housing (paragraph 81). Although Appeal B was for only 9 homes, the delivery of market, affordable and self/custom build homes³ was each considered to attract substantial weight by the Inspector which highlights the importance attached to addressing the serious housing shortfall (paragraph 82).

5.34 The associated economic benefits were afforded significant weight by the Inspector for Appeal A and moderate weight for Appeal B (paragraph 92) whilst the provision of 2Ha of public open space (on Appeal A) was given limited weight (paragraph 93). Where relevant I have referred to these appeal decisions in my planning assessment.

² Within the CD list, the two appeal decisions are given different reference numbers but for ease I am referring to CD5.1 as both appeals are covered by the same decision letter.

³ The linked nature of the proposals meant that if both appeals were allowed, additional affordable and self-build homes would be delivered.

6. POLICY ASSESSMENT

6.1 Within this section I assess the proposals against the main issue in dispute, namely whether the Site can be considered grey belt and whether the provisions of paragraph 155 are met. In addition, separate to this, I also consider whether Very Special Circumstances exist in accordance with paragraph 153. Finally, I consider other matters raised by the Rule 6 Party.

Grey belt

6.2 As set out in the accompanying Planning Statement of Common Ground, a number of matters are agreed between the Applicant and the Council, namely the proposals would accord with paragraph 155b and 156(a-c), there are no footnote 7 factors relevant (other than Green Belt) and that proposals would not strongly contribute to purpose (b) or have any impact on purpose (d) of including land within the Green Belt. It is my understanding that likewise the Rule 6 party do not consider that the Site makes a strong contribution to either purpose (b) or (d).

6.3 On this basis, the area of disagreement relates to the Sites contribution to Green Belt purpose (a) and whether the proposals comply with paragraph 155(a) & (c). Both the District Council and Rule 6 party claim the Site makes a strong contribution to purpose (a) and would not be in a sustainable location. As such both parties are of the view that the Site cannot be considered grey belt. I take a different view and reach the firm conclusion that the Site makes no more than a moderate contribution to purpose (a) and all aspects of paragraph 155 and thus can be considered grey belt.

6.4 Following publication of the NPPF in December 2024, the PPG was updated in February 2025 to provide guidance to inform an assessment as to whether a Site made a weak/no, moderate or strong contribution to each of the relevant Green Belt purposes (a, b & d)(**CD3.1**). Case law⁴ is clear that the PPG is of equivalent legal status to the NPPF.

6.5 In respect to purpose (a), it is important to note that the PPG indicates that an edge-of-settlement site is likely to make a 'moderate' rather than 'strong' contribution to the Green Belt where it includes *"one or more features that weaken the land's contribution to this purpose"*. Accordingly, it is the case that just one such feature can mean a site's contribution is considered to be 'moderate'. It is also clear from the language used in the PPG that features in question can be natural or man-made. In the case of this Site there are multiple such factors.

6.6 Immediately to the south of the Site is the Hartsbourne Flood Storage facility (and associated flood area). Based on documentation submitted as part of the planning application for this facility in 1991 (see Appendix 2), a flood storage facility was identified as being necessary as a result of regular flooding, most notably in May 1988 where a major flood event caused major disruption with damage to residential and commercial properties.

⁴ Mead Realisations Ltd v Secretary of State for Housing, Communities and Local Government [2025] EWCA Civ 32 (**CD5.3**)

- 6.7 In response to this, a decision was made to construct a new flood storage area which was designed to operate without a permanent lake with a capacity of 42,000 cubic metres, covering an area of 4.5Ha. The associated embankment is 280m long and 34m wide at its widest point, with a maximum height of 6m, as detailed at paragraph 4.22, first bullet of the Planning Statement of Common Ground (**CD6.4**). In addition, there is a small bund alongside Oxhey Lane in order to prevent immediate spillage onto the road in the event of overtopping. Whilst there is no permanent lake, it has been designed such that the area upstream from the facility will flood forming part of the functional flood plain (to the extent indicated on the plan at figure 2 contained within Appendix 2) which will then drain-off. This is confirmed by the Council's SFRA which states that the Hartsbourne Flood Storage Area (FSA) has been designated as Flood Zone 3b, to safeguard this key flood risk asset from development (section 4.4.1, p35, **CD4.2**).
- 6.8 This associated flood area is therefore an integral part of the overall flood storage area as confirmed verbally by EA operatives present at the time of one of my site visits. As is illustrated within the accompanying plans and evident when viewed from the Site this is a significant, and important, piece of flood mitigation infrastructure which has altered the appearance of the natural environment. Furthermore, together with the associated flood zone, this represents a significant feature that will contain development to the south. There is no prospect that development could stray into this area in future. It is an eminently robust, defensible boundary.
- 6.9 Immediately to the east of the Site is Merry Hill Wood, an extensive woodland managed by the Woodland Trust (the extent of which is illustrated on the plan at Appendix 1). The accompanying management plan (**CD4.3**) sets out that the long term vision at Merry Hill is for an attractive and diverse natural landscape characterised by mixed broadleaf woodland, grassy meadows, grazing cattle and well known as an interesting and exciting natural amenity (see page 8). It continues by stating that the Woodland Trust's corporate objective of increasing people's awareness and enjoyment of woodland will be achieved by continuing to provide and maintain appropriate access paths and facilities throughout the wood.
- 6.10 The management plan identifies key features of the wood along with short and long term objectives for each, noting at page 10 that a long term objective (50+ years) is that Merry Hill will remain open to the public and will continue to be managed in a way that secures and enhances the positive experience people have of the Site. On this basis, it is clear that Merry Hill has a well-established management plan with long term secured public access and therefore represents a feature that will contain development to the east.
- 6.11 The Site's northern boundary comprises a well-established hedgerow along with 13 mature Oak and one Ash which are identified as being either category A or B. The accompany Tree Protection Plan (**CD1.20-23**) shows that all of these well-established landscape features will be retained as part of the proposed development. Furthermore, the provisional TPO (**CD4.1**) identifies that 13 of these trees are protected (T1-T13). Notwithstanding the fact that land immediately to the north is proposed for allocation for a new secondary school (and is owned by the County Council), I consider that this boundary is a feature that will, to a large degree,

contain development within the Site.

- 6.12 I note that it is claimed by both the District Council and Rule 6 party, the Site would result in an incongruous pattern of development however I do not consider that this is the case for a number of reasons. The recent development of Carpenders Park Care Home has established built form on the eastern edge of Oxhey Lane whilst new development at the Site would be seen in the context of existing and permitted development to the north and west (along with the proposed allocation of land immediately to the north for a new 10FE Secondary School). Instead, development at the Site would form a modest and logical urban extension as illustrated on the plan enclosed at [Appendix 7](#).
- 6.13 Furthermore, the existing built-up boundary of Carpenders Park forms the western boundary which together with the presence of Carpenders Park Care Home, phone mast and traffic noise associated with Oxhey Lane all have an urbanising influence across the Site.
- 6.14 Overall, when having proper regard to guidance contained within the PPG means that I consider that the Site makes no more than a moderate contribution to purpose (a).
- 6.15 Assessments of the Sites contribution to purpose (a) have been undertaken by a number of parties, namely LUC/Arup (as part of the Local Plan evidence base), Pegasus (within the Green Belt Assessment supporting the application) and by planning officers, the findings of which is summarised in the table below.

Table 5 – Green Belt Contribution Summary

Green Belt Purpose	LUC (Stage 2) 2019 – Parcel SO3	Arup (Stage 4) 2026 – Parcel SO3	Pegasus - Site	TRDC Planning Officers - Site
a) to check the unrestricted sprawl of large built-up areas	Significant (i.e. strong)	Significant (i.e. strong)	Moderate	Moderate

- 6.16 As set out in the above table, the Council’s Stage 2 and Stage 4 Green Belt Assessments consider that Parcel SO3 makes a strong contribution to purpose (a) however it should be noted that Parcel SO3 covers a much wider area than just the Site (which makes up 27% of the wider parcel). On this basis, I consider that the conclusions reached by the LUC and Arup assessments are of limited relevance when reaching a view on the level of contribution the Site makes. This is a fact acknowledged by the Arup assessment where it is stated on p8 that *“Looking at parcels within a GBR is helpful at a strategic level for plan-making. However, when considering the identification of grey belt in decision making, it is more relevant to assess at a site-specific level to ensure the assessment outcomes reflect the site itself and is not skewed by the characteristics of land potentially some distance from the actual site”*.

- 6.17 Furthermore, a similar view was reached in the case of the Sarratt appeal decision (**CD5.1**) where the Inspector highlighted that the LUC assessment did not (and does not) undertake a fine-grained analysis examining the contribution of individual sites to the Green Belt, or the effects of these particular developments (paragraph 25). It is for these reasons that I consider the site-specific conclusions of Pegasus and planning officers should be favoured, both of which concluded that the Site made a 'moderate' contribution to this purpose. On this basis, I consider that these findings support my view that the Site makes no more than a moderate contribution to purpose (a).
- 6.18 Taking all of the above together I conclude that it is clear that the Site does not strongly contribute to purpose (a). I understand that the Council (nor Rule 6 party) do not contest that development at the Site would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan. On this basis, I consider that the proposed development complies with Paragraph 155(a) of the NPPF.
- 6.19 It is common ground that the proposals would comply with paragraph 155(b), as set out within paragraph 4.25 of the Planning Statement of Common Ground (**CD6.4**).
- 6.20 The Council (and Rule 6 Party) contend that the Site is not in a sustainable location in the context of paragraph 155(c). I find the position taken by the Council on this quite surprising given the conclusions reached in respect to the application for 96 homes on land to the rear of Woodlands Cottage, Oxhey Lane (ref: 25/1055/FUL). This application achieved a resolution to grant at the Council's Planning Committee on 26 February 2026. The location of this site is shown on the Plan, enclosed at Appendix 7.
- 6.21 Within the officers report to Committee (see paragraph 7.2.37, **CD4.32**), it is stated that *"the site is located within walking distance of Bushey Station (Bushey Station approximately 20 minute walk and Carpenders Park Station approximately 23 minute walk) and amenities provided in the nearby roads of Villers Road....Notwithstanding this, the development would also improve cycle and pedestrian access along the A4008 to Carpenders Park, including the introduction of a toucan crossing across the A4008. The development would improve accessibility of the site for future residents to access the services available in this settlement...."* Planning officers concluded that these proposals would comply with paragraph 155c.
- 6.22 In determining the application, Members agreed with this conclusion which is reflected in the meeting minutes (see **CD4.33**) where it was recorded that *"Due to its proximity to Bushey station the site was considered to be in sustainable in terms of access to public transport....The site was therefore considered to be sustainable for, and represent an improvement for, pedestrian and cyclists. Local schools, a play area and a doctor's surgery were located less than a mile from the site..."*

- 6.23 In comparison, and as set out in the highways statement of common ground (**CD6.7**), our Site is a 15 minute walk from Carpenders Park station (when measured from the centre of the Site) which is on the same railway line as Bushey Station. As part of the proposals a new signal controlled crossing on the A4008 will be provided whilst there are a number of local services and facilities within 1 mile of the Site (see Table 3.3, **CD6.7**). As such, I consider that based on the metrics in which proposals at Woodlands Cottage were assessed to determine sustainability, the proposals are comparable and I consider actually represent an improvement given walking distances to the nearest railway station. It is my view therefore that in contending that this Site is not sustainable illustrates that the Council has taken an inconsistent approach which has not been substantiated by any evidence.
- 6.24 The closest existing bus stop is 800m from the Site (when measured from the centre of the residential plots on Site) which is served by bus routes 328 and 346 which each provide an hourly service between Watford and Carpenders Park Monday to Saturday. The 328 also provides links to Northwood and operates hourly on Sunday (the bus stop is also served by the R16 and R17 which provide occasional connections to North Watford Sainsburys and Hatch End Harrow Arts Centre, amongst other places). As part of the proposals, a financial contribution towards improvement to bus services (and associated infrastructure) that is intended to result in provision of a new bus route with a new bus stop being within 400m walk distance of the majority of the proposed development.
- 6.25 Notwithstanding the proposed improvements, I acknowledge that based on the *existing* situation the distance to the nearest bus stop is above 400m (the preferred distance when based on CIHT and Active Travel England guidance). Whilst this is the case I do not consider that this should be a rigid threshold that should be applied especially when in other respects the Site is in a highly accessible location within close proximity to a range of services and facilities.
- 6.26 In this regard, the conclusions of the Inspector in the case of the Horsham Golf Course proposals are relevant (see paragraphs 40/41, **CD5.11**). In this case the Inspector considered that stated walk distances should not be construed as hard and fast rules and should be applied with a degree of flexibility especially where development on greenfield sites on the edge of higher order settlements are necessary to meet housing needs. Overall the Inspector was of the view that if one were to rigidly apply 'recommended' walk distances to some destinations and failing to balance that against the availability of other sustainable travel modes, there is very little prospect of the country meeting its ambitious housing targets. This is especially the case in Three Rivers where housing delivery has been abysmal for an extended period of time.
- 6.27 It is also common ground with the Council that the proposals will deliver a number of further measures that will enhance the sustainability of the development and encourage active travel, such as improvements to off-site walking and cycle infrastructure (see paragraph 4.33, **CD6.4**).
- 6.28 In light of the above, I consider it evident that having regard to paragraphs 110 and 115 of the NPPF the Site is in a sustainable location, a conclusion reached by the planning officer in his report to Committee (see paragraphs 7.2.62 & .63, **CD2.2**).

- 6.29 It is common ground with the Council that the proposals comply with the 'Golden Rules' as set out within paragraph 155d (see paragraph 4.26, **CD6.4**). I also note that the Rule 6 party do not contend that the proposals would not comply with the 'Golden Rules'.
- 6.30 As such I conclude that the proposed development should not be regarded as inappropriate and therefore would be acceptable in principle.
- 6.31 On this basis, an assessment in accordance with the presumption in favour of sustainable development (as per paragraph 11d) is then required to be undertaken. This is a matter I return to but, in short, the benefits of the proposed development are significant, and the associated harms are limited, which therefore clearly points to planning permission being granted.

Green Belt / Very Special Circumstances

- 6.32 Notwithstanding the conclusion I have reached above, for completeness I have also considered whether very special circumstances exist in the event that the Site is not considered to constitute grey belt and comply with the provisions of paragraph 155 of the NPPF.
- 6.33 Before I consider whether very special circumstances exist, it is important to understand the level of harm to the Green Belt, and any other harm, caused by the development proposals.

Green Belt Impact

- 6.34 As set out in the preceding section, I consider that the proposals would make no more than a moderate contribution to purpose (a) whilst it is common ground that the proposals would have no more than a moderate contribution to purpose (b) and no contribution to purpose (d). I do not consider that purpose (e) is relevant in this case.
- 6.35 In terms of the proposals impact on purpose (c), I would defer to the conclusions reached by Mr Evans who finds that the Site strongly relates to the large-scale care home building immediately adjacent to the Site boundary which forms an urbanising influence readily discernable from within the Site and the surrounding landscape.
- 6.36 The proposed development would extend the eastern settlement edge of Carpenders Park an additional 250m northeast towards Bushey Heath in Bushey, however the westernmost edge of this settlement would remain over 1km to the east of the Site's eastern boundary at its closest point. The Site would remain physically and visually separated by the permanent landscape element of the existing woodland within Merry Hill open access land. The woodland is located immediately adjacent to the Site's eastern boundary, with mature trees along the Site boundary forming a strong defensible edge to prevent any further encroachment east towards Bushey, and with more established woodland at Little Hartsbourne Wood and belts of mature trees throughout Hartsbourne golf course.

6.37 As such the Site is and will be contained by robust and defensible features which will ensure encroachment beyond these features into countryside does not occur. On this basis I do not consider that the Site makes a strong contribution to this purpose.

6.38 In summary, and as supported by the findings of Mr Evans, I do not consider that the Site strongly performs against any Green Belt purpose.

Openness

6.39 Openness has evolved from the fundamental aim of Green Belt 'to prevent urban sprawl and keep land permanently open'. In this regard, 'open' is absent of development. It is now accepted that openness has a spatial and visual dimension. Furthermore, I would add that the proposals would be carefully planned and designed and so would not appear as unrestricted sprawl, a position reached by the Inspector by the called-in appeal at Oaklands College, St Albans (paragraph 162, PINS ref: 3051164, **CD5.4**) and followed by the Secretary of State.

6.40 As set out by Mr Evans, the primary 'countryside' quality of relevance is the openness of the landscape. Physically, the field is devoid of development and is therefore 'open' in spatial terms. There are hedgerows and woodland which define the Site which reduce the degree of physical openness.

6.41 I reach the same conclusions of Mr Evans in that it is an inevitable result of new development that spatial openness will be lost albeit there will be no change to the Spatial openness of the Green Belt beyond the Site's boundaries. The reduction in physical openness is significant within the Appeal Site, but this significance abruptly lessens beyond the boundary of the Site to be of no significance.

6.42 The land within the red line is visually open however such openness is limited in geographic extent. As noted by Mr Evans, the surrounding woodland, tree belts and hedgerows ensure that the visual openness does not extend to include the land adjoining the Site and the wider Green Belt. The loss of visual openness is confined to the Site; there will be no change to the visual openness of the Green Belt beyond the Site's boundaries.

Other Harms

6.43 At present, the proposed development largely comprises of an open field and so its development would inevitably result in some harm to landscape character. I defer to Mr Evans who considers the matter in greater detail. Given his conclusions means that the effects are localised and generally well contained. On this basis, I attach moderate weight to this landscape harm.

6.44 The Council do not allege that there would be any other harm although it is considered by the Rule 6 Party that the proposals would result in some transport and highway harms. I defer to the evidence of Mr Phil Hamshaw on this point but given his conclusions and the fact that no technical objection has been raised by HCC Highways (and given the matters agreed within the highways statement of common ground (**CD6.7**)) means that I am of the view that there

would be no highway harm.

6.45 The Rule 6 Party raise potential issues around the proposals impact on Veteran Trees. I cover this matter further within chapter 7 but in short I do not consider that there would be any arboricultural harm arising from the scheme proposals.

6.46 In summary, aside from Green Belt and landscape character harm, I do not consider that the proposals would result in any other harm.

Overall Harms

6.47 In the event that it is necessary to assess whether very special circumstances exist, I consider that overall, aside from the definitional harm caused by development in the Green Belt, given the characteristics of the Site, the level of harm to Green Belt openness is generally limited to the immediate Site. This moderates the level of Green Belt harm however as set out by paragraph 153 of the NPPF this harm must be given substantial weight.

6.48 I note that within the table at paragraph 5.2 of the Rule 6 Party's Statement of Case, the case is being made that substantial harm is attached to definitional harm to the Green Belt along with separate significant harm to visual, spatial and Green Belt purposes. I consider that this is an incorrect application of paragraph 153. It is the Green Belt harm, *as a whole*, which is to be given substantial weight. The approach taken by the Rule 6 Party seemingly quadruple-counts this harm which cannot be correct.

6.49 In addition, I also consider that there is some landscape harm albeit this harm should only attract moderate weight in my view given its extent and the inevitability of using such sites to meet the Council's identified housing requirement.

Scheme Benefits

6.50 I set out my view on the weight that should be attached to each of the scheme benefits. It has not been possible to agree the weighting scale with the Council, the disagreement relating to the use of the 'very substantial' category. I consider that the inclusion of this category is common parlance and is a category used by a number of Inspectors (e.g. as in the Sarratt appeal decisions) and is necessary in order to reach an appropriately nuanced and valued judgement on weighting of benefits. This would also be consistent with the approach we have taken to date in the context of the current proposals (e.g. the affordable housing statement attaches 'very substantial' positive weight to the affordable housing provision). On this basis I adopt the following scale: very substantial, substantial, significant, moderate and limited.

Delivery of New Market Housing

6.51 The delivery of up to 128 new homes. It is common ground that the Council is only able to demonstrate a 1.2 year supply, which translates into a numerical shortfall of 3,808 homes. As I have set out, housing supply in the District has been woeful for a considerable period of time. It is I think an understatement to say that housing supply in the District has been abysmal.

- 6.52 The Council has been preparing its new Local Plan for a considerable period of time and whilst the Secretary of State has directed the Council to submit its Local Plan (which proposes the Site for allocation) for examination by the end of November 2026, it is far from certain that this Plan will be found sound and adopted in a timely manner. Irrespective, even if it is then the full housing needs of the District will not be met as it only plans to meet 85% of the housing requirement of the area.
- 6.53 Taking all of the above together means that the highest weighting must be attached to this benefit. On this basis I consider that **very substantial weight** should be afforded to this benefit which is the level of weight attached to this benefit by the Inspector in the case of the Sarratt appeal decision (see paragraph 81, **CD5.1**). It should be noted that at the time of the Sarratt decision it was agreed that the Council was able to demonstrate a 1.9 year supply which in the meantime has deteriorated further (to 1.2 years) which only seeks to underline the fact that the highest possible degree of weight should be attached to this benefit. Furthermore, I consider that development at the Site would be delivered within 5 years of approval based on letters from 3 different housebuilders contained at Appendix 7 therefore meaning that the proposed development will make a meaningful contributing to boosting housing supply within the District in the short term.

Delivery of New Affordable Homes

- 6.54 The delivery of up to 128 affordable homes. The accompanying legal agreement requires the preparation and submission of an Affordable Housing Scheme to detail the number, type and tenure mix of the affordable housing which will be made up of a mix of social rented and shared ownership homes, the overall tenure split of which has been agreed with the Council's Housing officer.
- 6.55 As with the provision of new market housing, affordable housing delivery in the Borough has fallen off a cliff which is highlighted by the fact that only 3 new affordable homes were delivered in 2023/24 (the most recent published period). For the reasons already set out this lack of supply is having a number of real world impacts that are seriously affecting the affordability of new homes in the local area. It is for this reason that this benefit likewise should be afforded the greatest degree of weight. I consider that **very substantial weight** should be afforded to this benefit, a position also shared by the Inspector in the case of the previous Sarratt appeal decision (see paragraph 81, **CD5.1**).

Self / Custom Build Housing

- 6.56 The delivery of up to 13 homes (10% of the proposed market housing).
- 6.57 The Council has a very poor record of custom and self-build homes, with none previously delivered in the district as was acknowledged by planning officers within their report to Committee (see paragraph 7.1.22, **CD2.2**). It is common ground that there is a demand for this type of housing that significantly exceeds supply (paragraph 4.15, **CD6.4**). In light of this, I consider that this benefit should attract **substantial weight**, the same weight attached by the Inspector in the case of the Sarratt appeal (see paragraph 81, **CD5.1**).

Housing with Care

- 6.58 The proposals include 60 housing with care homes. This element of the proposed development will assist in addressing the existing significant shortfall and the increasing future need for private housing-with-care in both the 4-mile market catchment and Three Rivers District.
- 6.59 The qualitative benefits of the proposed scheme are numerous and include improvements to the health and wellbeing of residents, reduced reliance on, and costs to, the NHS, benefits to families having difficulty meeting the care of loved ones, a reduced overall need for care staff with care being provided on one site (compared with domiciliary care in the wider community), together with the freeing up of family sized housing.
- 6.60 Most importantly the scheme will enable older people to ‘right size’ from their existing homes (which may no longer be suitable for their needs), into a welcoming, attractive, specifically designed extra care scheme where they can benefit from social interaction and improved wellbeing and remain close to family and friends. While this is intangible, it is an important benefit of the proposal. Furthermore, the associated legal agreement includes provision for the communal elements of this new facility to be use, on an ad-hoc basis, by the wider community which represents an added benefit.
- 6.61 As such, the delivery of a new housing with care facility represents a benefit that I consider should attract **substantial weight**.

Children’s Home

- 6.62 The delivery of a 4 bed home that will provide accommodation for 3 ‘looked after’ children together with support staff. The need for this type of accommodation is set out within a number of documents including the SoCG with HCC as well as the South West Hertfordshire Local Housing Need Assessment (LHNA) Update (March 2024).
- 6.63 As set out in the Written Ministerial Statement (WMS), published on 23rd May 2023, LPAs should give due weight to applications for accommodation for looked after children in their area that reflect local needs, to ensure that children in need of accommodation are provided for in their communities. The needs and requirements of each looked after child is very much down to the circumstances of the individual however what is not in doubt is the growing need for this type of accommodation (for which there is no plan led solution) For all of the reasons provided this new facility will have a transformative positive impact on those children living at the home, who are amongst the most vulnerable members of society, and as a result I consider that this benefit should attract **significant weight**.

Public Open Space

- 6.64 There will be a variety of green spaces provided across the Site, totalling 6.2Ha. New planting and trees within this part of the Site will create an attractive place and a green settlement edge, as well as providing biodiversity enhancements. Play space will also be provided across the Site which will be available for both residents of the proposed development and the public.

- 6.65 This quantum of space significantly exceeds policy requirements and will deliver various recreational and environmental benefits and as such I consider that this should attract **moderate weight**.

Connectivity Enhancements / Sustainable Transport Initiatives

- 6.66 The proposals will deliver various connectivity and sustainable transport benefits. The PRoW across the northern part of the Site will be retained and enhanced and will link to a circular pedestrian route around the perimeter of the Site, creating opportunities for informal recreation and encouraging active lifestyles.
- 6.67 The main Site access junction will provide a signalised pedestrian crossing on Oxhey Lane to link to the footway on the western side of the carriageway. This will provide a much improved and safer alternative to the two existing uncontrolled crossings, which is also a relevant consideration in the context of the potential proposed use of the land to the north of the Site for a secondary school.
- 6.68 In addition, the proposals will deliver a number of measures that encourage active travel which together with the enhancements to local bus services (through the proposed extension of services to serve the Site and immediate vicinity) will result in benefit to the wider community. Cumulatively I consider that these measures should attract **moderate weight**.

Economic Benefits

- 6.69 The proposals will deliver economic benefits during both the construction and operational phases of the development. Given the scale of development, I consider that the economic benefits should attract **significant weight**, the same weight given by the Inspector at the Sarratt decision for a lesser quantum of development (see paragraph 92, **CD5.1**). Given the passage of time, an updated Socio-economic infographic is enclosed at Appendix 9 which quantifies these benefits.

Compliance with Golden Rules

- 6.70 It is common ground that the proposals will comply with the 'Golden Rules' (as set out in paragraph 156 of the NPPF). On this basis and in accordance with paragraph 158 of the NPPF this compliance should be afforded **significant weight**.
- 6.71 Notwithstanding the conclusions of the officer in his report to Planning Committee (paragraph 7.17.1 and table at paragraph 7.18.3, **CD2.2**), the Council now contend that compliance with the Golden Rules should not attract significant weight in their own right. In light of paragraph 158 of the NPPF and the conclusions reached in a number of appeal decisions⁵ I do not consider this to be correct.

⁵ Para 49, PINS ref: 3374962 (**CD5.5**), para 46, PINS ref: 3347882 (**CD5.6**) & para 198, PINS ref: 3345435 (**CD5.7**).

Summary

6.72 In summary, the weight I attach to each of the scheme benefits is set out in the table below:

Table 6 – Benefits Summary Table

Benefit	Weighting
Market Housing	Very Substantial
Affordable Housing	Very Substantial
Self / Custom Build Housing	Substantial
Housing with Care	Substantial
Children's Home	Significant
Economic Benefits	Significant
Compliance with 'Golden Rules'	Significant
Public Open Space	Moderate
Connectivity enhancements / Sustainable transport initiatives	Moderate

6.73 In conclusion, I consider that these benefits would clearly outweigh the totality of the harm and, in my view, amount to 'very special circumstances' to justify granting permission for inappropriate development in the Green Belt. Accordingly, the proposed development would be in accordance with Policy DM2 of the Development Management Policies Local Development Document and paragraph 153 of the NPPF.

6.74 In light of this, it stands to reason that the harm associated with the proposed development would not significantly or demonstrably outweigh the benefits meaning that the proposals accord with the presumption in favour of sustainable development. It therefore follows that this application should be granted planning permission.

7. OTHER MATTERS

- 7.1 Aside from the substantive matters, the Rule 6 Party raise issues associated with the potential impact on veteran trees albeit do not go as far as stating that there will be an adverse impact. This is a matter not taken by the District Council.
- 7.2 By way of context, the issue of Veteran Trees arose as a result of the consultee response from the Woodland Trust dated 20 August 2025 (**CD2.14**). Within this the WT objected on the basis that the proposals were considered to adversely affect 9 veteran trees by introducing a considerable number of new homes and associated infrastructure in close proximity of these trees, significantly altering the landscape they sit within.
- 7.3 Within the Applicants response to WT comments dated 11 September 2025 (**CD1.50**), it was clarified that no trees were recorded or given comments for Veteran classification. It was noted that the 9 trees were large and in prominent positions and so of significant conservation value although they had limited or no veteran 'indicators' and for these reasons, having regard to relevant guidance, it was not considered that the trees should be defined or considered as veteran trees.
- 7.4 The Woodland Trust maintained their objection, as set out within their subsequent response dated 29 October 2025. (**CD2.15**). The Council's Tree Officer formally responded to the application on 2 February 2026 and whilst the officer did not reach a definitive view on whether the trees were veteran or not, concern was raised in respect to potential indirect impacts that could arise as a result in an increase in recreational pressure as a result of the new development.
- 7.5 In terms of mitigating impacts of increased in recreational pressures arising from the development, there are precautionary measures that can be utilised to provide continued protection of the trees securing the potential for them to become Veterans in the future. Tree RPAs fenced off (knee high), avoiding mowing to discourage human activity beneath the trees along with information boards outlining the management strategy of the trees are two examples. As such, I am of the view that an appropriate management regime, which can be secured by condition, is capable of mitigating all on-site impacts, a view shared by the case officer in his report to Committee (see paragraph 7.3.43). This is also common ground as it is agreed that there is no arboricultural objection to the proposals (see paragraphs 4.38 & 4.39, Planning Statement of Common Ground **CD6.4**).
- 7.6 Notwithstanding the above, further assessment work has been undertaken to assist in reaching a view as to whether any existing tree can be described as Veteran. This assessment and its conclusions are contained with Mr Evan's evidence given that he covers landscape matters more generally.

- 7.7 Issues around the Council's approach to the Mortgagee In Possession clause is covered in evidence by Mr Stevenson and Mr Richard St John Williams. I do not seek to comment on this issue, save for considering the implications of the Council's approach (compared to the approach taken by the Applicant which follows established practice) in respect to guidance set out within paragraph 58 of the NPPF (i.e. Regulation 122 of the CIL regulations). Whilst it is a matter that will be covered in the obligations session I am of the view that an extended MIP period is not necessary to make the development acceptable in planning terms and therefore fails the tests set out within the NPPF.
- 7.8 A minor point but in the interests of providing clarity, there was a slight inconsistency with one part of the submitted Tree Protection Plan as part of the hedgerow by the proposed means of vehicular access was shown as being retained whereas in fact it will be removed. This clarity is provided by the Plan enclosed at [Appendix 10](#).

8. CONCLUSIONS

- 8.1 Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004).
- 8.2 The proposals seek outline planning permission for the development of the Site to deliver up to 256 new homes (including affordable and self/custom build housing), housing with care, a children's home for looked after children together with associated access, open space and landscaping (ref: 25/1020/OUT).
- 8.3 The Site, which totals approximately 12.7 ha, is situated immediately to the east of Oxhey Lane (A4008). The Site falls outside of the existing defined urban area of Carpenders Park, which is a suburb of Watford, within Three Rivers District. The Site is wholly within the Green Belt. The Site comprises open grassland fields with a varying topography. There are trees along the northern, eastern and western boundaries, as well as two belts of hedgerow across the Site.
- 8.4 The application was presented to the Council's Planning Committee on 19 March 2026 with a positive officer recommendation. Notwithstanding this, Members resolved to refuse permission however before the Council formally issued a decision the application was called-in by the Secretary of State. I understand that had a decision been issued the Council would have refused it on Green Belt related matters (and the absence of any completed legal agreement). The Council did not consider that the Site would constitute grey belt (and meet with the provisions of paragraph 155 of the NPPF) and that very special circumstances do not exist.
- 8.5 As set out in the accompanying Planning Statement of Common Ground, a number of matters are agreed between the Applicant and the Council, namely the proposals would accord with paragraph 155b and 156(a-c), there are no footnote 7 factors relevant (other than Green Belt) and that proposals would not strongly contribute to purpose (b) or have any impact on purpose (d) of including land within the Green Belt.
- 8.6 On this basis, the area of disagreement relates to the Sites contribution to Green Belt purpose (a) and whether the proposals comply with paragraph 155(a) & (c). The District Council claim the Site makes a strong contribution to purpose (a) and would not be in a sustainable location. As such the Council is of the view that the Site cannot be considered grey belt. I take a different view and reach the firm conclusion that the Site makes no more than a moderate contribution to purpose (a) and all aspects of paragraph 155 and thus can be considered grey belt.
- 8.7 I also consider it relevant that at the time that the application was determined at Committee, Members had either in front of them or were aware of legal opinions instructed by both the District Council and Applicant. Whilst the opinions differ slightly in content, there is unanimity in view that the Site should be considered grey belt. Furthermore, the second legal opinion from the Applicant clearly sets out that the Site is in a sustainable location.

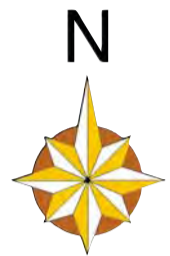
- 8.8 All this being the case and notwithstanding my view that the Site is grey belt and therefore the proposed development is acceptable in principle, I have also considered whether very special circumstances exist in the event that the Site is not considered to constitute grey belt and comply with the provisions of paragraph 155 of the NPPF.
- 8.9 In terms of harms, I consider that overall, aside from the definitional harm caused by development in the Green Belt, given the characteristics of the Site, the level of harm to Green Belt openness is generally limited to the immediate Site. This moderates the level of Green Belt harm however as set out by paragraph 153 of the NPPF this harm must be given substantial weight. In addition, I also consider that there is some landscape harm which should attract moderate weight in my view. I have reviewed points raised by the Rule 6 party and conclude that there would not be any other harms arising from the proposed development.
- 8.10 Weighed against these harms, the development will deliver a number of significant and weighty benefits; namely the provision of market housing (very substantial weight), affordable housing (very substantial weight), housing with care (substantial weight), self/custom build housing (substantial weight), a children's home for looked after children (significant weight), compliance with 'Golden Rules' (significant weight), economic benefits (significant weight), publicly accessible open space (moderate weight) and improved connectivity/active travel measures (moderate weight).
- 8.11 In light of this, I consider that the benefits of the development clearly outweigh the totality of the harm and as a result very special circumstances exist in accordance with Policy DM2 of the Development Management Policies Local Development Document and paragraph 153 of the NPPF. It therefore stands to reason that the harm associated with the proposed development would not significantly or demonstrably outweigh the benefits meaning that the proposals accord with the presumption in favour of sustainable development.
- 8.12 Overall, I therefore consider that the proposals would be in accordance with the development plan and that there are no material considerations that suggest otherwise. For this reason, I respectfully request that the application is permitted subject to appropriate conditions and legal agreement.

APPENDIX ONE – MERRY HILL WOOD PLAN

Merry Hill Walk is a circular ramble taking in the glorious views around Attenborough's Fields and Merry Hill

- - - Circular Walk
- - - Other Footpaths
- - - Public Right of Way
- - - Greenway
- i Information Point
- E Kissing Gate
- A Seat
- H Stile
- ☀ Viewpoint

Keep dogs under control in the grazing areas.
No parking available on Merry Hill Road.



200m approx



Bushey Museum



Watercolour by Arthur Gilpin



Kestrel
(*Falco tinnunculus*)



Common Frog
(*Rana temporaria*)

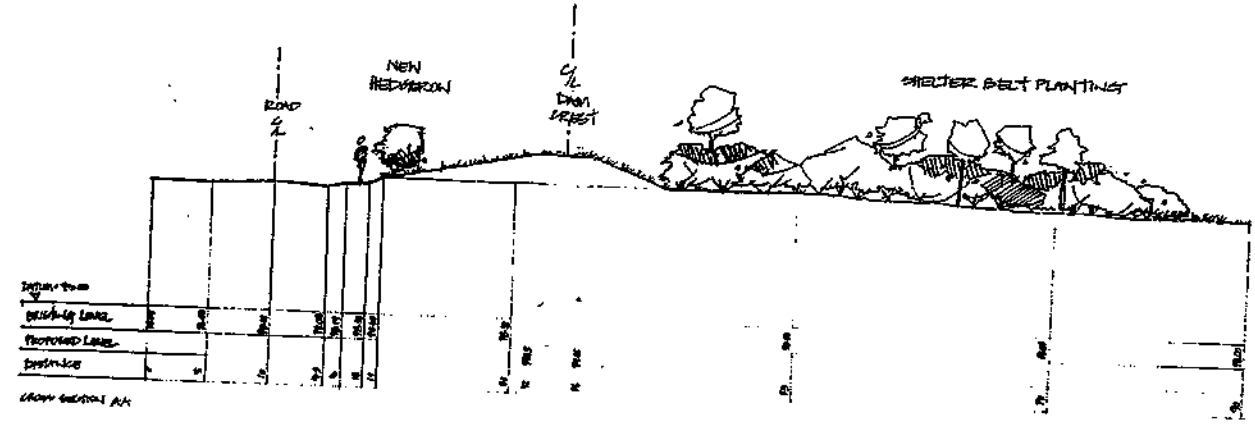


Small Skipper
(*Thymelicus flavus*)

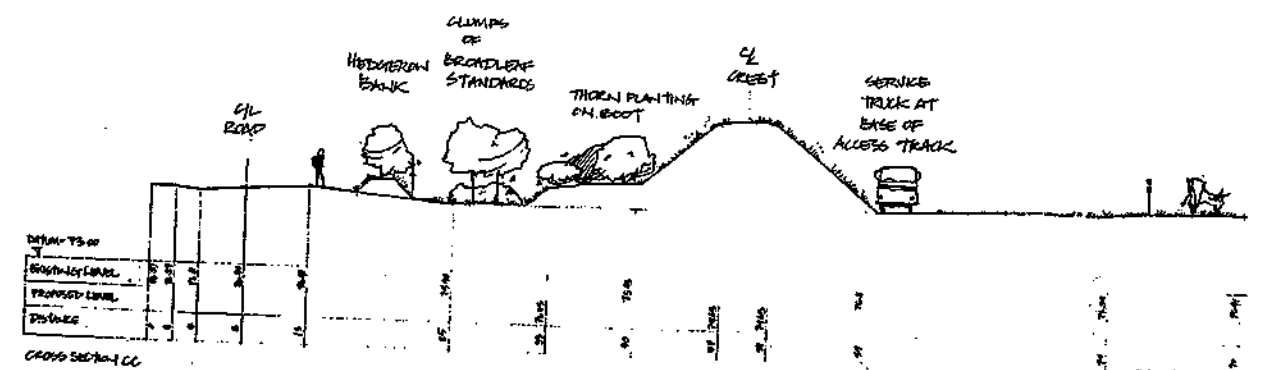
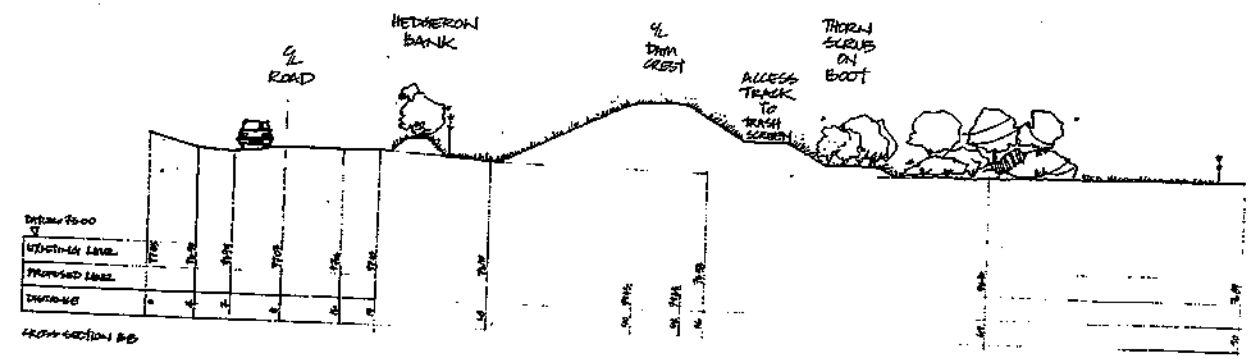


APPENDIX TWO – HARTSBOURNE FLOOD STORAGE AREA INFORMATION

8/543/91



PLANTING SHOWN AT 10 YEARS

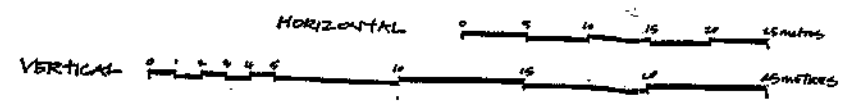


NEW SECTION BEMDOL
MORTIS TROBES DRAMING
APPROXIMATE

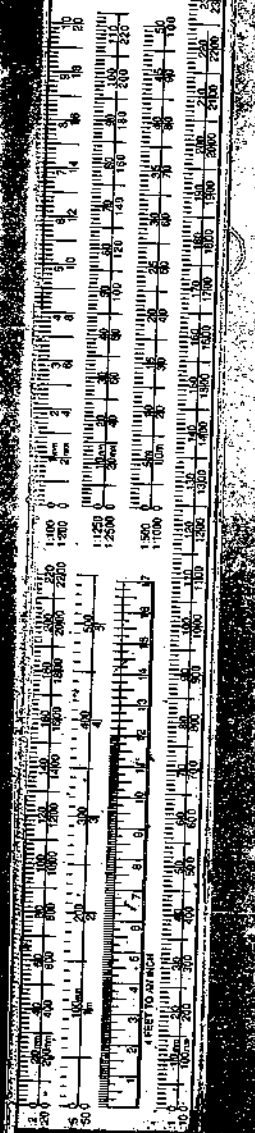
Figure 3c

LUC
LAND USE CONSULTANTS
42 Gordon Street, London NW11 3JH
Telephone 01 203 5784 Fax 01 203 4751
www.luc.co.uk
NATIONAL PARKS AUTHORITY (LONDON)

DATE: 21.04.91
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1:1000



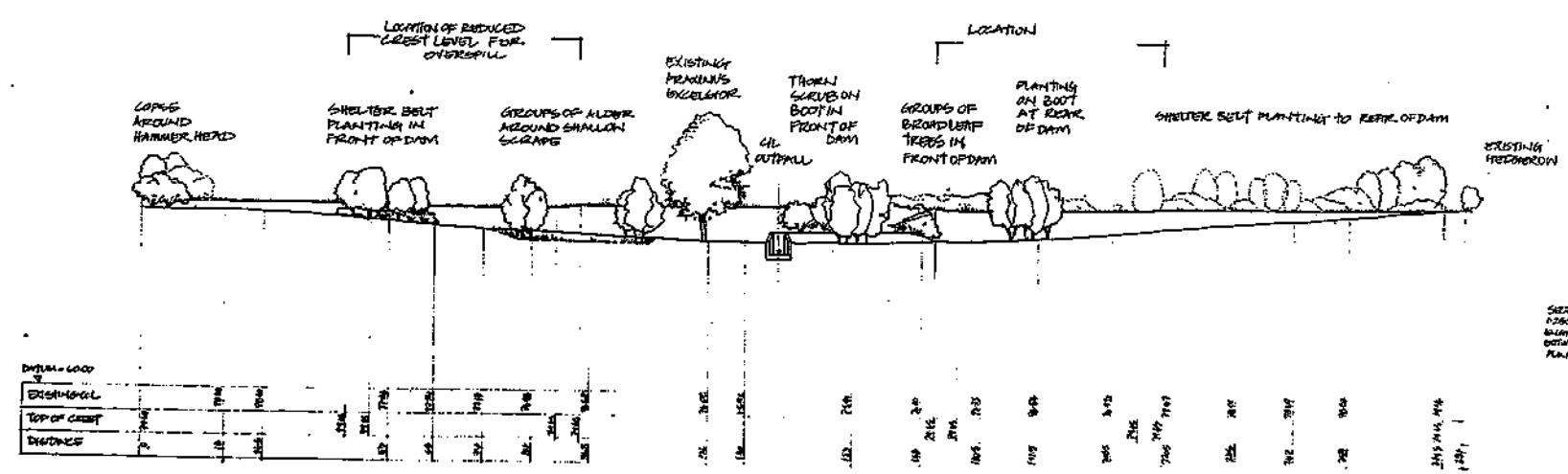
Advance
Micro-Imaging
Telephone
0902 459907



THREE RIVERS D.C.
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This certifies that these are preserved by microfilming exactly as in the original and that the original will be destroyed
after inspection to ensure completeness and accuracy of the filmed images.
THREE RIVERS D.C. THE ADVANCE GROUP

18
15 14 13 12

8/543/91



SECTION AT 1:2500 HORIZONTAL AND 1:250 VERTICAL SCALE. FROM MEASUREMENTS ON THE GROUND. SECTION SHOWN BETWEEN DAM EDGE AND BETWEEN DAM AND PLANTING SHOWN AT 1:10000.

Figure 3b

LUC
 Land Use Consultants
 43 Chancery Street London WC2A 3PL
 Telephone 01-363 5700 Fax 01-363 4700

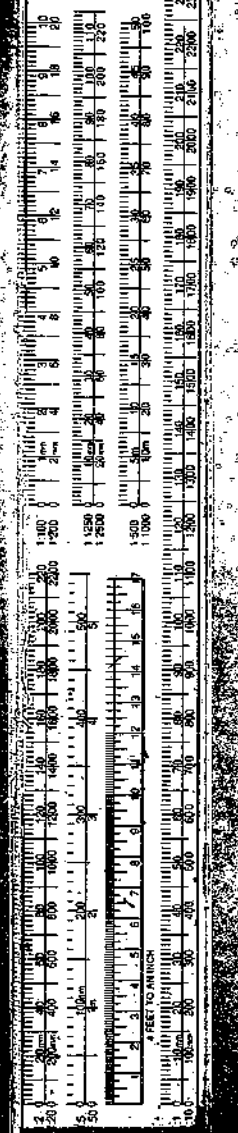
NATIONAL RIVERS AUTHORITY

LOCAL AUTHORITY DESIGNATION/ ELEVATION TO MOST SIDE OF DAM

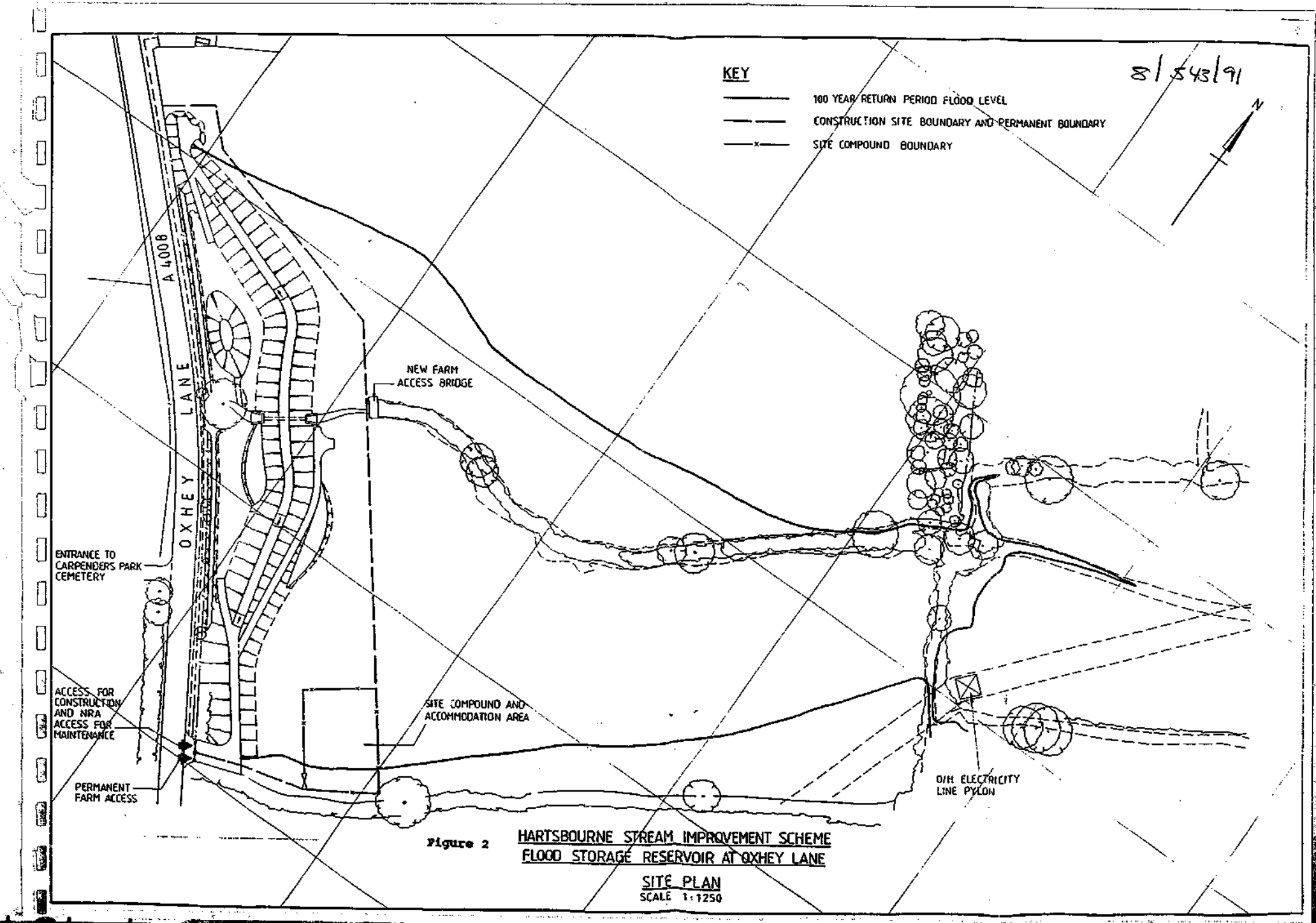
DATE 28.04.91 BY J. BENTON

FOUR.02.04

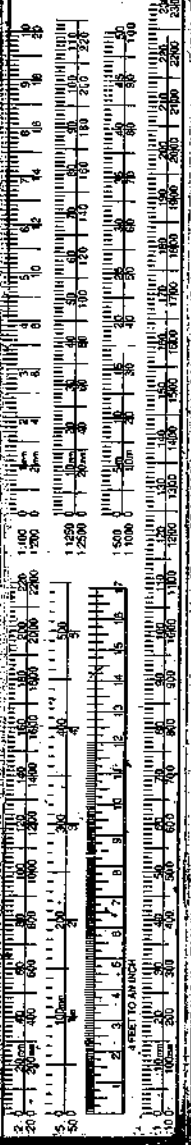
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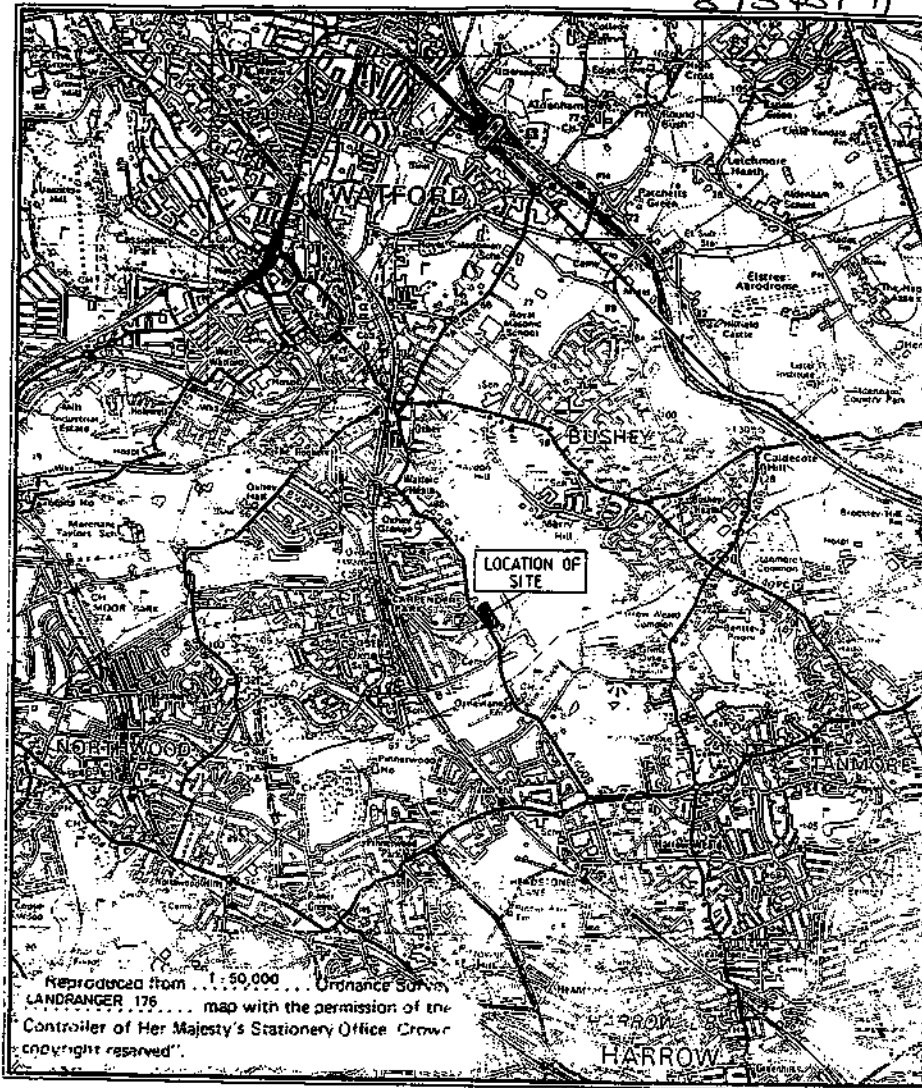
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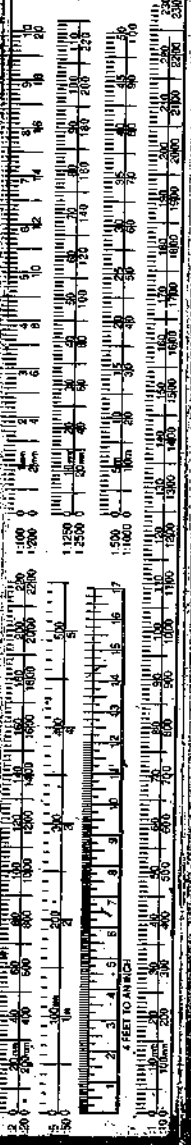
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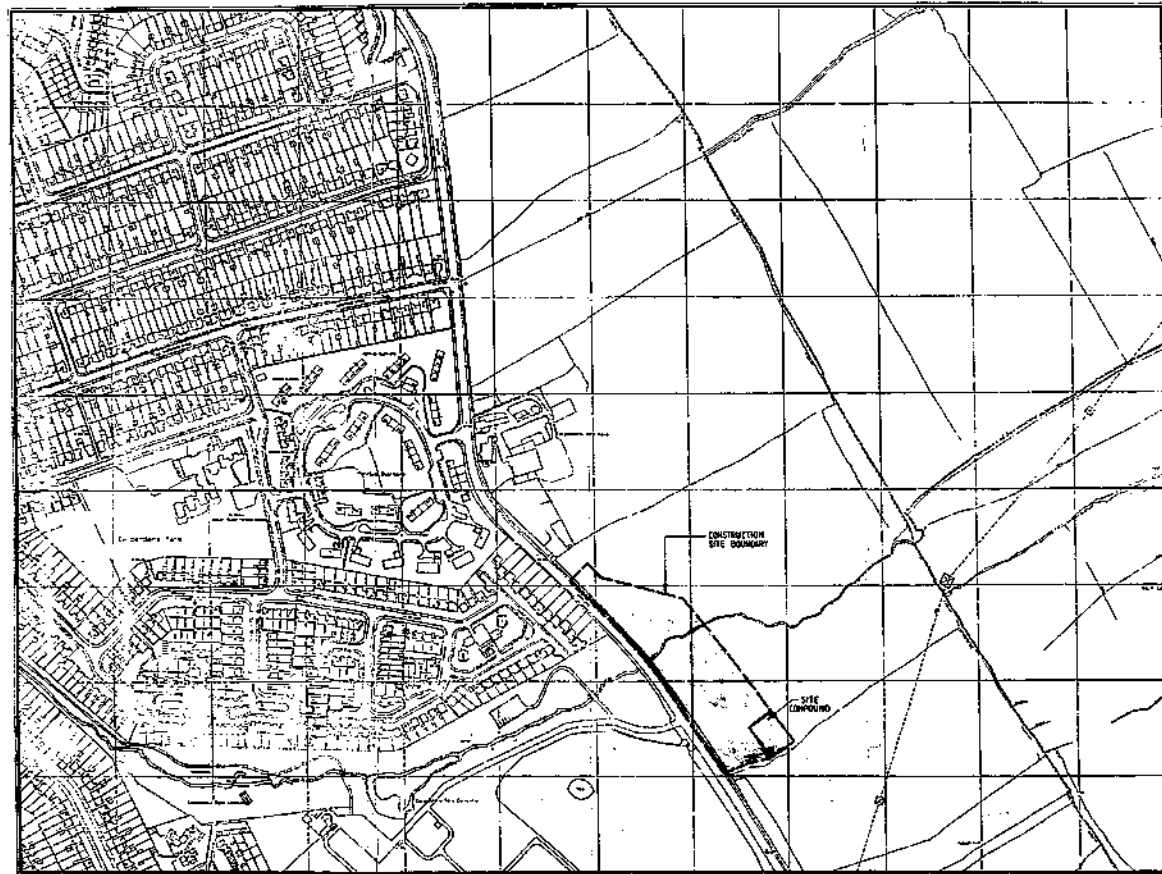
Figure 1
HARTSBOURNE STREAM IMPROVEMENT SCHEME
FLOOD STORAGE RESERVOIR AT OXHEY LANE
SITE LOCATION PLAN
 SCALE 1:50,000

Advance
 Micro-Imaging
 Telephone:
 0902 459907

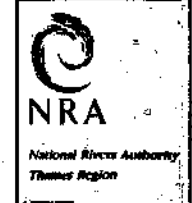


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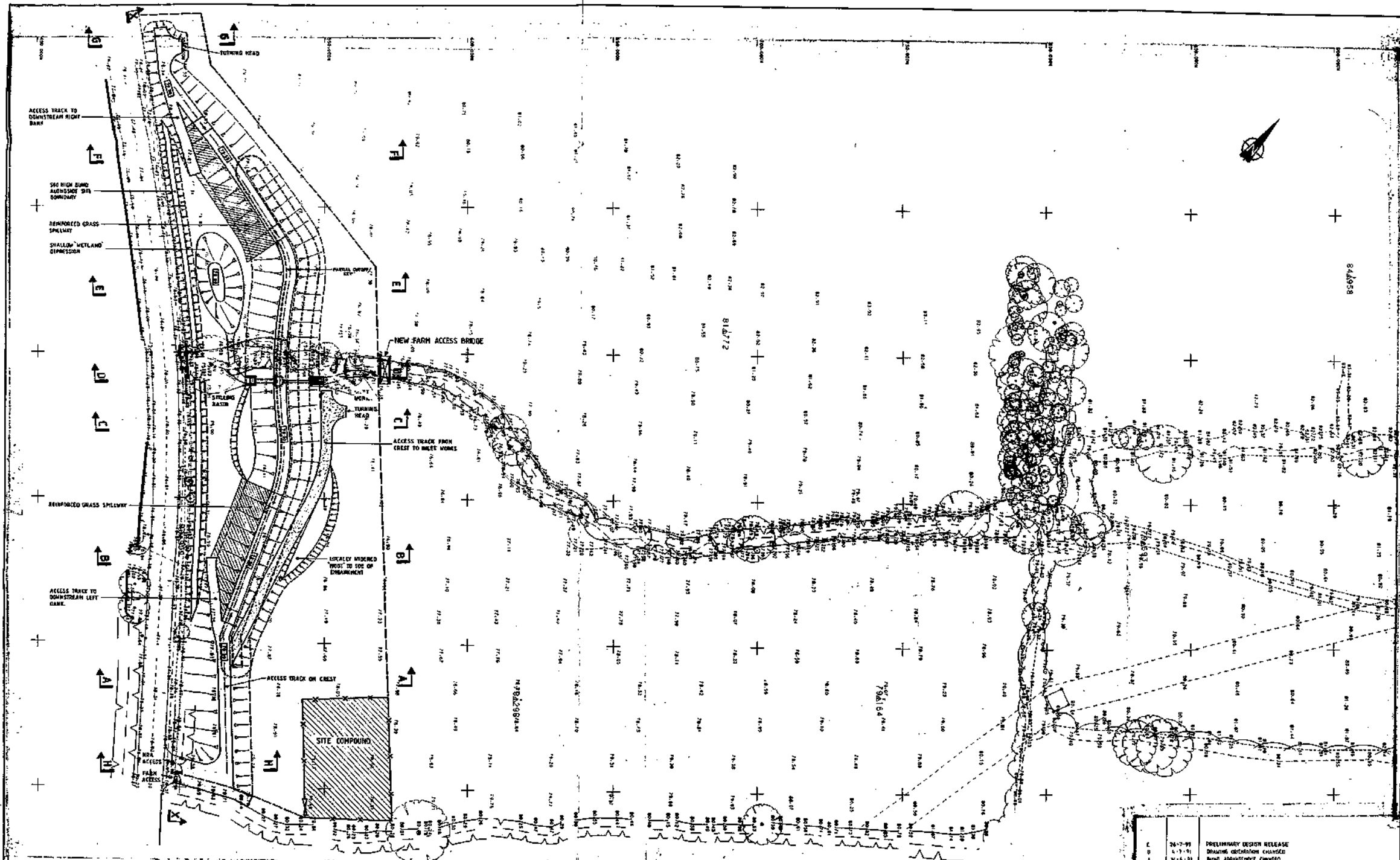


REGION				DATE				AUTHORITY			
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APP.	L.C.E.	DRW.	APP.	ORIG. SCALE	PROJECT						
DATE	DATE	DATE	DATE	1 : 2,500							
1. B. GIBB & PARTNERS, 100, MARK LANE, LONDON, E1 1BN 2. G. J. HARRIS & PARTNERS, 100, MARK LANE, LONDON, E1 1BN 3. G. J. HARRIS & PARTNERS, 100, MARK LANE, LONDON, E1 1BN						H. J. HARRIS & PARTNERS 100, MARK LANE, LONDON, E1 1BN					
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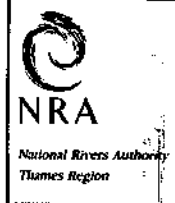
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81 543 191
 SPECIAL SURVEY
 DRAWING NO. 17 OCT 1991
 APPROVED

17 OCT 1991
 APPROVED



KEY
 --- CONSTRUCTION SITE BOUNDARY AND
 PARCEL/LOT BOUNDARY
 --- SITE COMPOUND BOUNDARY

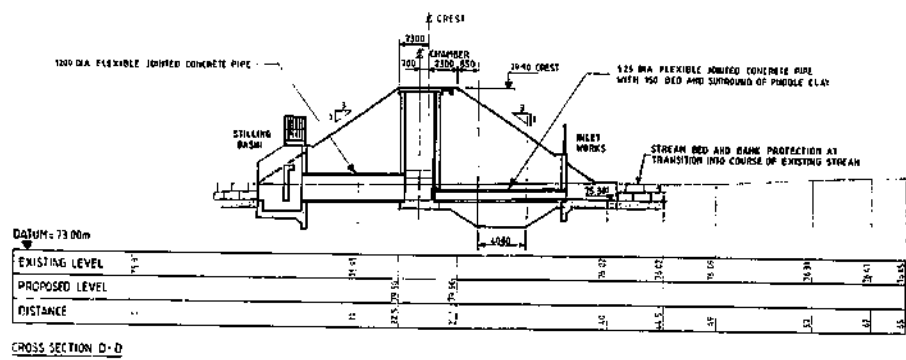


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DATE: 1-7-91	CHECKED BY: D.M.
DATE: 10-6-99	APPROVED BY: D.M.
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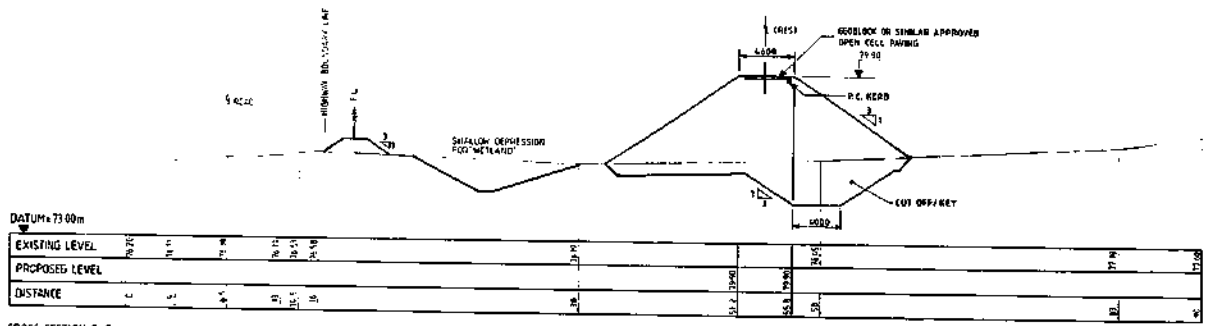
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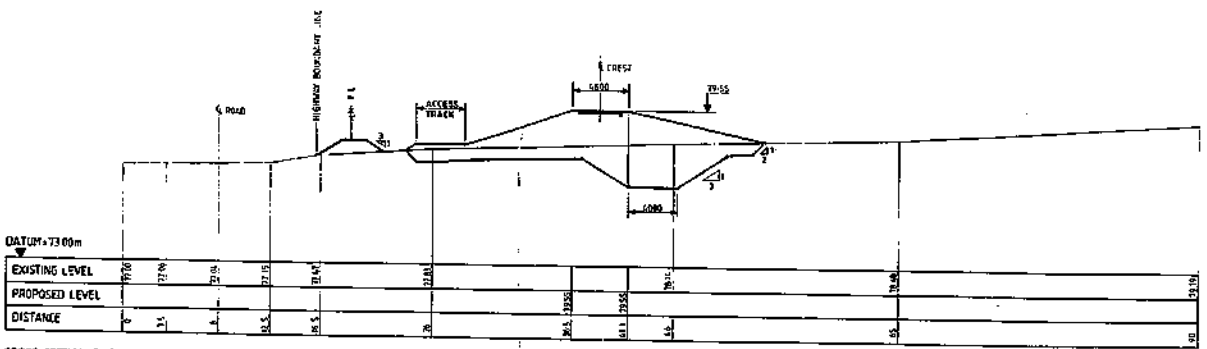
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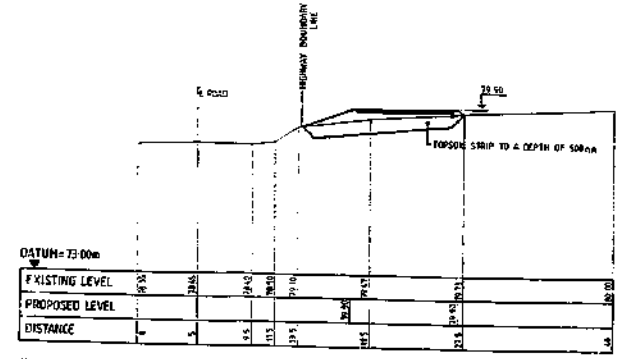
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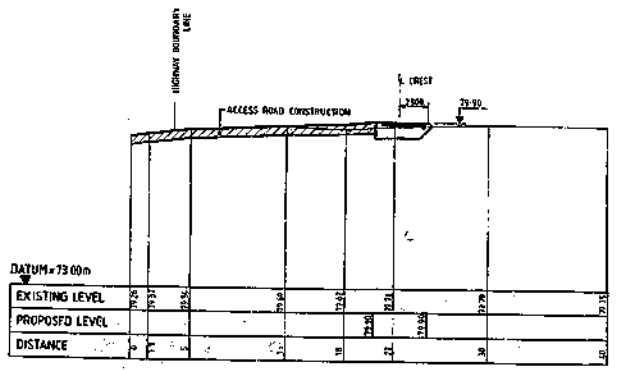
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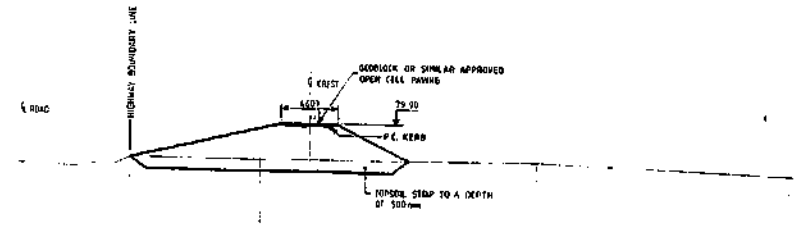


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DRAWN BY: J.P.H.			CHECKED BY: M.C.L.		
DATE: 16-7-91			DATE: 16-7-91		
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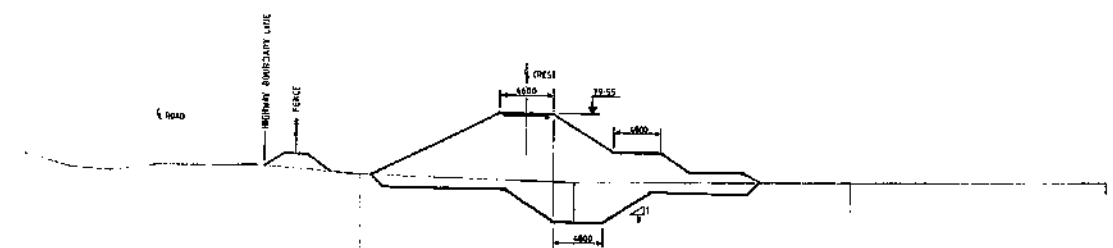
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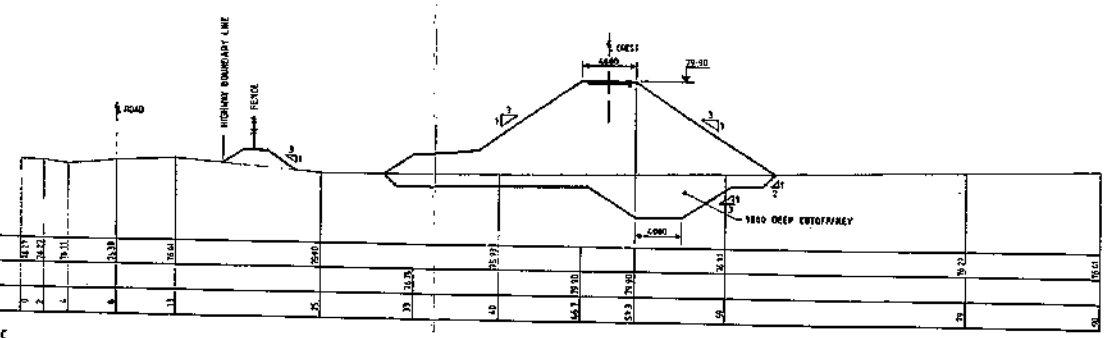
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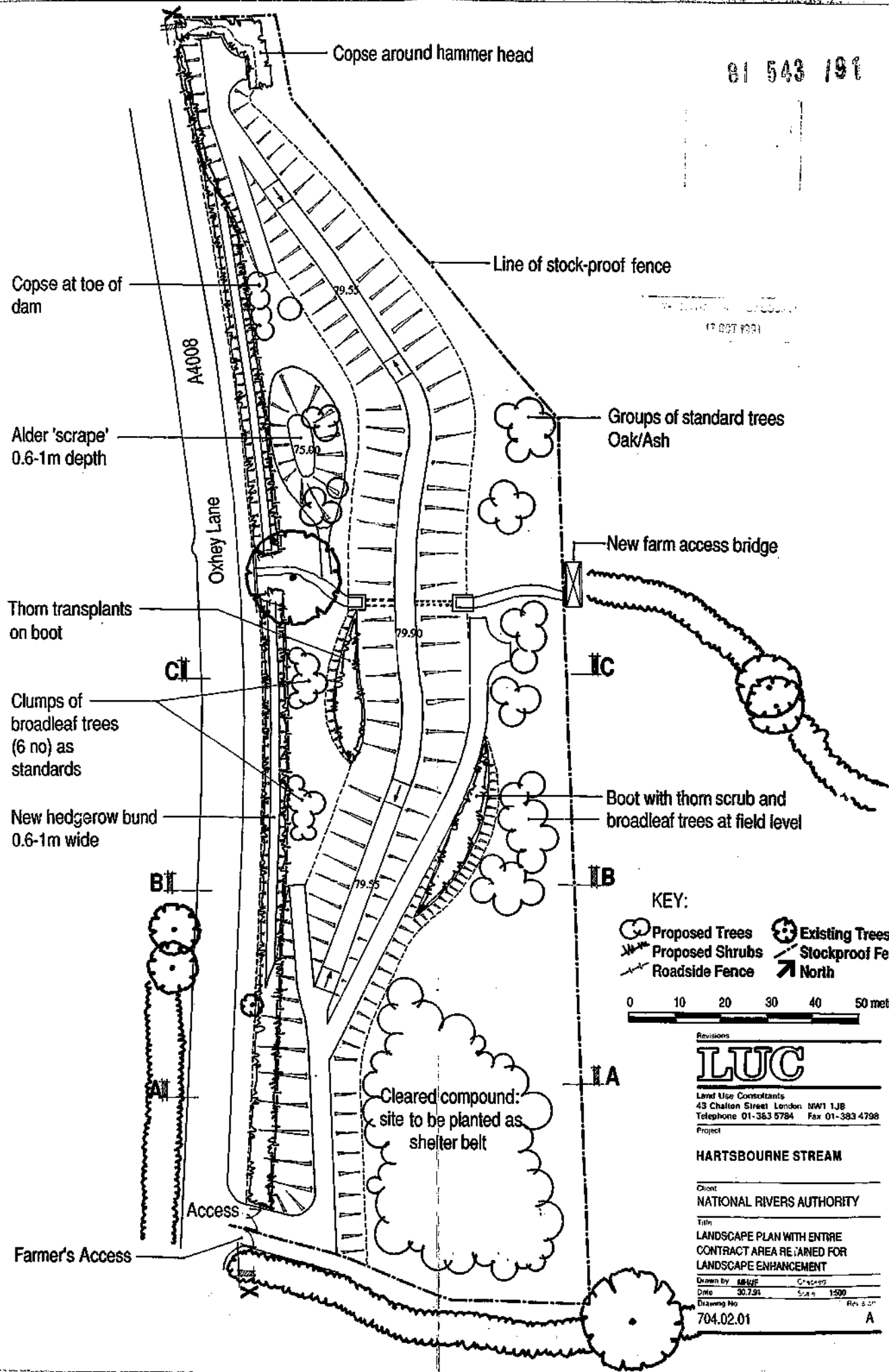
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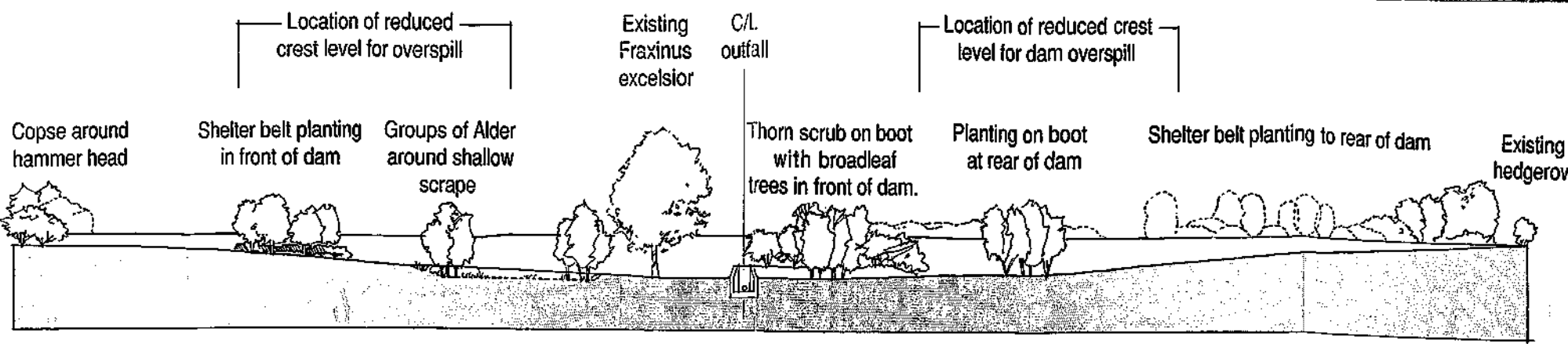
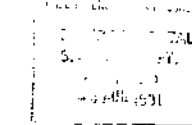
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DESIGNER	CHKD. A.E.S.	APP.	DATE
SCALE	1:200 HORIZ	1:100 VERT	PROJECT NO.
DRAWN BY		CHECKED BY	
1. A. BENEDETTI, T. C. A. HARRIS, M. HARRIS, R. HARRIS, G. HARRIS, J. HARRIS, K. HARRIS, L. HARRIS, M. HARRIS, N. HARRIS, O. HARRIS, P. HARRIS, Q. HARRIS, R. HARRIS, S. HARRIS, T. HARRIS, U. HARRIS, V. HARRIS, W. HARRIS, X. HARRIS, Y. HARRIS, Z. HARRIS, AA. HARRIS, AB. HARRIS, AC. HARRIS, AD. HARRIS, AE. HARRIS, AF. HARRIS, AG. HARRIS, AH. HARRIS, AI. HARRIS, AJ. HARRIS, AK. HARRIS, AL. HARRIS, AM. HARRIS, AN. HARRIS, AO. HARRIS, AP. HARRIS, AQ. HARRIS, AR. HARRIS, AS. HARRIS, AT. HARRIS, AU. HARRIS, AV. HARRIS, AW. HARRIS, AX. HARRIS, AY. HARRIS, AZ. HARRIS, BA. HARRIS, BB. HARRIS, BC. HARRIS, BD. HARRIS, BE. HARRIS, BF. HARRIS, BG. HARRIS, BH. HARRIS, BI. HARRIS, BJ. HARRIS, BK. HARRIS, BL. HARRIS, BM. HARRIS, BN. HARRIS, BO. HARRIS, BP. HARRIS, BQ. HARRIS, BR. HARRIS, BS. HARRIS, BT. HARRIS, BU. HARRIS, BV. HARRIS, BW. HARRIS, BX. HARRIS, BY. HARRIS, BZ. HARRIS, CA. HARRIS, CB. HARRIS, CC. HARRIS, CD. HARRIS, CE. HARRIS, CF. HARRIS, CG. HARRIS, CH. HARRIS, CI. HARRIS, CJ. HARRIS, CK. HARRIS, CL. HARRIS, CM. HARRIS, CN. HARRIS, CO. HARRIS, CP. HARRIS, CQ. HARRIS, CR. HARRIS, CS. HARRIS, CT. HARRIS, CU. HARRIS, CV. HARRIS, CW. HARRIS, CX. HARRIS, CY. HARRIS, CZ. HARRIS, DA. HARRIS, DB. HARRIS, DC. HARRIS, DD. HARRIS, DE. HARRIS, DF. HARRIS, DG. HARRIS, DH. HARRIS, DI. HARRIS, DJ. HARRIS, DK. HARRIS, DL. HARRIS, DM. HARRIS, DN. HARRIS, DO. HARRIS, DP. HARRIS, DQ. HARRIS, DR. HARRIS, DS. HARRIS, DT. HARRIS, DU. HARRIS, DV. HARRIS, DW. HARRIS, DX. HARRIS, DY. HARRIS, DZ. HARRIS, EA. HARRIS, EB. HARRIS, EC. HARRIS, ED. HARRIS, EE. HARRIS, EF. HARRIS, EG. HARRIS, EH. HARRIS, EI. HARRIS, EJ. HARRIS, EK. HARRIS, EL. HARRIS, EM. HARRIS, EN. HARRIS, EO. HARRIS, EP. HARRIS, EQ. HARRIS, ER. HARRIS, ES. HARRIS, ET. HARRIS, EU. HARRIS, EV. HARRIS, EW. HARRIS, EX. HARRIS, EY. HARRIS, EZ. HARRIS, FA. HARRIS, FB. HARRIS, FC. HARRIS, FD. HARRIS, FE. HARRIS, FF. HARRIS, FG. HARRIS, FH. HARRIS, FI. HARRIS, FJ. HARRIS, FK. HARRIS, FL. HARRIS, FM. HARRIS, FN. HARRIS, FO. HARRIS, FP. HARRIS, FQ. HARRIS, FR. HARRIS, FS. HARRIS, FT. HARRIS, FU. HARRIS, FV. HARRIS, FW. HARRIS, FX. HARRIS, FY. HARRIS, FZ. HARRIS, GA. HARRIS, GB. HARRIS, GC. HARRIS, GD. HARRIS, GE. HARRIS, GF. HARRIS, GG. HARRIS, GH. HARRIS, GI. HARRIS, GJ. HARRIS, GK. HARRIS, GL. HARRIS, GM. HARRIS, GN. HARRIS, GO. HARRIS, GP. HARRIS, GQ. HARRIS, GR. HARRIS, GS. HARRIS, GT. HARRIS, GU. HARRIS, GV. HARRIS, GW. HARRIS, GX. HARRIS, GY. HARRIS, GZ. HARRIS, HA. HARRIS, HB. HARRIS, HC. HARRIS, HD. HARRIS, HE. HARRIS, HF. HARRIS, HG. HARRIS, HH. HARRIS, HI. HARRIS, HJ. HARRIS, HK. HARRIS, HL. HARRIS, HM. HARRIS, HN. HARRIS, HO. HARRIS, HP. HARRIS, HQ. HARRIS, HR. HARRIS, HS. HARRIS, HT. HARRIS, HU. HARRIS, HV. HARRIS, HW. HARRIS, HX. HARRIS, HY. HARRIS, HZ. HARRIS, IA. HARRIS, IB. HARRIS, IC. HARRIS, ID. HARRIS, IE. HARRIS, IF. HARRIS, IG. HARRIS, IH. H			

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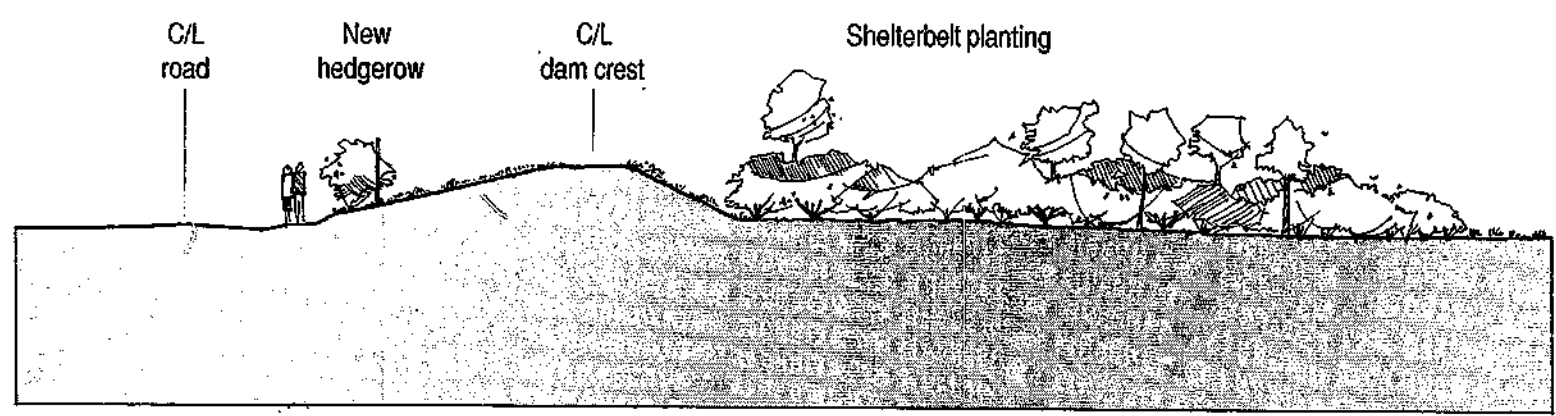


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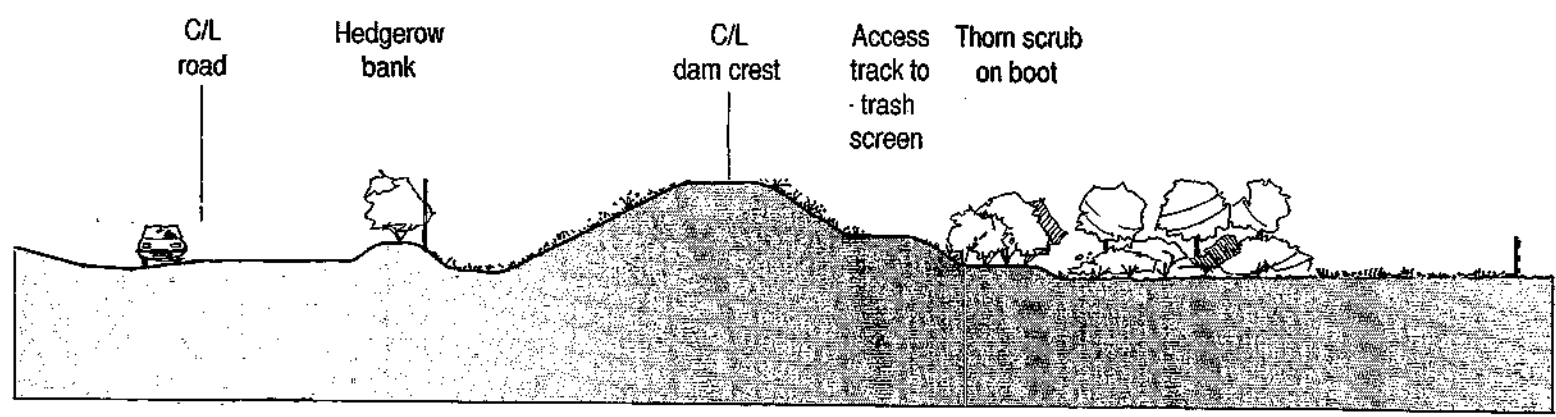
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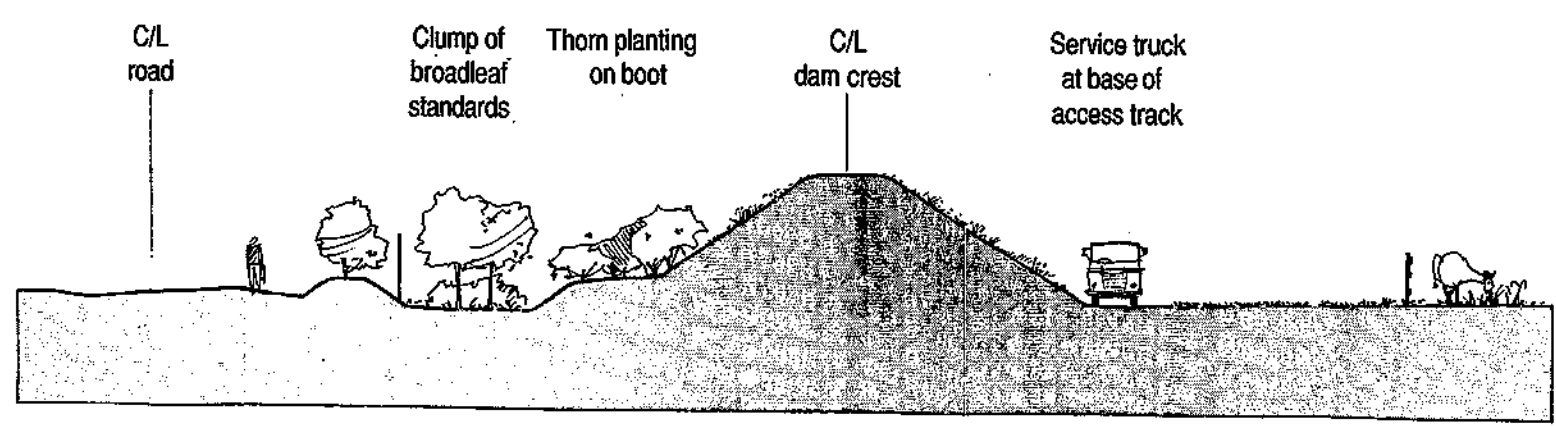
CROSS SECTION XX



CROSS SECTION AA



CROSS SECTION BB



CROSS SECTION CC

Sections after Engineers Drawings
 Planting shown at + 10 years
 Section XX: Longitudinal elevation
 to west side of dam Horizontal 1:500
 Vertical 1:250
 Sections AA, BB, CC: Horizontal 1:200
 Vertical 1:100

Revisions
LUC
 Land Use Consultants
 43 Chelton Street London NW1 1JB
 Telephone 01-383 5784 Fax 01-383 4798

Project
HARTSBOURNE STREAM
 Client
NATIONAL RIVERS AUTHORITY
 Title
**SECTIONS THROUGH
 LANDSCAPE PLAN**
 Drawn by MJE
 Date 22.7.01
 Drawing No 704.02.03
 Page No A



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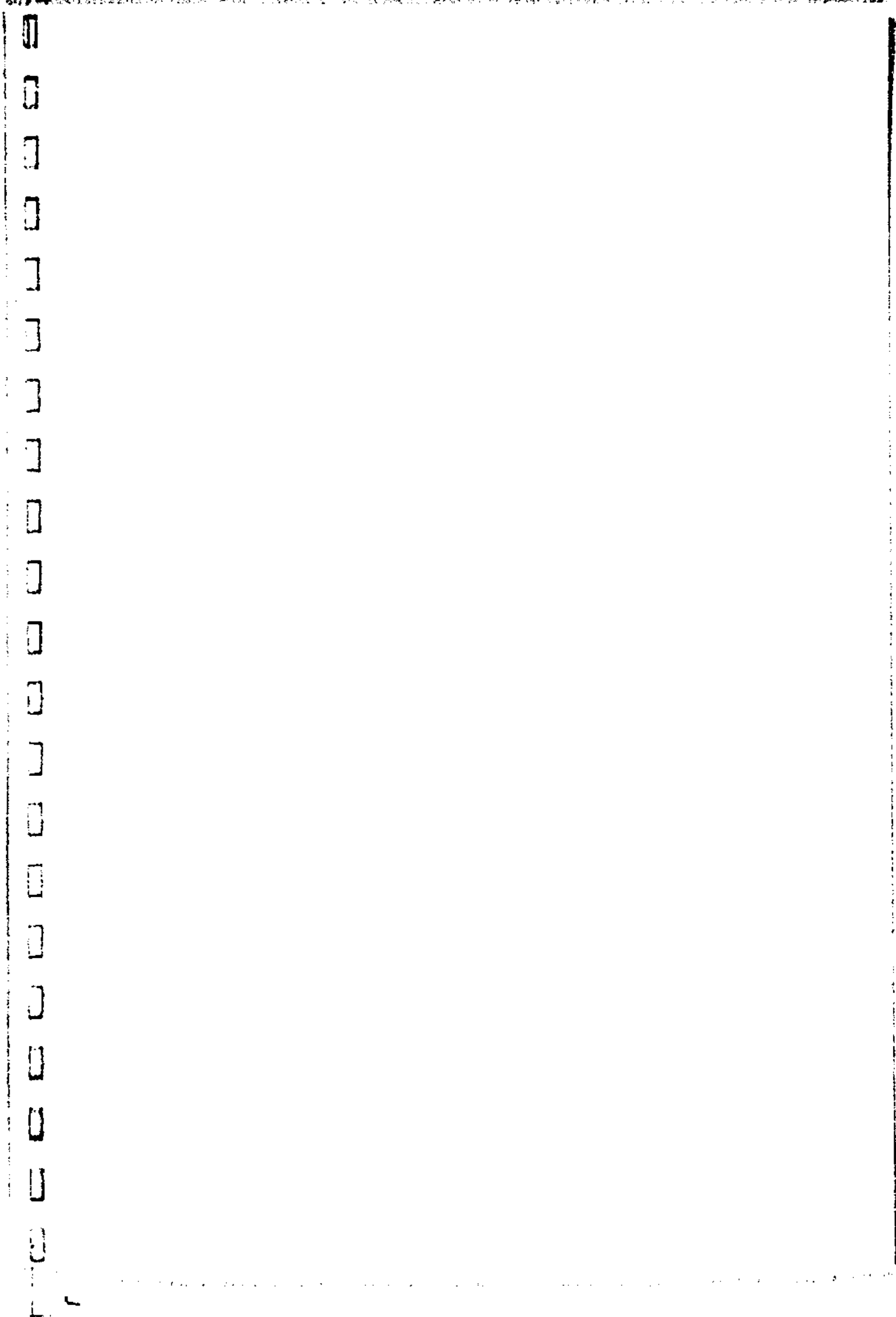
TF - ADVANCE GROUP.

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THREE BROTHERS, D.C.

THREE RIVERS DISTRICT COUNCIL
ENVIRONMENTAL
SERVICES
8.19 AUG 1991 543 / 91

WRITTEN JUSTIFICATION FOR NOT REQUIRING THE
PREPARATION OF AN ENVIRONMENTAL STATEMENT
HARTSBOURNE OSTREAM IMPROVEMENT SCHEME

NATIONAL RIVERS AUTHORITY
THAMES REGION
KINGS MEADOW HOUSE
KINGS MEADOW ROAD
READING

JUNE 1991

THREE RIVERS D.C.
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THE ADVANCE GROUP

1.0 PREFACE

The Land Drainage Improvement Works (Assessment of Environmental Effects) regulations 1988 (Statutory Instrument 1217) places an obligation on any drainage body proposing to carry out certain drainage improvement works to consider whether they are likely to have significant environmental effects and therefore require an Environmental Statement (ES). It is the intention of the National Rivers Authority (Thames Region) to produce a "Written Justification" in every case where it is considered that such a statement is not required.

2.0 INTRODUCTION

This report has been prepared to document the Authority's reasons for not requiring an Environmental Statement for the proposed construction of a dam and storage reservoir upstream of Oxhey Lane, Watford, Herts.

This report sets out the key environmental issues and describes the problems, proposed works and associated measures intended to mitigate the impacts and enhance the surrounding environment.

3.0 EXISTING ENVIRONMENT

The Hartsbourne Stream serves a catchment area of approximately 10 km² south of Watford. The Hartsbourne Stream rises on the Hartsbourne Country Club golf course and joins the River Colne north west of Oxhey Hall. Figure 1 shows the location of the site.

The Hartsbourne Stream is designated as main river throughout its length as far as approximately 800 m upstream of Oxhey Lane. The upstream reaches of this stream are suffering undercutting and subsequent erosion.

The soil type in the area is predominantly London Clay, although to the east gravel deposits are clearly visible in the stream bed.

4.0 THE PROBLEM, ALTERNATIVE SOLUTIONS AND THE PROPOSED WORKS

Flooding within the Hartsbourne stream catchment occurs regularly causing disruption to roads and footways and damage to property. Minor overtopping commences on the lower reaches under the 1 year event, with more extensive flooding at the 3 year event; a 1 in 10 year event results in damage to property. The problem throughout the catchment was highlighted by the flood on May 8th 1988 which caused major disruption to road and foot traffic together with damage to residential and commercial properties. This flood was subsequently assessed as a 25 year event. Interviews with local residents have revealed flooding in the Carpenders Park area to be a regular occurrence. These observations have now been supported by detailed hydrological and hydraulic studies implemented by the National Rivers Authority.

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It is intended that the proposed scheme will provide a 1 in 100 year level of protection. Two alternative solutions to the flooding problem were examined, along with the "do nothing" option which was considered unacceptable as it did not achieve the key objective of alleviating flooding in the area. The first option involved channel, bank and culvert works along the length of the Hartsbourne Stream, together with some bridge raising, including the A4125 Hampermill Lane Bridge. This was not the preferred option as it is considerably more expensive than the alternative option and would cause considerable short term disruption to local residents and traffic passing along the A4125, Hampermill Lane. In addition it was considered unacceptable on environmental grounds as a significant length of the Hartsbourne Stream would have been culverted and many existing trees would have had to be removed, or would have been adversely affected by the works.

The second, and preferred alternative requires the construction of a storage area in the upper Hartsbourne catchment, east of Oxhey Lane. This option precludes the need for the major disruption which would be caused during the implementation of the first option. This is preferred because it is cheaper and produces a higher benefit:cost ratio than the first option. In addition works are limited to the construction of the storage area. The storage area has been designed to operate without a permanent lake and will have a storage capacity of 42,000 m³, covering an area of 4.5 ha. The embankment will be 280 m long and 34 m wide at its widest point which is at its base, with a maximum height of 3.9 m above existing ground level. The pipeline carrying flow through the embankment will be constructed from 600 mm diameter concrete pipes. In addition a small bund is to be constructed alongside Oxhey Lane to prevent immediate spillage onto the road in the event of overtopping. This will be planted to help conceal the embankment, from the road. Figure 2 shows the construction details.

Two locations for the storage area were examined. The first is immediately upstream of Oxhey Lane, whilst the second is some 250 m further upstream. The second alternative has the same storage characteristics, however the embankment would have a maximum height of 4.7 m. There is little to choose between the two sites from an environmental point of view, whilst the downstream site offers easier access and lower costs. Consequently the location adjacent to Oxhey Lane was selected.

The majority of land involved in the scheme is under one ownership, and is grazed by cattle and cut for hay. However the upstream end of the storage area will encroach onto arable land in the ownership of a second party.

In accordance with the landowner's wishes the shape of the dam has been designed to minimise the amount of land taken and to locate the embankment as close as practicable to Oxhey Lane; imported material will be used for construction, as opposed to using borrow pits on the farmers land. This will retain as much good quality pasture as possible for use by the farmer.

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Access to the site for construction and subsequent maintenance will be from Oxhey Lane (the A4008) via an entrance to the south of the existing access. This access will also provide the farmer with an entry to the field beyond the dam. Tracks from the crest of the dam will allow access to both the downstream left and right bank areas for maintenance. The construction compound will be located in the south east corner of the site within the construction area (Figure 2).

5.0 CONSULTATIONS

Consultation with the Authority's environmental specialists formed an integral part of the design procedure, including fisheries, landscape, aquatic biology, and conservation staff. Other consultees included the riparian owners affected by the scheme.

6.0 POTENTIAL IMPACTS AND MITIGATION / ENHANCEMENT MEASURES

6.1 Construction Impacts

Potential impacts arising from the construction of these works will include:-

- an increase in traffic resulting from the importation of material for the construction of the embankment. As far as possible access routes will be kept away from residential areas and the transport of material limited to the period between 0800-1800 hours from Mondays to Fridays and 0800-1300 hours on Saturdays. The construction work itself will cause minimal disturbance to local people as the site is remote from residential areas.

- as previously mentioned, access during construction will be via the south corner of the site. A new farm access bridge will be constructed across the stream just outside the construction area.

- some damage to a poorer section of the lower end of the mixed species hedgerow on the left-bank of the stream, identified as being of considerable historical landscape and wildlife value in an ecological survey carried out for Thames Water (October 1989). A tree survey has been carried out and the width of the embankment has been minimised in order to retain as much as possible of the hedgerow and existing trees. Close to the dam position there are four existing trees which could be affected by construction. Two of the trees will be directly affected over much of their root spread and can not be conserved. A further ash tree affected by channel approach works and also in poor condition will be removed. However the large ash tree close to the road will be conserved. Thus there will be the loss of three trees and approximately 40 m of poor quality hedgerow. The remainder of the hedgerow will be unaffected by the works.

- the in-channel works necessary for the laying of the pipeline will cause temporary silt disturbance resulting in increased turbidity downstream.

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6.2 Long Term Impacts

Potential long-term impacts arising from the works include:-

- a deterioration in the landscape value of the area; the dam may be seen as an artificial landform in the wider landscape, mainly in oblique view from Oxhey Lane, from housing on the west side of Oxhey Lane, from surrounding fields (although there are no marked rights-of-way which overlook the site directly) and to a limited extent, from the golf course. This impact has been mitigated in landscape terms by modifying the alignment of the dam in order to break its scale as a single crest line. Additionally the outer face of the dam has been thickened with an additional bund in order to permit scrub planting without affecting the integrity of the structure. Judiciously sited tree planting will further break down the scale and visual extent of the dam, at the same time tying into the existing landscape. The intention is to conserve all existing vegetation as far as possible including the ditch-side hedgerow which follows the line of the stream. This will itself be flooded, as shown by predicted flood contours (Figure 2), but since the flood drain-off period is short and the frequency of overtopping the existing channel is only 2 to 3 times per year, the vegetation should survive adequately. As previously mentioned there will be the unavoidable loss of three trees and 40 m of poor quality hedgerow.

- the existing stream has an interesting natural form and profile with miniature gravel bars, pools and meanders. The existing form and profile will not be altered except where it is culverted under the new structure.

- the farmer will lose his existing access, but a new permanent farm access will be provided to the south of the site.

- potential exacerbation of an already serious downstream erosion problem, resulting from the disruption in sediment transport caused by the dam. However taking into account that the low flow width of the watercourse is to be retained and the storage pond will be dry for the majority of the time it is likely that impacts will be minimal.

6.3 Enhancements

There has been limited opportunity for enhancements as the landowner wishes to see as much land as possible returned to pasture, however the contract area is to be retained for landscape enhancements. A small bund has been introduced on the upstream slope of the embankment and is to be planted with thorn scrub. The construction compound is to be planted as a shelter belt of native broadleaved species. In addition a wetland scrape is to be created downstream of the embankment if further soils investigations show that it will not cause embankment stability problems. These proposals together with additional planting are illustrated in Figures Ja, b and c.

The bank will be sown with an appropriate wildflower mix.

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7.0 CONCLUSION

It is considered that because of the localised nature of these works and the proposed mitigation and enhancement measures, there are likely to be no significant effects on the environment.

8.0 SUPPORTING DOCUMENTATION

Plans detailing the design of the scheme are available for inspection at Three Rivers District Council, Environmental Services Department, Three Rivers House, North Way, Rickmansworth, WD3 1RL and during working hours at the Authority's Waltham Cross Office:-

Mr. Brian Izzard (Project Manager)
Projects Division
National Rivers Authority
Aspen House
Crossbrook Street
Waltham Cross
Herts EN8 8HE

Tel : 0992 645035

Ref : KH/HARTWJ
July 1991

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NRA

*National Rivers Authority
Thames Region*

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detach here if notice required

NOTICE No. 1
TOWN AND COUNTRY PLANNING ACTS, 1971 and 1972
Notice under section 27 of application for planning permission
(Notice for service on individuals)

543 191

(a) Insert address or location of proposed development.

Proposed development at (a) . CARPENDERS PARK FARM
OXHEY LANE, OXHEY, FIELD NO'S OS19 & 20

(b) Insert name of Council.

TAKE NOTICE that application is being made to the (b) . THREE RIVERS DISTRICT

(c) Insert name of applicant.

Council by (c) . NATIONAL RIVERS AUTHORITY, THAMES REGION . . . for planning permission to

(d) Insert description and address or location of proposed development.

(d) CONSTRUCT A FLOOD STORAGE RESERVOIR ON THE HARTSBOURNE STREAM
AT CARPENDERS PARK FARM, OXHEY LANE, IN FIELDS NO'S OS 19 & 20

If you should wish to make representations about the application, you should do so by writing within 20 days of the date of service of this notice to the

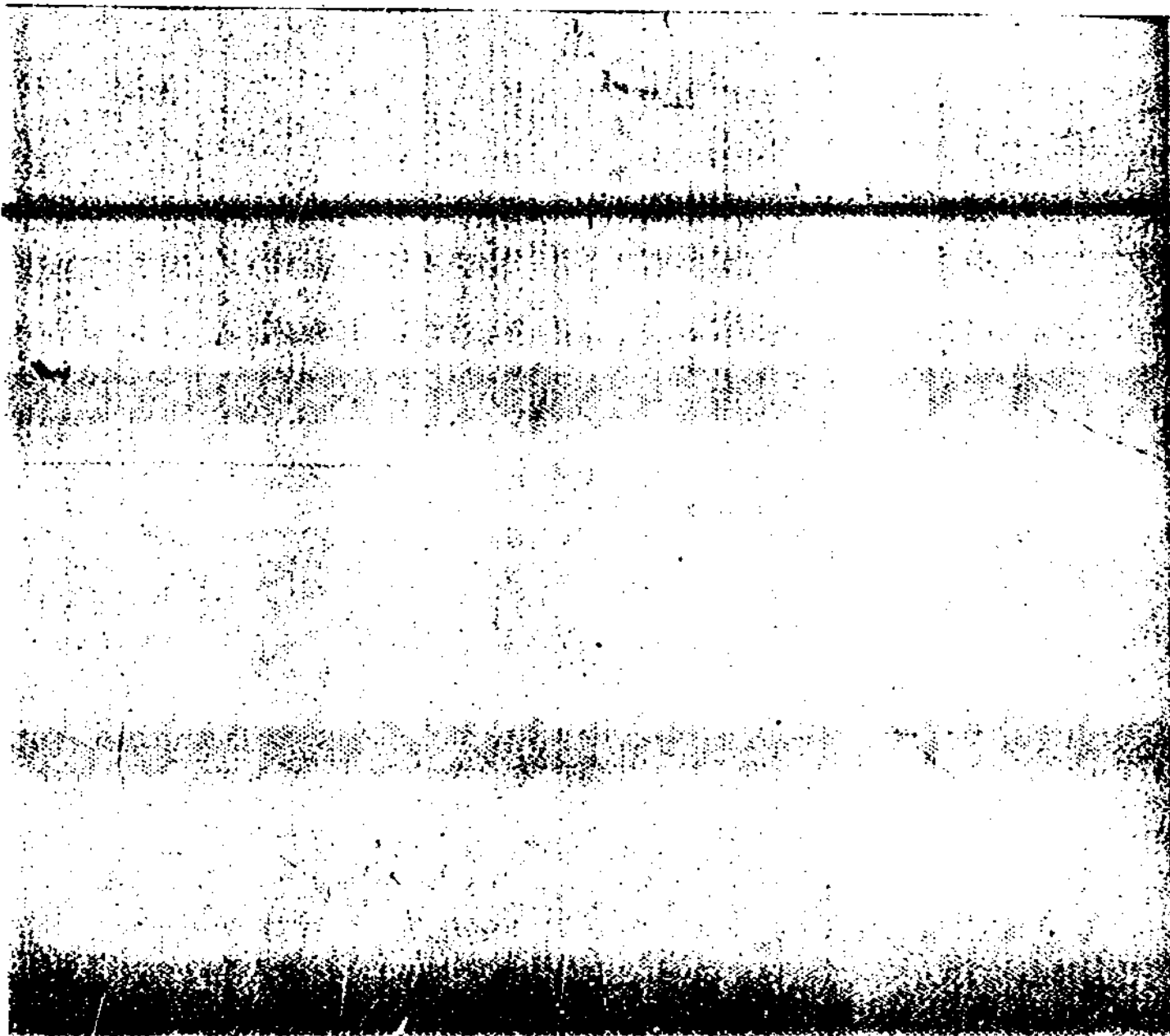
(e) Insert address of District Council in whose area the site is situated.

Council at (e) . THREE RIVERS HOUSE, NORTHWAY, RICHMOND M23 1JL

Signed *[Signature]*

*On behalf of NRA THAMES REGION

Date 26/7/1991



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THREE RIVERS GROUP.

Town & Country Planning Acts 1971 & 1972

CERTIFICATE UNDER SECTION 27

To be submitted with the Application

- 1. If you are the only owner of ALL the land to which the application relates, complete Certificate A.
2. If you are not the only owner or are the leaseholder of ALL the land, and you know the name(s) of the owner(s), complete Certificate B, and serve Notice No. 1 on the owner.
3. If you do not know the names and addresses of some or all of the owners of the land, contact your local planning department, who will supply alternative certificates and notices.
4. Any person who knowingly or recklessly issues a certificate which contains an untrue statement which is false or misleading in a material particular is liable on conviction to a fine not exceeding £100.

21 543 1991

(a) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

Certificate A

I hereby certify that:-

- 1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.

OR

Certificate B

I hereby certify that:-

- 1. I have/the applicant has given the requisite notice to all the persons other than myself/the applicant who, 20 days before the date of the accompanying application, were owners of any part of the land to which the application relates, viz:-

Name of owner: MR R BRAZIER; Address: CARPENDERS PARK FARM, OXHEY LANE, OXHEY; Date of service of notice: 26.07.1991

2. I have/the applicant has given the requisite notice to every person other than myself/the applicant who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-

Name of tenant: NONE; Address: ; Date of service of notice:

Signed: [Signature]; On behalf of: NRB, THAMES REGION; Date: 26/7/91

*Delete where inappropriate; †Notice No. 1, below.

detach here if notice required

NOTICE No. 1 TOWN AND COUNTRY PLANNING ACTS, 1971 and 1972 Notice under section 27 of application for planning permission (Notice for service on individuals)

(a) Insert address or location of proposed development. Proposed development at (a) TAKE NOTICE that application is being made to the (b)

(b) Insert name of Council. Council by (c) for planning permission to

(c) Insert name of applicant. (d)

(d) Insert description and address of location of proposed development. If you should wish to make representations about the application, you should do so by writing within 20 days of the date of service of this notice to the

(e) Insert address of District Council in whose area the site is situated. Council at (e) Signed On behalf of Date

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NOTES FOR THE GUIDANCE OF APPLICANTS

COMPLETING THE FORM

- The questions are largely self-explanatory. All applicants are required to complete part 1, and **MUST SIGN** the form at the foot of Question 1. Part 2 need only be completed in the case of commercial developments of the types described.
- ALL questions in the appropriate sections must be answered. Do not leave blank spaces but answer NO or N/A if the question is not applicable to the proposed development.
- Question 2(b) requires the total area of the curtilage of the site, not just the floor space occupied by the proposed building (if any).
 - Identify correctly whether the proposal represents a new (independent) building or an extension to an existing building (or both), in answers to questions 9(a) and (f). An extension does not count as a 'new building' in relation to this question.
 - In question 5 an outline permission usually only determines the *principle* of a development. A further application will however be required later to seek approval to details.
 - Where floor areas are required these should be taken as the sum of the roofed areas of the building at each floor level, ascertained by EXTERNAL measurement.
 - Give all areas in METRIC measurements.
One square metre (sq m) is 10.764 square feet.
One hectare is 10000 sq m or 2.471 acres.
e.g. 3500 square feet = $\frac{3500}{10.764}$ = 325 sq m.
 - In Conservation Areas it would assist the determination of the application if detailed plans or sketches are submitted.
 - If the proposal involves a listed building a separate listed building application may be required.
 - Question 14 requires information regarding proposed new staff. Where it is possible to anticipate roughly the proportions of male/female staff please give these, it could affect parking requirements. If it is not possible to differentiate use a single column only and delete the male/female column headings.
- PLEASE CONTACT YOUR PLANNING DEPARTMENT for assistance if difficulty is encountered in completing the form.

CERTIFICATES

ALL APPLICANTS MUST COMPLETE A CERTIFICATE under Section 27 of the Town and Country Planning Act 1971. The application is NOT VALID UNLESS it is both accompanied by the appropriate certificate which MUST BE SIGNED, and any notices required served by the applicant. The different types of certificates and notice are provided overleaf. In exceptional cases AN ADDITIONAL certificate will be required and the applicant will be informed if the development proposal comes within that category.

PLANS REQUIRED

Legislation provides for the local planning authority to require up to four sets of plans. However, in view of the consultations and statutory procedures that must be carried out a further two copies of the plans (i.e. 6 COPIES IN TOTAL) will give the authority the opportunity to expedite a decision on the application.

1. SITE PLAN

- A site plan showing the land to which the application relates coloured red must be attached to all applications. In the case of outline applications this may be the only plan required.
- Site plans should be drawn to a scale appropriate to the area, i.e. in urban areas, 1/1250 or 1/2500; in rural areas, 1/10,000, showing the site coloured in red, any adjoining land in the same ownership coloured blue, and details of the surrounding land (including the names of roads) to enable the site to be identified.

2. LAYOUT PLAN

A Layout Plan should be attached to all applications for permission for building development. The Plan should be drawn to a scale of not less than 1/500, except for very large developments when 1/2500 may be acceptable, and should show:-

- the boundaries of the land to which the application relates, and the existing and proposed layout thereof;
- the position of all existing and proposed buildings, roads, streets and carriageways thereon (distinguishing existing from proposed) indicating the widths and levels of any proposed roads and streets;
- the proposed use of each building and any land not built on;
- approximate contours and the ground floor levels of proposed buildings;
- the position, size, fall, etc., of proposed services;
- any existing trees or natural features, distinguishing between those to be preserved and those to be removed, and details of new landscaping.

3. BUILDING PLANS

Building Plans should accompany all applications involving the erection, rebuilding or alteration of a building. Building Plans and Elevations (to a scale of not less than 1:100 (or nearest corresponding imperial scale) except for large buildings where after consultation with the Local Planning Authority, a scale of not less than 1/200 may be used) should show:-

- the materials to be used and colour thereof;
- a plan for the roof and for each floor;
- elevations of all sides of the building, and a cross section of the building;
- the level of the ground floor and of the site in relation to the level of the adjoining street or streets;
- in the case of alterations and/or additions to existing buildings, all new work coloured pink in plan, elevation and section.

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TO BE SUBMITTED IN TRIPPLICATE WITH SIX COPIES OF THE NECESSARY PLANS AND ACCOMPANIED BY THE APPROPRIATE SIGNED CERTIFICATE

TOWN AND COUNTRY PLANNING ACTS 1971 AND 1972
APPLICATION FOR PERMISSION TO DEVELOP LAND

THREE RIVERS DISTRICT
IN THE COUNTY OF HERTFORDSHIRE

COUNCIL

8/543/91

AP-03/03/3093

519-9421-6460
OFFICE USE

ENVIRONMENTAL
STATEMENT

Form DC1

PART 1 - GENERAL PARTICULARS (in this part the word "land" includes any building thereon)

1. APPLICANT (BLOCK LETTERS)

Name: NRA, THAMES REGION

Address: ASPEN HOUSE, CROSSBROOK STREET
WALTHAM CROSS HERTS. tel. 0992 645035

Signature: *[Signature]*

AGENT (if any) TO WHOM CORRESPONDENCE SHOULD BE SENT

Name: BABBIE DOBBIE LTD.

Address: 17 LANSDOWNE ROAD CROYDON SURREY.

CR9 3UN

Tel. 081 686 8212

Date: 26/7/1991

2. (a) Address of location of the land to be developed

(b) State the area of the whole site on which this application is made

(a) CARPENDERS PARK FARM OXHEY LANE, OXHEY.

(b) 16,900 SQ.M. (sq.m. or hectares)

3. Give a brief description of the proposed development

FLOOD STORAGE RESERVOIR ON THE HARTSBOURNE
IMPOUNDING WATER INTIME OF HIGH RAINFALL.

4. (a) Give particulars of applicant's interest in the land

(e.g. owner, prospective purchaser, lessee).

(b) When was interest in the land acquired

(c) If lessee how many years remain of your lease

(a) PROSPECTIVE PRUCHASER OR LESSEE

(b) INTEREST NOT YET ACQUIRED

(c) N.A.

5. State YES or NO whether this application is for:

(a) Outline planning permission

(b) Approval of matters reserved by earlier outline permission or renewal of existing temporary permission

(c) Full planning permission, including changes of use

(a) NO

(b) NO

If YES state date and number of outline or temporary permission

(c) YES

Date: Number:

6. (a) State the purpose for which the land and/or buildings are now used.

If they are used for more than one purpose give details

(b) State the total floor area of buildings as existing

(c) If land/building vacant state last known use

(d) Give date when this use ceased

(a) FARMLAND

(b) N.A.

(c) N.A.

(d) N.A.

7. State the provision, by numbers, proposed for the garaging and parking of cars within the site. (To be shown on plan)

Existing Proposed (incl. existing)

Car Parking NONE

N.A.

Garage/Car Port NONE

N.A.

N.A.

8. State arrangements to be made for disposal of sewage

State YES or NO. NO. If YES state (i) new floor space sq.m. If residential (ii) No. of dwellings.

State YES or NO. YES

State YES or NO. NO. If YES state floorpace sq.m.

(i) Demolition. NONE (ii) Change of use. NONE

(a) Before conversion. NO (ii) After conversion

N.A. sq.m.

Answer YES or NO. NO. If YES give (i) size of existing sq.m.

(ii) size of extension sq.m.

YES

Answer YES or NO

(i) Vehicles YES

(ii) Vehicles YES

(i) Pedestrians NO

(ii) Pedestrians NO

10. Does the proposal affect any trees on the site:

(i) Construction of a new access to a highway for:

(ii) Alteration of an existing access to a highway for:

(a) N.A.

(b) N.A.

(c) N.A.

11. State the type, colour, and finish of all materials to be used on new building for

(a) external wall surfaces (b) roof (c) gates/fences

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THREE RIVERS D.C.

PART 2: ADDITIONAL INFORMATION REQUIRED IN RESPECT OF APPLICATIONS FOR INDUSTRIAL, OFFICE, WAREHOUSING, STORAGE OR SHOPS.

<p>12. State name(s) of firm(s) who will occupy the land</p> <p>Is the firm already established on the site the subject of this application. Answer YES or NO</p> <p>If NO give present address if located elsewhere</p>	<p>NATIONAL RIVERS AUTHORITY THAMES REGION</p> <p>NO</p> <p>ASPEN HOUSE CROSSBROOK STREET WALTHAM CROSS HERTS EN9 6HE</p>																																										
<p>13. Give details of existing and proposed floorspace devoted to particular uses.</p> <p>(a) State the total gross floorspace of all the buildings on the premises (b) State the amount of industrial floorspace included in the above figure (c) State the amount of office floorspace (d) State the amount of floorspace for retail trading (e) State the amount of floorspace for storage (f) State the amount of floorspace for warehousing (g) State the amount of remaining floorspace</p>	<p align="center">Write NIL where boxes do not apply. Existing (if any) sq.m. Proposed sq.m.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;"></td> <td style="width:5%;">(a)</td> <td style="width:15%;">NIL</td> <td style="width:15%;">NIL</td> <td style="width:15%;">NIL</td> <td style="width:15%;">NIL</td> </tr> <tr> <td></td> <td>(b)</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> </tr> <tr> <td></td> <td>(c)</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> </tr> <tr> <td></td> <td>(d)</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> </tr> <tr> <td></td> <td>(e)</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> </tr> <tr> <td></td> <td>(f)</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> </tr> <tr> <td></td> <td>(g)</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> <td>NIL</td> </tr> </table>		(a)	NIL	NIL	NIL	NIL		(b)	NIL	NIL	NIL	NIL		(c)	NIL	NIL	NIL	NIL		(d)	NIL	NIL	NIL	NIL		(e)	NIL	NIL	NIL	NIL		(f)	NIL	NIL	NIL	NIL		(g)	NIL	NIL	NIL	NIL
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	(c)	NIL	NIL	NIL	NIL																																						
	(d)	NIL	NIL	NIL	NIL																																						
	(e)	NIL	NIL	NIL	NIL																																						
	(f)	NIL	NIL	NIL	NIL																																						
	(g)	NIL	NIL	NIL	NIL																																						
<p>14. State the number of employees on the site and those additional staff to be recruited as a result of the proposed development.</p> <p>(a) State how many of the proposed employees will be recruited locally (b) State how many of the proposed employees will be skilled</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2"></th> <th colspan="2">Existing (if any)</th> <th colspan="2">Proposed additional employees</th> </tr> <tr> <th>Male</th> <th>Female</th> <th>Male</th> <th>Female</th> </tr> </thead> <tbody> <tr> <td>(i) office</td> <td>NONE</td> <td>NONE</td> <td>(i) NONE</td> <td>NONE</td> </tr> <tr> <td>(ii) industrial</td> <td>NONE</td> <td>NONE</td> <td>(ii) NONE</td> <td>NONE</td> </tr> <tr> <td>(iii) other</td> <td>NONE</td> <td>NONE</td> <td>(iii) NONE</td> <td>NONE</td> </tr> <tr> <td></td> <td></td> <td></td> <td>(iv) NONE</td> <td>NONE</td> </tr> <tr> <td></td> <td></td> <td></td> <td>(v) NONE</td> <td>NONE</td> </tr> </tbody> </table>		Existing (if any)		Proposed additional employees		Male	Female	Male	Female	(i) office	NONE	NONE	(i) NONE	NONE	(ii) industrial	NONE	NONE	(ii) NONE	NONE	(iii) other	NONE	NONE	(iii) NONE	NONE				(iv) NONE	NONE				(v) NONE	NONE								
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(iii) other	NONE	NONE	(iii) NONE	NONE																																							
			(iv) NONE	NONE																																							
			(v) NONE	NONE																																							
<p>15. In the case of industrial or commercial development give a description of the process to be carried on and of the end products, and the type of plant or machinery to be installed.</p>	<p align="center">N.A.</p>																																										
<p>16. Describe in detail the function of the proposed building/use in relation to the above mentioned processes.</p>	<p align="center">N.A.</p>																																										
<p>17. Are any materials kept or produced on the premises of a toxic, flammable, explosive or otherwise potentially hazardous nature If 'YES' state materials and approximate quantities.</p>	<p align="center">NO</p>																																										
<p>18. State the means to be used for the disposal of trade effluent</p>	<p align="center">N.A.</p>																																										
<p>19. State the provision for the parking of goods vehicles (This must be shown on plan)</p>	<p align="center">N.A.</p>																																										
<p>20. If an Industrial Development certificate under section 67(i) is required or an Office Development Permit under Section 74(i) of the Town and Country Planning Act 1971, has been obtained a copy of it must accompany this application.</p>	<p align="center">N.A.</p> <p align="right">Serial No. of Certificate or Permit</p> <p align="right">Date of issue</p>																																										

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 THE ADVANCE GROUP

JFR/1022/4/JF

FILE 1022/4
81 5/23 1991

19th June 1991

The Transportation Manager
Herts County Council, Western Division
Blackhorse Lane
Redbourne
Herts
AL3 7EF

For the attention of Mr. Alan Howling

Dear Sir

HARTSBOURNE STREAM IMPROVEMENT SCHEME

Further to the undersigned's telephone conversation with your Mr. Derek Walsh we are writing to obtain your comments on our proposal to establish accesses on Oxhey Lane, Bushey in connection with the above scheme. We are consulting engineers appointed by the National Rivers Authority, Thames Region to carry out the detailed design of a flood storage reservoir adjacent Oxhey Lane. Enclosed please find a copy of our Sketch No. 1022/SK/1 which indicates the position of an existing access into the fields to the NE of Oxhey Lane and two possible additional accesses on either side of the existing, at least one of which is required to provide access both for the construction of the works and for a new permanent entry into the fields for the use of the farmer. We also enclose a print of our Drawing No. D/10/R/327/30A showing a preliminary arrangement for the dam and a double access to the South of the existing, which can be used by both NRA for the maintenance of the dam and by the farmer to enter his fields.

With regard to the use of the public roads for transportation of fill for the construction of the dam we understand that it will probably not be necessary to place any restrictions on the movements of lorries bringing in suitable material, other than to ensure that they do not use residential roads and that they do not leave mud on the highway. We anticipate that there may be about 15,000 vehicle movements involved over a 4 - 6 month period during the construction of the dam. The maximum daily movements into and out of the site, we would estimate as 200 total.

We are at the planning stage of the design process when we are considering alternative methods of obtaining material to construct the dam, and we would greatly appreciate any comment or advice you may be prepared to give with regard to access and use of the highway. Should you have any queries the undersigned would be pleased to discuss the proposals over the telephone.

Yours faithfully


J.F. Roach

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Transportation
Director of Transportation
Nigel G Knott CEng FICE FIHT

Battie Dobbie
Consulting Engineers
17 Lansdown Road
Croyden
Surrey CR9 3UN

FAO Mr J F Roach

FILE NO	1022/A
PROJECT NO	SK
ACTION BY	
DATE ACTION COMPLETED	
EXTERNAL COPIES TO	
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543/191
Hertfordshire
COUNTY COUNCIL

Western Division
Divisional Highway Manager
Alan Howling BSc CEng MICE FIHT

Blackhorse Lane
Redbourn AL3 7EF
Fax : 0582 794315

Telephone: 0582-794311
My ref : W2/21/1770/DW/WDB
Your ref : JFR/1022/4/JF
Date : 25 June 1991

Dear Sirs

28 JUN 1991

Hartsbourne Stream Improvement Scheme

REC'D. CHURCH...

Thank you for your letter of 19 June regarding the above proposed land drainage scheme.

I note from your sketch that a number of alternative locations for a site access are under consideration, I would advise you however that you will be restricted to single access on to Oxhey Lane. In view of this, the most favoured position for a site access would be the southern-most one shown on your sketch ref 1002/SK/1. It is unlikely that you would be granted approval for an access at either of the alternative locations on the grounds of highway safety.

With regard to the number of vehicle movements and the nature of the proposed works some form of wheel washing equipment will be required for vehicles leaving the site.

The above information is offered to assist you in preparing your formal planning application to Three Rivers District Council, any decisions relating to traffic management will be made subject to prior consultation with representatives from the Hertfordshire Traffic Police.

Yours faithfully

Divisional Highway Manager

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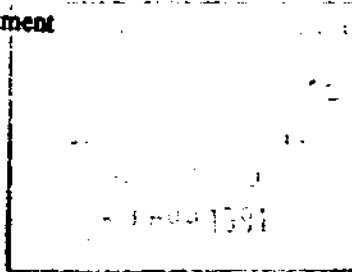
Your Ref

Our Ref JFR/1022/04/NDM

81 543 191

29th July 1991

The Environmental Services Department
Three Rivers District Council
Three Rivers House
North Way
Rickmansworth
WD3 1RL



For the attention of Mr D Moss

Dear Sirs

**HARTSBOURNE STREAM IMPROVEMENT SCHEME
FLOOD STORAGE RESERVOIR**

Please find enclosed the necessary forms and drawings for an application for full planning permission for works on the above scheme.

The area of the works involved is 16,900 square metres (1.69 hectares) and in accordance with your current scale of charges we calculate the fee due to be the maximum, £460. Please find our cheque for this amount attached.

We also attach for your information a letter from the Divisional Highway Manager of Hertfordshire County Council dated 25th June 1991 on the subjects of access to the site and vehicle movements.

Should you have any queries on our proposals the undersigned would be most pleased to discuss them.

Yours faithfully

J F Roach

Babtie Dobbie
consulting engineers

17 Lansdowne Road
Croydon
Surrey CR9 3UN

Telex 917226
Fax 081 881 2488
Telephone 081 886 2212

Babtie

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APPLICATION NO. 81 543 191

PLANNING APPLICATION PRELIMINARY APPRAISAL

REGISTER - Development/~~ADVERT~~ APPLICATION TYPE **FULL**
 PROPOSED DEVELOPMENT CONSTRUCTION OF A FLOOD STORAGE RESERVOIR

LOCATION CARPENDERS PARK FARM, OXHEY LANE, OXHEY, HERTS

DATE OF APPLICATION 21/07/91 TYPE OF DEVT. NIA
 DATE COMPLETED/VALID 09/08/91
 DATE OF EXPIRY 09/09/91

CORRECT FEE	<u>460</u>	
FEE RECEIVED	<u>460</u>	<u>510</u>
REFUND AMOUNT		

Forms correctly completed, dated and signed YES/NO
 S.27 Certificates completed and signed YES/NO/NOT APPLICABLE
 S.26 Certificate submitted ("Bad neighbour" devts.) YES/NO/NOT APPLICABLE

Location Plans (1:1250, 1:2500 etc.) adequate, scaled, coloured, correct number YES/NO

Block Plans (1:500) adequate, scaled, coloured, adj. properties shown, correct number YES/NO

Building Plans (1:50, 1:100 etc.) adequate, scaled, coloured, correct number YES/NO

* SEE OVER FOR MISSING DOCUMENTS *

APPLICATION VALID AND ACCEPTABLE YES/NO

COUNTY MATTER: (Minerals, ancillary plant, waste disposal) YES/NO

PUBLICITY REQUIRED:

(a) Advertising by L.P.A. (Press and Site Notice) required YES/NO
 i.e. (i) affect character or appearance of conservation area
 (ii) listed building consent
 (iii) affect setting of listed building
 (iv) other

(b) Advertising by L.P.A. (Press only) required YES/NO
 i.e. (i) District Council applications
 (ii) Departures

(c) Advertising by Applicant required (i.e. Sec.26 cases) YES/NO

NEIGHBOURHOOD CONSULTATIONS:

PT15/PT16/PT17/Special Letter

* SEC OVER FOR ADDRESSES *

Mandy Initials
9/9/91 Date
 PTR.2

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DOCUMENTS NOT RECEIVED :

ADDRESSES FOR NEIGHBOURHOOD CONSULTATIONS :

65 - 87 (odds) Hangar Ruding.

PTR.2

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Peter Brooker
Head of Environmental Services

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL



Tel: Rickmansworth (0923) 776611
Fax: Rickmansworth (0923) 896119

12th August 1991

Dear Sir/Madam,

Town and Country Planning Act 1990
Application No.: 8/543/91
Proposed Construction of a
Development: flood storage reservoir
Address: Carpenders Park Farm
Oxhey Lane
Oxhey

An application has been submitted to the Council, seeking planning permission for this development. All applications, forms and supporting plans can be inspected at Three Rivers House, Northway, Rickmansworth, Herts. Alternatively, for particular areas applications will also be available as indicated on the attached sheet.
Will you please bring this letter or quote the application number when calling to inspect applications.


If you have any comments on the application, you should make them in writing to this office, quoting the application number. Your letter should arrive not later than 3rd September 1991 and your comments will then be available when the application is determined. Certain categories of applications are dealt with by Officers under delegated powers and not by the Planning Committee. The procedure for this application can be ascertained by contacting this office, from the Weekly Bulletin of Applications in your local library, or from your Ward Councillor.

I must point out to you that, under Section 100B(1) of the Local Government Act 1972, as amended by the Local Government Access to Information Act 1985, any correspondence relating to this application will be open to public inspection.

Will you please note that I am unable to enter into any correspondence on the proposal, nor give further notification of any amendments which may be made to the originally submitted application. Amended plans will be available for inspection in the Planning Office.

Whilst Officers in my Department will give all possible assistance on this matter, you may wish to contact your local Ward Councillor for advice. The Council's Information and Press Officer holds a list of all Members, together with their addresses and telephone numbers.

Your faithfully,


Chief Planning Officer for
Head of Environmental Services

65-87 The Owner/Occupier
Hangar Ruding
Oxhey Lane
Oxhey
Herts

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Peter Brooker
Head of Environmental Services



Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Tel: Rickmansworth (0923) 776611
Fax: Rickmansworth (0923) 896119

12th August 1991

Dear Sir/Madam,

Town and Country Planning Act 1990
Town and Country Planning General Development Order 1988

Proposed Construction of a
Development: flood storage reservoir
Address: Carpenders Park Farm Oxhey Lane Oxhey

Thank you for your application dated 26th July 1991, which I received on 9th August 1991. The planning reference number of your application is 8/543/91 which should be quoted in all correspondence or telephone calls.


If by 4th October 1991

- * you have not been told that your application is invalid; or
- * you have not been told that your fee cheque has been dishonoured; or
- * you have not been given a decision in writing; or
- * you have not agreed in writing to extend the period in which the decision may be given.

then you can appeal to the Secretary of State for the Environment under sections 78 (1) & (2) or section 195 (1) & (2) of the Town and Country Planning Act 1990. You must appeal within six months and you must use a form which you can get from the Department of the Environment at Tollgate House, Houlton Street, Bristol BS2 9DJ. This does not apply if your application has already been referred to the Secretary of State for the Environment.

In order to minimise the time taken to deal with planning applications, certain categories of development are normally dealt with by Officers under powers delegated by the Council rather than the full Planning Committee. If you wish to know whether this procedure is applicable in this case, please telephone this office, contact a Member of the Council or inspect the Weekly Bulletin of Applications in your local Library.

Yours faithfully,


Chief Planning Officer for
Head of Environmental Services

Battie Dobbie Ltd
17 Lansdowne Road
Croydon
Surrey CR9 3UN

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THREE RIVERS GROUP

DEPARTMENTAL MEMORANDUM

From : Chief Planning Officer To : Chief Engineer
My Ref : 8/543/91 (David Moss) Your ref:
Date : 3rd Sept 1991.

Construction of a flood storage reservoir at
Carpenter's Park Farm, Oxhey Lane, Oxhey for
National Rivers Authority.

A planning application has been submitted for the
above development to alleviate flooding problems
in the Carpenter's Park area. You will no doubt
already be aware of the proposals. Are there
any relevant observations you wish to make on
the formal planning application.

D Moss

for Chief Planning Officer

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THE BIRMINGHAM GROUP

Your Ref

Our Ref JFR/1022/04/NDM

DJM

16th August 1991

The Environmental Services Department
Three Rivers District Council
Three Rivers House
North Way
Rickmansworth
WD3 1RL

For the attention of Mr D Moss

Babtie Dobbie
consulting engineers

17 Lansdowne Road
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Telephone 061 688 8212



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D. F. Fawcett	Director
Mrs J. M. Hopkin	Company Secretary

Dear Sirs

**HARTSBOURNE STREAM IMPROVEMENT SCHEME
FLOOD STORAGE RESERVOIR**

Further to our planning application forwarded under cover of our letter of the 29th July, work on the preliminary design of the reservoir has been progressed and it has now been established that a small increase in height of the embankment is necessary.

The highest crest level will now be 80.10 m and not 79.90. This change affects information shown on our Drawing Nos. D/10/R/327/30C, 31A and 32A and also revises the maximum height of the embankment of 3.90 metres, stated in the 'Written Justification for not Requiring an Environmental Statement', to 4.10 metres.

It is not our intention to provide revised drawings and document unless you consider that the change is sufficiently important to make this necessary. Perhaps you will let us know if this is the case.

Yours faithfully

J F Roach
J F Roach

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Peter Brooker
Head of Environmental Services

Three Rivers House
Northway
Rickmansworth
Herts WD3 1RL

Tel: Rickmansworth (0923) 776611
Fax: Rickmansworth (0923) 896119
DX No: 38271 Rickmansworth

Chief Planning Officer
Hertsmere Borough Council
Civic Offices
BOREHAMWOOD Herts

My ref : DJM/MB04 8/543/91
Your ref :
Date : 5 September 1991
Contact : Mr Moss
Extension : 1341

Dear Sir

Construction of Flood Storage Reservoir at Carpenders Park Farm, Oxhey Lane,
Oxhey, for National Rivers Authority

I attach copy of the above planning application. The proposed engineering works are entirely within Three Rivers District but I understand from the applicant that the potential flood storage area may extend into your District. It is further understood that the applicants or their agents have had informal discussions with you concerning this proposal.

I should be grateful for any observations you may wish to make on the application to be submitted within the next 21 days.

Yours faithfully

Chief Planning Officer
for Head of Environmental Services

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Observations on Application for Planning Permission

To the Director of Environmental Services
Three Rivers District Council
(through)

District Council Ref 8/543/91
County Council Ref W5/180
Date received by DC 9 August 1991
Date received by MCC 27 August 1991
Road No
Drawing No

Location Carpenders Park Farm Oxhey Lane Oxhey
Proposed Development Construction of flood storage reservoir
Type of Permission: Outline/Reserved Matters/Full

1. Access:-
 - (a) location(s) satisfactory/not satisfactory
 - (b) width(s) (metres) 2.4/4.1/4.8/5.5/6.75/7.3/other achieved/not achieved
 - (c) radii (metres) 4.5/6.0/10.5/15.0/other achieved/not achieved
 - (d) sight lines (metres) (x) 2.0/2.4/4.5 x (y) 11.7/70/90/120/other achieved/not achieved
 - (e) footpaths/footways/cycleways satisfactory/not satisfactory
2. Other eg parking, servicing, turning satisfactory/not satisfactory

Notice is hereby given under Article 18 of the Town and Country Planning General Development Order 1968 that the Hertfordshire County Highway Authority recommends that the following CONDITIONS (circled) shall be attached to any permission the Council may give:-

- ① The development shall not be brought into use until the proposed access/footway has been constructed (and the been closed) and the footway/verge has been reinstated to the current Specification of Hertfordshire County Council and the Local Planning Authority's satisfaction.
2. A 1.7 x 1.7m visibility splay shall be provided and permanently maintained each side of the access, measured from the edge of the accessway to the (edge of carriageway) (back the footway), within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the (carriageway) (footway) level.
3. Concurrent with the construction of the access, visibility splays of () x () metres shall be provided and permanently maintained in each direction within which there shall be no obstruction to visibility between 600mm and 2.0m above carriageway level.
4. Any gates provided shall be set back a minimum of () metres from the (edge of the carriageway) (back of the footway) and shall open inwards into the site.
5. The garage shall be set back a minimum of 5.5 metres from the highway boundary.
6. The development shall not be brought into use until a properly consolidated and surfaced turning space for cars/commercial vehicles has been provided within the curtilage of the site.
7. The gradient of the access shall not be steeper than 1 in 20 for the first 5 metres from the edge of the carriageway.
8. The access width shall be as indicated in 1(b) above and the kerb radii shall be () which shall include a pavement crossing.
9. There shall be only one point of access onto the County Road.
- 10.

REASONS for the recommendation above:-

- ① In the interest of highway safety and amenity.
- 283 To provide adequate visibility for drivers entering or leaving the site.
4. So that a vehicle may well clear of the carriageway or footway while the gates are opened or closed
5. So that a vehicle may be parked within the curtilage of the site without obstructing the highway.
6. So that vehicles may enter and leave the site in forward gear.
7. So that a vehicle is approximately level before being driven onto the carriageway.
8. So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.
9. So that the number of places on the highway where turning movements can occur are kept to a minimum in the interests of highway safety.
- 10.

Signed Nigel Knott
Director of Transportation
Date 10 September 1991

NOTE: The plans may be acceptable if the following were amended

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THREE RIVERS DISTRICT COUNCIL
Department of Environmental Services
PLANNING APPLICATION INFORMATION SHEET

Planning Ref. No.: 8/543/91
Date rec'd valid: 9/8/91
Expiry Stat. Period: 4/10/91
Exp. N'hood Cons: 3/9/91
O.S. Sheet No.: 928
Nat. Grid Ref.: TQ 1270 9343
Parish: WATFORD RURAL
Ward: CARPENDERS PARK
Area: SOUTH
Assistant:

Site: Carpenders Park Farm
Oxhey Lane
Oxhey

Proposed Construction of a
Development: flood storage reservoir

Applicant: NRA Thames Region
Aspen House
Crossbrook Street
Waltham Cross

Agent: Babbie Dobbie Ltd
17 Lansdowne Road
Croydon
Surrey CR9 3UN

Tel: 0922-645035

Tel: 081-686-8212

Application Type: Full
Development Type: N/A
Level of Dec'n:

District Plan 1982:	GREEN BELT AMC
T.P.O./List.Bldg./An.Mon.:	-
A.O.N.B.:	-
Area of Sp. Advert. Cont.:	YES
Airfield:	-
Main River/Canal:	-
Road Class. No.:	A4008
Code:	P1R
L.H.A.:	CC
Archaeology:	-
Art. & Direction:	-
Conservation Area:	-
Pipeline:	-
Waste Disposal Auth:	-
Date Plotted:	15.08.91

PREVIOUS APPLICATIONS:

8/116/79
8/374/78
8/331/78
8/331/77
8/307/76
8/3318/71
8/1321/71

DJM.

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THREE RIVERS D.C.

Date application rec'd by Team Leader Date passed to Planning Asst

Team Leaders initial comments:

CONSULTATIONS

County Surveyor:- Access to be constructed in accordance with HCC specification in the interest of highway safety. 27/8/91

District Highways:-

Environmental Health:-

Local Plans:-

Herts Building Preservation Trust:-

	Consult'd	Reply		Consult'd	Reply
Thames Water	Adjoining Authority	.....	.....
National Rivers Authority	HCC Archaeology	.....	.....
British Waterways	Land Agent	.....	.....
Dept of Transport	Others	.....	.....
National Amenity Soc's	Health & Safety Exec	.....	.....
Other	Other	.....	.....

Site inspection date

NOTES & NEGOTIATIONS:-

Recommendation:- GRANT PERMISSION / APPROVE DETAILS / REFUSE / EXPRESS CONSENT

Report written and passed to Team Leader for Committee (date)
 or Delegated (date)

Decision deferred by Committee / DES for: Negotiation / Section 106 / other reason

Application to be reported back to Committee / Delegated on (date)

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HERTSMERE BOROUGH COUNCIL

Civic Offices, Elstree Way,
Borehamwood, Herts. WD6 1WA
Telephone: 081-207-2277
Fax: 081-207-2197

Chief Executive: JOHN PEARSON MA

PLANNING DEPARTMENT

Borough Planning Officer Judith Anthony, BA(PL), MPhil, MRTPI, MBA

Peter Brooker
Head of Environmental Services
Three Rivers House
Northway
Rickmansworth
Herts
WD3 1PL
F.A.O MR MOSS

ENVIRONMENTAL SERVICES DEPT.
RECEIVED
29 OCT 1991
DST

Your Ref. DJM/MBO/48/543/91
My Ref. WJD/JC/C/5/TR/DC
This matter is being dealt with by:
Mr J Dobbie
Ext. 5600
Direct Line: 081-207
Date: 28th October 1991

Dear Sir,

CONSTRUCTION OF FLOOD STORAGE RESERVOIR AT CARPENDERS PARK FARM, OXHEY LANE, OXHEY.

Further to your recent formal consultation on the above scheme, I am writing to advise you that the matter was reported to the Bushey/Aldenham Area Planning Sub-Committee on the 22nd October 1991.

At this meeting members resolved to inform Three Rivers D.C that:

"Hertsmere Borough Council wishes to raise no objection to the proposed scheme but ask that a suitable landscaping scheme be required for the area of the site in the vicinity of the proposed dam".

I hope you will find this information helpful and thank you for the opportunity to comment on this proposal.

Yours faithfully,

PLANNING OFFICER

Principal Officers
Development Control
G M Goring, Dip TP, MRTPI

Forward Planning
B R Anderson, FRICS, MRTPI

Building Control
P J Gatten, MRBC

Project Management
R J Thomas, MSc, FICE, FCI08, FBIM

Administration
Jens Bradley

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(15)

8/543/91 - Construction of flood storage reservoir at Carpenders Park Farm, Oxhey Lane, Oxhey for The National Rivers Authority, Thames Region.

The proposal is for an embankment which will run alongside Oxhey Lane. The maximum height of the embankment above road level will be 3.9m.

The proposal is to help alleviate flooding problems in the Carpenders Park area.

The Director of Transportation at Hertfordshire County Council has no objections subject to the provision of the new access.

No observations have been received from Hertsmere Borough Council.

RECOMMENDED:-

that PERMISSION BE GRANTED subject to the following conditions:

- (i) C1 - Standard Time Limit
- (ii) C47 - Landscaping - General
- (iii) The development shall not be brought into use until the proposed access has been constructed and the footway/verge has been reinstated to the current specification of Hertfordshire County Council and the local planning authorities satisfaction.

REASON: In the interest of highway safety and amenity.

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THE ADVANCE GROUP

APPENDIX THREE – ENGAGEMENT REPORT

Engagement Report

Outline planning application for up to 256 homes (C3) (including affordable and self/custom build housing), housing with care (C2), a children's home (C2) together with off-site highway works, parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters), at Land East Of Oxhey Lane Oxhey Lane Carpenders Park Hertfordshire.

Planning application: 25/1020/OUT

Engagement summary

Your Shout has encouraged 436 comments to be submitted to the council on this application, as part of our post-application consultation, including 415 support comments, with in addition 14 objections and 7 neutral comments.

Over 99% of the letters came from within the boundaries of Three Rivers District Council – just one letter was from outside.

All of these came from the three closest three wards to the site – Carpenders Park, South Oxhey, and Oxhey Hall & Hayling.

Map of engagement



Resident stories



Better public transport links in the local area, faster and more on-time/reliable bus services. More affordable housing for young people to buy and rent.

— Youran from Oxhey Hall & Hayling



Resident stories



I absolutely agree to building new affordable housing in this area. It is exactly what we need here, I have lived here for over 30 years and more affordable housing is much needed for our community. I am a parent and would very much like my children and grandchildren to remain here.

— Jacqueline from South Oxhey



Resident stories



Good to see mix of council, affordable and private for families and bit of space for seniors. I'm 73 and lived in area over 40 years. There are over a million on the waiting list, we need more homes.

— Anthony from Oxhey Hall & Hayling



Resident stories



I support the new homes for local people. I support building of young children homes built too.

— Briton from South Oxhey



Resident stories



We need houses, as there is not enough. As long as the plans for social rent are kept as they have promised, then new development is needed.

— Lynn from Oxhey Hall & Hayling



Resident stories



We need more homes for people in general, it is much needed.

— Yenecia from Oxhey Hall & Hayling



Resident stories



Sounds like it would be good for a range of people from all different backgrounds.

— Julie from Oxhey Hall & Hayling



Resident stories



There is a definite need for more affordable housing. If there are spaces that are redundant then it makes sense to use these without impacting on the existing structure of the area.

— Gillian from Oxhey Hall & Hayling



Resident stories



More affordable homes are required. As long as they are affordable. Like the idea of the children's home to support young people.

— Michelle from Oxhey Hall & Hayling



Resident stories



I would like to see more affordable homes for local families and job creation.

— Sarah from South Oxhey



Resident stories



We really need more houses in this area. Please be aware of the road bottleneck at the arches.

— Tobi from Carpenders Park



Resident stories



I do support this building. The new home and job opportunity.

— John from South Oxhey



Resident stories



It's good for our new young families.

— Nicoleta from Oxhey Hall & Hayling



Resident stories



This housing is a good idea, as the waiting list is long.

— Marlene from Oxhey Hall & Hayling



Resident stories



I support the creation of new homes and new jobs for local people.

— Emily from South Oxhey



Resident stories



I support the making of new homes. I support the making of new jobs.

— Jay from South Oxhey



Resident stories



I would like to see more homes for local people.

— Jack from Oxhey Hall & Hayling



Resident stories



I would like the homes for 'local' people. I would like to see more police on the streets.

— Jane Debra from South Oxhey



Resident stories



I support the making of these new homes also creation of new jobs.

— Angel from South Oxhey



Resident stories



Looks like a good idea, trying to save up for a deposit on a house in this economy is awful so I think it is a great idea.

— Roxanne from South Oxhey



Resident stories



I support this, being a local special needs parent, this would benefit local people, also jobs for locals is brilliant and would help the area.

— Rachel from South Oxhey



Resident stories



I would like to see more homes for local people.

— Barry from South Oxhey



Resident stories



Need affordable homes, create jobs.

— Karunakaran from Oxhey Hall & Hayling



Resident stories



Need more affordable homes in the area.

— Chrystal from Oxhey Hall & Hayling



Resident stories



Need more affordable housing.
Need social housing.

— Gillian from Oxhey Hall & Hayling



Resident stories



These proposals are what I would like. I would like to see more development of care facilities for the elderly.

— Jacke from Oxhey Hall & Hayling



Resident stories



As a young person we need more homes in the area.

— Frankie from Oxhey Hall & Hayling



Resident stories



Need for more affordable housing.

— Marvin from Oxhey Hall & Hayling



Resident stories



People need more houses.

— Keisha from Oxhey Hall & Hayling



Resident stories



We need more houses.

— Binterl from Oxhey Hall & Hayling



Resident stories



I support these building and homes created and jobs for people.

— Joan Alice from Oxhey Hall & Hayling



Resident stories



I support this proposal and I hope will be implemented.

— Mustafa from Oxhey Hall & Hayling



Resident stories



I support the project and the jobs it will give to people in the area.

— Patrick from Oxhey Hall & Hayling



Resident stories



I support this project and would like to see support for youth and children. Also, provide local jobs.

— Puneet from Oxhey Hall & Hayling



Resident stories



This is a good idea; we need housing. Please examine potential for a bus service.

— James from South Oxhey



Resident stories



Unless we build affordable homes, the young families don't stand a chance. I've lived here over 50 years, we really do need more homes.

— Elaine from Carpenders Park



Resident stories



I support this development, there is a need for more homes. The jobs created will boost the local economy.

— Jeferson from South Oxhey



Resident stories



I would like to see this for local people. I support more homes for families.

— John from South Oxhey



Resident stories



All good ideas. Facilities, homes and affordable homes much needed.

— Sandra from Oxhey Hall & Hayling



Resident stories



More affordable homes with good families moving in.

— Tommy from South Oxhey



Resident stories



I support this development for local families.

— Wendy from Oxhey Hall & Hayling

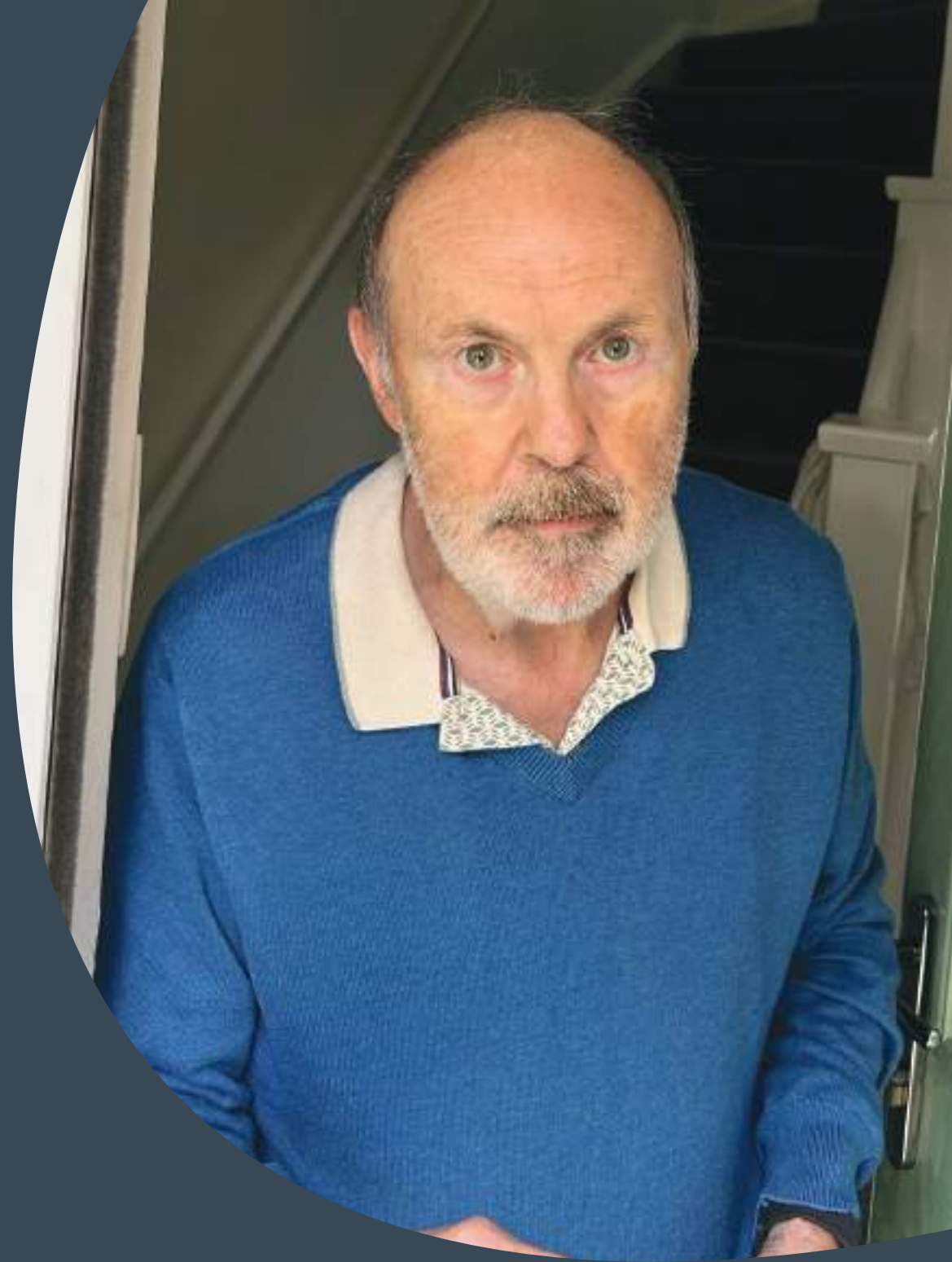


Resident stories



Fully support this project.

— Keith from Oxhey Hall & Hayling



Resident stories



I would support this for the local families.

— Daimon from Oxhey Hall & Hayling



Resident stories



Good to see new homes for when the kids grow.

— Joe from Oxhey Hall & Hayling



Resident stories



I would support local family and local people, young and old.

— Donna from Oxhey Hall & Hayling



Resident stories



We need affordable homes in this area. Not enough houses in this area for bigger families.

— Kim from Oxhey Hall & Hayling

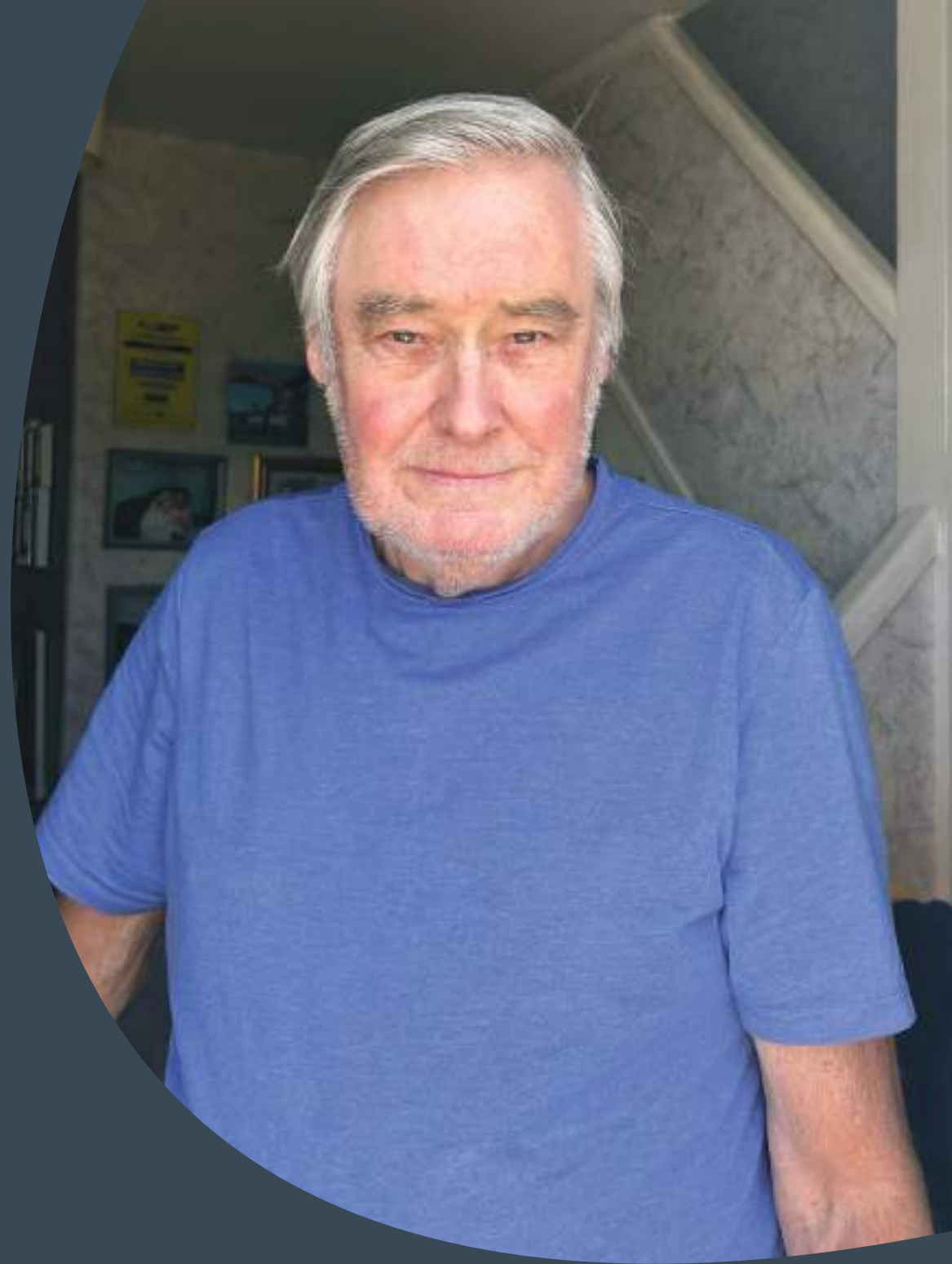


Resident stories



Good to have a new children's home and a care facility in the area. It is some much needed infrastructure.

— Brian from South Oxhey



Resident stories



I like that the environment is being considered, the children's home and the relatively high amount of social housing.

— David from South Oxhey



Resident stories



Need more affordable homes locally. It would also help young people when surrounded by a positive area.

— Tyler from South Oxhey



Resident stories



I support for local people and families.

— Manmohan from Carpenders Park



Resident stories



I would like to see local families kept in the area and supported by local housing.

— William from South Oxhey



Resident stories



It's a good idea as will help with more property and more jobs.

— Erene from South Oxhey



Resident stories



Help create affordable homes and jobs.

— Janette from South Oxhey



Resident stories



Good idea to solve the housing crisis and give more affordable homes.

— Mable from South Oxhey



Resident stories



As a mum, I would like to see this development.

— Iryna from South Oxhey



Resident stories



As a husband who has a wife who helps people, I support this. I want to see more development of homes.

— Pit Parayawo from South Oxhey



Resident stories



As a family man, I would like to see these homes for local families.

— Barry from South Oxhey



Resident stories



As a parent, I want to see more affordable homes for local families and for single mums.

— Teresa from South Oxhey



Resident stories



I support this development as I have one disabled child and we need more affordable homes in this region.

— Rodrigo from South Oxhey



Resident stories



As a mother, my son and daughter in law live in a 2 bedroom place with an 11yr old daughter and 4yr old son. I think you need to house local families who need bigger properties, also older people need bungalows, but this is very difficult.

— Aisline from South Oxhey



GDPR and statement about this report

Our work gives a voice to people that wouldn't ordinarily have a voice. We bring the scheme to the attention of people, and ask them whether they wish to engage or not. No pressure is put on anyone, and our fieldworkers are briefed to help people object if they would like to do that.

All the supporters provide their name, address and unique comment, as required by the council, and many even provide their photo so that we can show councillors. This is a task undertaken by the developer's agent as just one way to continue the process of consultation at a post-application stage.

Where we provide photographs of local residents, they have given their express consent for us to use the images in our documents to notify councillors and planning officers of their comment, and have been explained their rights in how we are handling their data. All of these local residents are aged 18 or over.



Produced by Your Shout

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APPENDIX FOUR – NSPCC INFORMATION ON 'LOOKED AFTER CHILDREN'

Children in care

Last updated: 16 Sept 2025

Introduction

A looked after child, or child in care, is a child who has been in the care of their local authority for more than 24 hours.

Many children in care have experienced abuse, neglect or other forms of trauma.

It's important that children in care are provided with the care and support they need to be healthy and safe, have the same opportunities as their peers and move successfully into adulthood.

Why we use the terms children in care and looked after children

Legislation and guidance refer to 'looked after children'. But many children and young people prefer the term 'children in care'.¹ Therefore, we use both 'children in care' and 'looked after children' in our content.

[> Find out more about language and children in care in our Why language matters blog](#)

How many children are in care in the UK?

There are many thousands of children in care in the UK and the overall numbers have been increasing over the

past decade.

[> Read our Children in care: statistics briefing to find out more about the range of data available](#)

Types of care: foster care, adoption and residential

Each UK nation has a slightly different definition of a looked after child and follows its own legislation, policy and guidance. But in general, looked after children are:

- living with foster parents/carers
- living with friends or relatives, through kinship foster care
- living in a residential children's home
- living in residential settings like schools, secure units or semi-independent living accommodation
- in some cases, living with their parents.

Scotland's definition also includes children under a supervision requirement order. This means that many of the looked after children in Scotland are still living at home, but with regular contact from social services.

A child stops being 'looked after' when they are adopted, return home or turn 18. However local authorities in all the nations of the UK are required to support children leaving care at 18 until they are at least 21. This may involve them continuing to live with their foster family.

Not all children in the care of someone other than their parents have 'looked after' status. For example, they may be in private kinship care or cared for under a special guardianship order.

Private kinship care is an arrangement made directly between the parent(s) and the relative, friend or connected person, without the involvement of the local authority.

Special guardianship is when a local authority places a child to live with someone other than their parent(s) on a long-term basis. It aims to provide more security than long-term fostering for children where adoption is not the best option. Special guardianship orders are not available in Scotland.

Reasons for a child going into care

There are a variety of reasons why children enter care.

- Children's services may have intervened because they felt the child was at significant risk of harm. If this is the case the child is usually the subject of a court-made legal order.
- The child's parents might have agreed to this – for example, if they are too unwell to look after their child or if their child has a disability and needs respite care.
- The child could have been lost, abandoned or there may be no one with parental responsibility available to care for them; as is the case for unaccompanied asylum-seeking children.
- The child may have been charged with a criminal offence and temporarily placed on remand in the care of the local authority.

Impact

Impact of being a child in care

Children in care come from a range of different backgrounds and have varied experiences of care. Each child has their own different and specific sets of needs. However, research can give us an insight into how their experiences before and during care makes them a particularly vulnerable group.

[> Find out what data is available about looked after children in our statistics briefing](#)

Previous experiences of abuse and other forms of trauma

Many children who enter care have been abused, neglected or experienced other forms of trauma. For example, unaccompanied asylum-seeking children have often experienced trauma in their home country or during their journey to the UK.²

These experiences can leave children with complex emotional and mental health needs, which can increase their vulnerability to abuse.^{3,4}

Separation and estrangement from family and friends

Relationships between family members including siblings are among many children's most enduring and significant relationships. However, contact with the care system can lead to separation and estrangement from siblings for many children.^{5,6,7}

Events such as moving to a new home, new area or new school can also significantly disrupt friendships and other support networks.

Educational instability

Contact with the care system often means that children have to change schools. This can impact children's educational stability:

- they might have to change or drop the subjects they take
- it can disrupt exam and coursework preparation
- they may have to miss school.

The added stress from these changes can negatively impact children's mental health and well-being.⁸

“I moved schools when I went into foster care, and I don't fit in at all. I've got no friends, no one will sit with me in lessons. I just spend lunchtime in the toilets crying. I don't feel like I can tell my foster carers how depressed I'm feeling, I don't want to mess this up.”

Childline counselling session with a girl aged 16

Placement unsuitability and instability

There is a lack of suitable homes available for children in care.⁹ This means children sometimes end up staying in placements which are unable to meet all their needs.

Children are sometimes placed far away from their home, friends, school and family due to a lack of suitable placements in their local area. This can have a significant impact on a child's life, disrupting the positive relationships and connections they have developed in their home area.¹⁰

Many children move repeatedly in and out of care, or between placements. Placement breakdowns can have a detrimental impact on a child's emotional wellbeing and mental health. It can also prevent them forming stable relationships with the adults who could help protect them.¹¹

A lack of available and suitable homes in the right areas can sometimes mean that children are placed in unregistered children's homes. Without being registered, these homes are operating illegally and aren't subject to regulatory oversight.¹²¹³¹⁴¹⁵

Unregistered homes may be provided by independent sector operators or local authorities. They can include houses, supported accommodation and holiday rentals.¹⁶ Without professional oversight, safeguarding and child protection concerns in these placements are less likely to be identified, monitored and responded to by professionals.

Peer violence and abuse

Many children in care have previous experiences of violence, abuse or neglect. This can lead to them displaying challenging behaviour and having problems forming secure relationships. Some find it hard to

develop positive peer relationships. The care system can struggle to provide effective management and interventions to address these problems.¹⁷

Going missing

Children may run away from care for all sorts of reasons. These include:

- wanting to return home to their family
- being unhappy or bored in their care placement
- feeling like they didn't have enough control over their own lives.

“I’m struggling to deal with my mum not turning up to meet-ups. Each time it happens I feel convinced I’ll never see my family again. I end up having panic attacks and running away from placement to cope. Then I get punished for running. My social worker is understanding but I need better ways to cope.”

Childline counselling session with a boy aged 13

Children who go missing from care are at greater risk of physical abuse, grooming and sexual exploitation.

Children can also go missing from care as a consequence of exploitation. Evidence suggests young people living in children’s homes are sometimes specifically targeted for exploitation; and children who

have been trafficked into the UK often go missing within days or weeks of being taken into care due to the ongoing power their traffickers hold over them.¹⁸

[> Find out more about protecting children from trafficking and modern slavery.](#)

Comparisons with other groups of children

Research suggests that when children in care are compared with children who have not been in care, they tend to have poorer outcomes in a number of areas such as educational attainment and mental and physical health.¹⁹

However, this is not necessarily the case when they are compared with other groups of children who are likely to have had similar experiences, such as children in need. One study, which analysed Government data, found that looked after children who were continuously in care in England had better educational attainment than children in need.²⁰

[> Read our briefing on what data and statistics are available about children in care](#)

Intersectionality

Taking an intersectional approach

Children in care, like all children, have diverse identities. As well as experiencing prejudice or bias related to being in care, they might experience challenges relating to other parts of their identity, such as:

- ethnicity
- sexuality
- gender
- disability
- mental health
- where they live, how much money they have and how much access they have to education.

The way these challenges interact is known as intersectionality.

For example, research found that while on average care-experienced children had much more youth justice involvement than non-care-experienced children, care-experienced Black and Mixed ethnicity children had even higher levels of involvement.^{[21](#)}

It can be difficult for children to cope with this, and it can have a negative impact on their welfare.

Research has also found that the needs and experiences of care-experienced children who have disabilities or long-term health conditions aren't always fully recognised or understood by professionals.^{[22](#)}

“I’m really missing my mum at the moment. I want to see her, but she doesn’t want to see me just yet. She couldn’t cope with my

disabilities and got angry with my autism.
My foster family are supportive and always
try to make sure I'm ok, but I get anxious
when I try to say how I'm feeling.”

Childline counselling session with a girl aged 12

[> Listen to our podcast episode on intersectionality in social work practice](#)

Learning for practitioners: understanding the child

When you're working with a child, consider all the factors that might influence their safety and wellbeing. Take the time to get to know them, understand their lived experience and how they might face risks due to how others might perceive their identity.

You could consider creating safe spaces for children who have similar identities or come from the same community. This might help them talk about their experiences and get peer support.

Find out more about:

- [safeguarding children who come from Black, Asian and minoritised ethnic communities](#)
- [safeguarding LGBTQ+ children and young people](#)
- [safeguarding children with special educational needs and disabilities \(SEND\)](#)
- [safeguarding d/Deaf and disabled children and young people](#)
- [child mental health.](#)

Support for children in care

Supporting children in care

Providing children in and on the edge of care with the support they need, when they need it, can help them to achieve their potential.

Deciding whether a child should enter care

Delays in decision-making can prolong children's experiences of abuse and neglect. This means that when they do enter care they can experience greater degrees of difficulty, and the specialist services they require are less likely to have an impact.²³

Effective assessments enable timely decision-making around whether a child should stay with their birth family or enter care.

[> Read more about what makes a good assessment](#)

Children on the edge of care

Our publication Promoting the wellbeing of children in care identifies ways to better safeguard children on the edge of care:

- improving understanding of how to identify damaging situations

- improving decision making about when it is in a child's best interests to enter care ensuring that decisions are well planned and taken in a timely fashion.

Achieving these aims requires:

- greater use of multi-agency approaches to assessment and support for children and families on the edge of care
- revised training for social workers and other practitioners to ensure an improved understanding of:
 - child development
 - the identification of risk and protective factors
 - parental capacity to change
- improvements in undergraduate and post-qualification training to ensure that social workers and other professionals are also able to develop a better understanding of the impact of care and effective interventions
- greater effort to ensure stability for children on the edge of care and following their entry to care.²⁴

[> Read the Promoting the wellbeing of children in care report via our library catalogue](#)

Deciding on the right placement for the child

Every child in care has their own individual strengths and needs. To identify the right placement requires effective assessment, planning and a willingness to listen to the voice of the child and their family.²⁵

Deciding on the best available placement is key to achieving stability and permanence and can have an important impact on the outcomes for the child.

[> Find out more about hearing and facilitating the voice of the child](#)

Supporting children in care

Providing a secure, caring environment can help looked after children overcome their early life experiences.

Local authorities have a statutory duty to support the children in their care and every local area should have a range of support available to meet their children's needs.

NSPCC research has identified five priorities for change to improve the emotional and mental health of looked after children.

- **Embed an emphasis on emotional wellbeing throughout the system.** Professionals working in the care system need the skills and knowledge to understand how they can support the emotional wellbeing of children in care.
- **Take a proactive and preventative approach.** Support for looked after children should begin with a thorough assessment of their emotional and mental health needs.
- **Give children voice and influence.** Children in care need more opportunities to identify what is important to them and influence their own care.
- **Support and sustain children's relationships.** Children's carers require training and support to be

sensitive, understanding and resilient.

- **Support care leavers' emotional needs.** Help young people identify and strengthen their support networks.²⁶

If a child or young person needs confidential help and advice direct them to Childline. Calls to 0800 1111 are free and children can also [contact Childline online](#) or [read about living in care on the Childline website](#). You can also download [Childline posters](#).

Feelings of isolation and loneliness can affect any child or young person, but those in care can be particularly at susceptible.

Supporting the birth family

It's important for professionals to support the child's birth family, to address the problems which resulted in the child entering care. In time, many children can return home to their family but even if this is not possible their birth family are still likely to be a central part of their lives.

The quality of contact a child has with their birth family can have an impact on their wellbeing, so it's important to support children to have safe, positive contact with their birth families if it is in the child's best interests.²⁷

Children and young people leaving care

Children and young people leaving care

Returning a child home from care

For many children, returning home from care is the best possible outcome. But research shows that for others this can result in further abuse or neglect.²⁸

Many children end up back in care, and a significant number move back and forth between care and their family. Other children remain at home despite continuing abuse or neglect.

There are a number of ways to improve a child's experience of returning home from care:

- Assessing the needs of the family so support can be tailored and in place before and after a child returns home.
- Assessing the risks the family could pose to their child, how much they are able to change and their ability to protect their child from harm. The assessment should consider the family's history as well as the current situation.
- Working with the child and their family to help strengthen their relationship.
- Agreeing with the parents, in writing, what needs to happen before and after their child returns home.
- Providing tailored support and services for the child and their family before and after the return home for a minimum period of 6 months (as recommended in the NSPCC Reunification Framework). This should include support from foster/residential carers, the child's school, and friends.

- Returning the child home gradually, and putting in place plans for what will happen if the return is not going well.
- Monitoring how the child and their family are doing.

Reunification practice framework

Our Reunification practice framework, created in partnership with University of Bristol, supports practitioners and managers to apply structured professional judgement to decisions about whether and how a child should return home from care.

The framework also helps families and workers to understand what needs to change, to set goals, access support and services and review progress.²⁹

[> Find out more about the Reunification practice framework](#)

Supporting care leavers

For some looked after children, leaving the care system can be a challenging time.

In all nations of the UK, children leaving care at 18 are entitled to support from their local authority until they are at least 21. England and Wales are governed by the [Children \(Leaving Care\) Act 2000](#) and there is separate legislation for Scotland ([Children and Young People \(Scotland\) Act 2014](#)) and Northern Ireland ([The Children \(Leaving Care\) Act \(Northern Ireland\) 2002](#)).

For some children this will mean staying on with their foster carers. For others alternative accommodation options will be required.

Local authorities across the UK have a duty to assess and meet care leavers' individual needs and to develop a pathway plan, setting out the support that will be provided to the care leaver once they have left care. This should include making sure the care leaver has somewhere suitable to live.

In England, Wales and Northern Ireland, care leavers are also legally entitled to a personal adviser to help with the transition.

Legislation, policy and guidance

Legislation, policy and guidance

There is legislation and guidance in each nation of the UK that sets out how the child protection system works and what agencies' responsibilities are to children and families who need support.

Find out more about the child protection system in:

- [England](#)
- [Northern Ireland](#)
- [Scotland](#)
- [Wales](#).

There is specific legislation, policy and guidance relating to children in care and care leavers.

Key legislation

England and Wales

The [Children Act 1989](#) underpins the way the care system works in England and Wales.

The [Children \(Leaving Care\) Act 2000](#) introduced new duties in England and Wales around putting in place plans to promote the wellbeing of looked after children after they cease to be in care.

The [Children and Young Persons Act 2008](#) introduced reforms to the care system in England and Wales. These included:

- making it explicit that placement with a parent is the preferred option, followed by kinship care
- extending local authority duties to children leaving care, including those over 21 who return to education or training
- requiring children's services to arrange for looked after children to have an independent visitor where it is considered in the child's best interests.

England

The [Care Planning, Placement and Case Review \(England\) Regulations 2010](#) set out the responsibilities of local authorities to plan the care and improve the outcomes of children in care.

The [Children and Families Act 2014](#) introduced a number of changes to the care system in England including:

- introducing 'fostering for adoption' to allow approved adopters to foster children while they wait for court

approval to adopt

- setting a 26-week limit for care proceedings
- establishing 'staying put' arrangements to enable young people to continue living with their foster carers if they wish until the age of 21
- replacing residence and contact orders with child arrangement orders, which specify where a child is to live and who they are to spend time with.

The [Children and Social Work Act 2017](#) introduced further reforms relating to looked after children, including:

- setting out seven corporate parenting principles around local authorities' responsibilities towards looked after children
- requiring local authorities to publish a 'local offer' for care leavers, and provide care leavers with a personal advisor up to the age of 25
- requiring courts to consider the impact of harm on children and their current and future needs when making decisions about long term placements.

Northern Ireland

In Northern Ireland, [The Children \(Northern Ireland\) Order 1995](#) sets out the duties, powers and responsibilities of local authorities regarding looked after children.

The [Children \(Private Arrangements for Fostering\) Regulations \(Northern Ireland\) 1996](#) set out how arrangements should be made for fostering a child privately.

The [Children \(Leaving Care\) Act \(Northern Ireland\) 2002](#) sets out Health and Social Care Trusts' responsibilities for young people leaving care, including:

- the duty to assess and meet young people's individual needs
- providing personal advisers and develop pathway planning for young people up to the age of 21 (or beyond if continuing in education)

The [Children \(Leaving Care\) Regulations \(Northern Ireland\) 2005](#) provides more detail on assessing and meeting the needs of young people preparing to leave care and care leavers.

Scotland

The [Foster Children \(Scotland\) Act 1984](#) sets out provisions for foster care in Scotland.

In Scotland, the [Children \(Scotland\) Act 1995](#) sets out the duties, powers and responsibilities local authorities hold in respect of looked after children and care leavers.

The [Looked After Children \(Scotland\) Regulations 2009](#) introduces:

- provisions about care planning, fostering, kinship care and emergency measures
- clarity on when a child can be classed as 'looked after' but still live with their parents.

The [Children and Young People \(Scotland\) Act 2014](#) introduces reforms, including:

- setting out the law on corporate parenting

- the provision of aftercare to young people leaving care on or after their 16th birthday
- making it clear that a young person who is looked after in foster, kinship or residential care is eligible to continuing care in their current placement until they turn 21.

Wales

The [Social Services and Well-being \(Wales\) Act 2014](#) covers local authorities' duties to children in their care, and family and friends' care. It includes a requirement to support for children leaving care which is equivalent to the support a non-care-experienced child might reasonably expect from their parents.

The [Care Planning, Placement and Case Review \(Wales\) Regulations 2015](#) set out the responsibilities of local authorities to plan looked after children's care.

The [Care Leavers \(Wales\) Regulations 2015](#) make provision about the support to be provided to young people who are no longer looked after by a local authority.

Strategy and policy

England

The government's plans to transform children's social care in England through its [Stable homes, built on love](#) strategy³⁰ identifies six key "missions" to improve the care system:

- ensure strong, loving relationships for care-experienced children
- increase the number of local, high-quality, stable and loving homes
- strengthen and extend corporate parenting responsibilities across the public sector
- improve education, employment and training outcomes for children in care
- increase suitable accommodation for care leavers and reduce homelessness
- reduce disparities in mental and physical health outcomes and improve wellbeing.

The DfE has since published [Keeping children safe, helping families thrive](#), a policy paper outlining the government's commitment to keeping families together and children safe.³¹

The DfE has published a [national kinship care strategy](#),³² to support kinship carers and children across England. The strategy sets out plans to improve support to grandparents, other family members and wider family networks by launching a kinship financial allowance; creating a new Kinship Care Ambassador role; and improving the visibility of kinship carers.

Northern Ireland

[A life deserved – a strategy for looked after children](#) aims to improve the well-being of children in care, at risk of entering care and who have recently left care.³³

Scotland

[Plan 24-30](#) outlines priority focus areas the Scottish Government has for children in or on the edge of care, to achieve goals set by the Independent Care Review.³⁴

This includes a local authority duty to ensure that children in care can live with their siblings where appropriate.

Wales

The [Programme for government 2021 to 2026](#) sets out the Welsh Government's current priorities, including a commitment to, "explore radical reform of current services for children looked after and care leavers".³⁵ This commitment was built on in the [Declaration of radical reform for children and young people's care](#), developed by Welsh Ministers with Young Ambassadors representing the care experienced community, which sets out the steps needed to promote the rights and wellbeing of children in care.³⁶

Key guidance

England

Statutory guidance and regulations have been issued under the Children Act 1989 including:

- [Volume 1 - Children Act 1989: court orders](#) provides information about the range of orders available under the Act and the roles of the police and the Children and Family Court Advisory and Support Service (Cafcass)³⁷
- [Volume 2 - Children Act 1989: care planning, placement and case review \(PDF\)](#) sets out the functions and responsibilities of local authorities and partner agencies providing support for looked after children and their families³⁸

- [Volume 3 - Children Act 1989: transition to adulthood for care leavers](#) is designed to ensure care leavers are given the same level of care and support that their peers would expect from a reasonable parent.³⁹
- [Volume 4 - Children Act 1989: fostering services](#) sets out the functions and responsibilities of local authorities and independent fostering agencies in relation to fostering services for looked after children.⁴⁰
- [Volume 5 - Children's homes regulations, including quality standards](#) offers guidance for those providing residential children's homes for vulnerable children.⁴¹

The [Children's social care: national framework](#) statutory guidance sets out the purpose and principles of children's social care, as well as the factors that enable good practice and the outcomes that should be achieved for children and families.⁴² It is supported by the [Children's social care dashboard](#) which aims to measure how well government and local authorities are achieving these outcomes.⁴³

The statutory guidance [Kinship care: framework for local authorities](#) provides local authorities and their staff with recommendations on how best to support children who are cared for by extended family or friends. The guidance details how local authorities should carry out the duties set out in the Children Act 1989 in relation to children in kinship care.⁴⁴ It replaces the statutory guidance [Children Act 1989: family and friends care](#).⁴⁵

[The NICE guideline \[NG205\]](#) published by the National Institute for Health and Care Excellence (NICE) sets out how organisations, practitioners and carers should work together to deliver high-quality care, stable placements, and nurturing relationships for looked after children.⁴⁶

[Applying corporate parenting principles to looked-after children and care leavers: statutory guidance for local authorities \(PDF\)](#) sets out seven principles local authorities must follow when supporting children in care and care leavers.⁴⁷

Northern Ireland

The [Protecting looked after children guidance \(PDF\)](#) advises professionals on managing protection concerns relating to looked after children.⁴⁸

Scotland

The [Children and Young People \(Scotland\) Act 2014: national guidance on part 12: services in relation to children at risk of becoming looked after, etc](#) gives frontline practitioners, managers and strategic leaders an overview of the legal framework for providing support services.⁴⁹

[Part 10 \(aftercare\)](#) and [Part 11 \(continuing care\)](#) of the Children and Young People (Scotland) Act 2014 both have published guidance to explain the provisions.⁵⁰⁵¹

Guidance on the Looked After Children (Scotland) Regulations 2009 and the Adoption and Children (Scotland) Act 2007 clarifies local authorities' duties.⁵²

Wales

[Part 6 code of practice \(looked after and accommodated children\) \(PDF\)](#) provides guidance to local authorities on supporting looked after children.⁵³

Children missing from care guidance

Looked after children are more likely to go missing than other children and are at greater risk of harm if they do.⁵⁴

The guidance each of the four nations has published includes:

- In England, the [Statutory guidance on children who run away or go missing from home or care \(PDF\)](#) outlines action that local authorities and their partners should take to stop children going missing from home or care and to protect those who do.⁵⁵
- In Northern Ireland, the Police Service Northern Ireland (PSNI) and Health and Social Care Board's [missing children protocol](#) aims to ensure the agencies work together effectively in the best interests of the child.⁵⁶
- In Scotland, the [National missing persons framework](#) includes provision for children.⁵⁷
- In Wales, the [Safeguarding children who go missing from home or care](#) practice guide provides additional information about safeguarding missing children.⁵⁸

Care leavers guidance

With outcomes for care leavers consistently poorer than for non-care-experienced young people,⁵⁹ all four nations in the UK provide support for care leavers.

In addition to the above key legislation and guidance, the following documents are also useful for practitioners:

- In England, [Keep on caring: supporting young people from care to independence \(PDF\)](#) sets out government strategy to improve services, support and advice for care leavers.⁶⁰ There is also [statutory](#)

[guidance \(PDF\)](#) for local authorities on the support they must provide care leavers up to the age of 25.⁶¹

- In Northern Ireland, [Standards: leaving care services in Northern Ireland](#) sets out minimum standards for leaving and aftercare services.⁶²
- In Scotland, [Staying put Scotland: providing care leavers with connectedness and belonging](#) provides guidance for local authorities and other corporate parents.⁶³
- In Wales, the [When I am ready: good practice guide](#) provides guidance for practitioners involved in making and supporting arrangements for young people leaving care.⁶⁴

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APPENDIX FIVE - BBC ARTICLE – LOOKED AFTER CHILDREN



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Why illegal children's homes are being paid up to £2m per child by councils

7 hours ago



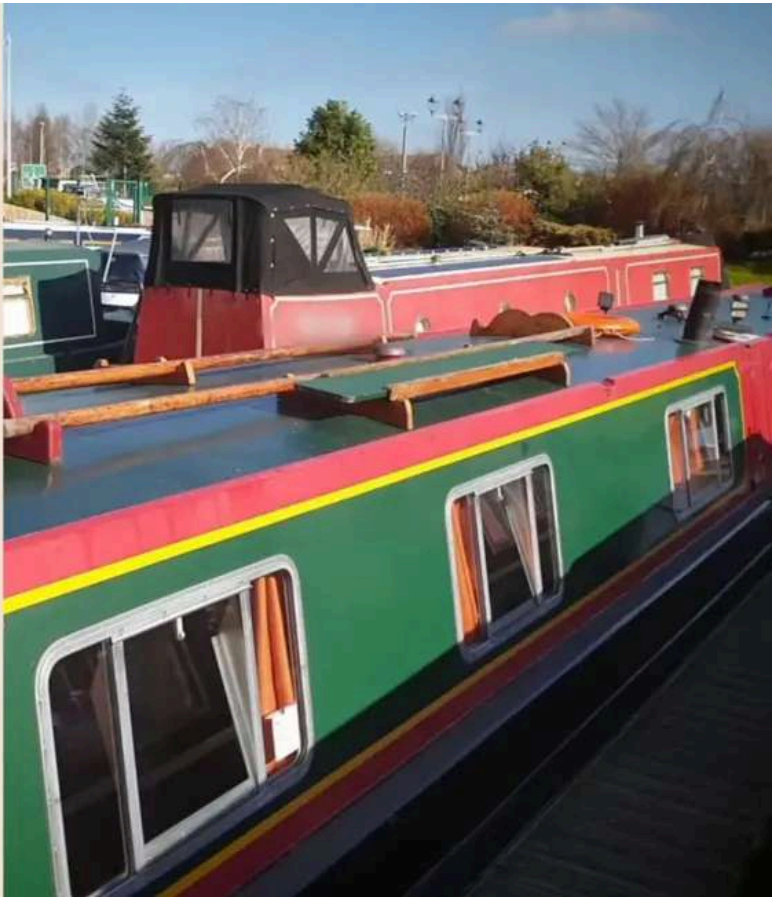
Noel Titheradge >

Investigations correspondent

The bungalow doesn't look much like a children's home. A sheet of privacy film wrongly placed outside a window is peeling. Inside, the wallpaper is flaking, carpets are frayed and doors are broken. The children's home is unregistered and therefore illegal but the provider is charging a council elsewhere in the country £13,000 a week to care for a vulnerable teenage girl. She requires the support of three full-time members of staff. There are no books, toys or games.

Just a few miles away, another illegal children's home is being run from a council house. Its tenant is subletting the property to a company that is also charging a different local authority thousands of pounds a week.

Five years ago, my reports into such placements led directly to a government ban on the use of unregulated children's homes in England. I found that children as young as 11 were being housed in homes that were not registered with or inspected by Ofsted. These included squalid flats, tents, caravans, narrowboats and a home under surveillance by the police for suspected gang activity.



The BBC previously found that a 14-year-old boy was placed in unregulated care on this narrowboat 200 miles from his family

I also exposed how one girl was trafficked directly from her home and sexually abused, while a boy was kidnapped from another home to sell drugs. A Newsnight investigation said teenagers were being abandoned to organised crime.

The 2021 ban on under-16s being housed in such homes was meant to bring an end to the practice. But in reality, councils struggling to accommodate children are placing more of them than ever in what are now illegal homes - at huge taxpayer expense. I've now learned of unregistered placements that are costing as much as £2m per child a year.

The sector is a "Wild West", according to Dr Mark Kerr, chief executive of the Children's Homes Association. "This is the culmination of 10 years of systemic failure to develop specialist provision for our most vulnerable children," he says.

While the majority of children are either fostered, adopted or placed in legal children's homes, local authorities have struggled to find homes for children with the most complex needs - who are often the most expensive to care for. And in around 800 cases in England, councils have turned to unregistered homes, despite the ban on them, according to the Public Accounts Committee.

So why, if the homes are unregistered and therefore illegal, are English councils still placing children in them? And how can the system be reformed so this doesn't continue to happen?

The scale of the problem

Counter-intuitively, just as the use of illegal children's homes has increased, the number of registered children's homes has soared - doubling from 2,209 to 4,455 in eight years, according to Ofsted. That's despite the fact that there has only been a 9% increase in the number of children in care over this period.

Many sources tell me that this huge increase in homes has been caused by a rush of new providers entering the market. Alongside private equity, property investors have also piled into the market.

And even though many providers have no prior experience in care, prices have also surged. The amount spent by councils in England on children's residential homes has doubled in the last four years and tripled in the last eight years. Four years ago, I found some companies making profits of 40%.

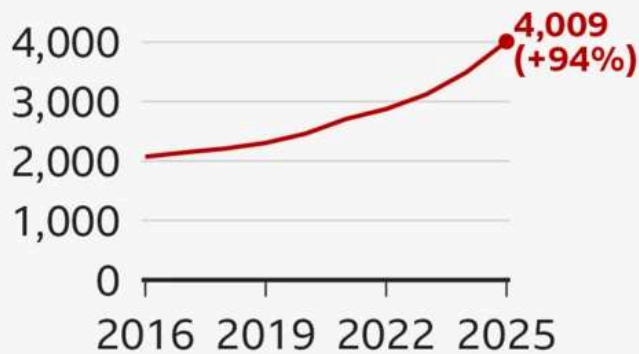
Staffordshire council paid £2.6m last year to care for a teenage girl in a registered placement who required up to five staff to care for her. The council says there's a national shortage of specialist homes and the NHS pays half of the cost of the placement.

Even the average placement in a registered home now costs £6,100 a week, or £318,000 a year.

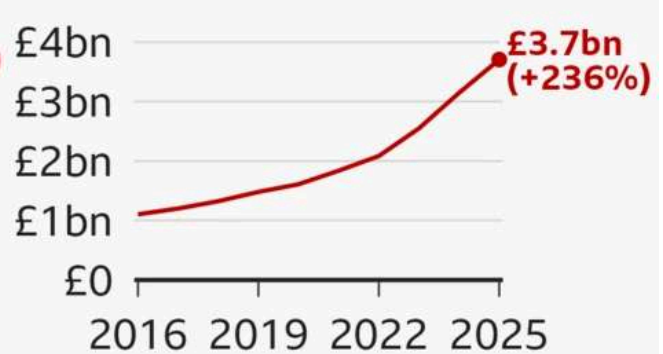
Children's homes and costs have risen faster than the number of children in care

England, years ending March

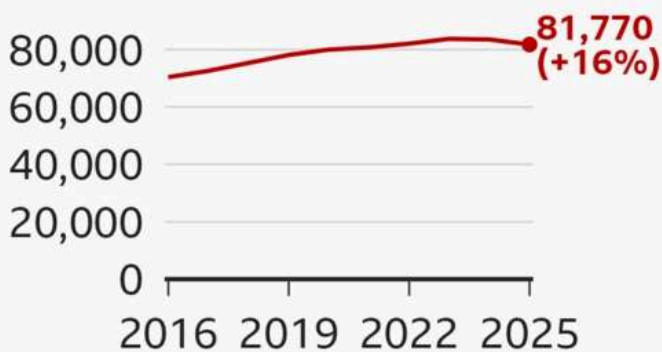
Children's homes



Council spending on homes*



Children in care



*Figures not adjusted for inflation

Source: Department for Education, Ofsted



But it's the unregistered homes - which are so brazenly run that Ofsted even records a tally of them - that cause the most concern.

I've visited many and am continually surprised by the environments in which children who have faced appalling abuse and neglect prior to entering care are placed in.

I saw one caravan in Lancashire where a 12-year-old boy had been placed in the care of a company that also uses narrowboats, with children often ending up being moved between the two. In contrast, his brother had been in a stable and far cheaper foster placement for years.

In Portsmouth, I also visited a flat above a shop where a council had placed a 14-year-old known to be at risk of jumping out of windows.

One whistleblower I recently spoke to described seeing a boy living in a house where the sofa was propped up with two bricks, another said she had seen a

child barricaded inside a room.

I also met Chereece, a care leaver who says she was moved between holiday homes in Wales for months - sometimes twice in a week.



Chereece was frequently moved between holiday homes with different staff "like I was a prisoner"

"It was an absolute nightmare", she says. "Different staff, different young people - I felt like I was a prisoner."

Many of the children in illegal children's homes are located in terraced or suburban housing in parts of northern England with cheaper rents. One in five are of all children in care are living at least 20 miles away from where they grew up, according to Clare Bracey of the national charity Become, which campaigns to end the practice.

And even illegal placements can be hugely expensive. Our FOI requests show that multiple illegal children's homes are being paid over £2m per child per year in extreme cases. These rising costs mean there is less funding for earlier support that may prevent children being placed in care, according to the Local Government Association.

'Like putting children in backstreet clinics'

So why would councils actively break the law in placing vulnerable children they are responsible for in sub-standard settings which are not monitored or inspected?

It's clear that the registered and therefore legal children's home market is not meeting the demands of a specific cohort of children with complex needs.

This group of children being placed in illegal homes - which is roughly 10% of those considered to require residential care - are sometimes violent and often require restraint. Some must even be locked up under Deprivation of Liberty orders mandated by the High Court for their own welfare.

Do you have any more information about children's homes costs, conditions or ownership? You can reach Noel directly and securely through encrypted messaging app Signal on: +44 7809 334720 or by email at noel.titheradge@bbc.co.uk

Previously, many of these children might have been placed in secure children's units, where they are locked inside, but places in these are very limited and can be very expensive. Cornwall has recently been paying £63,000 a week to place a child in such a setting.

So councils say they are forced to turn to illegal children's homes.

It's a situation akin to removing the "sickest patients" from hospitals and placing them in backstreet clinics, according to Anders Bach-Mortensen, an associate professor of social care at Roskilde University.

'The new buy-to-lets'

With a massive increase in the supply of children's homes, it might be expected that costs of placements would fall for both registered and illegal children's homes. But the opposite has happened.

Some directors of registered children's homes believe that profiteering is responsible and cite an increase in property investors entering the sector.

The current exodus of landlords from the rental market led some to look to convert properties to children's homes.

A whole cottage industry has also developed online to advise landlords how to flip rental properties.

"Children's homes continue to offer a compelling alternative to traditional buy-to-lets," argues one middleman who markets his ability to secure the required planning permission on Instagram.

More on this story

Children in care are being placed in caravans

20 July 2022



Children 'to be banned' from unregulated homes

12 February 2020



Children as young as 11 illegally housed

19 September 2019



One conversion in Hemel Hempstead is a "fully hands-off investment with guaranteed income and no ongoing headaches", he says.

On Facebook groups for managers and directors of children's homes, many openly admit to running illegal placements.

Some providers say Ofsted should share the blame for this state of affairs. Its registration process is "broken" and encouraging illegal children's homes to "thrive", according to one director of a provider of registered homes.

The influx in applications to register children's homes has led to waiting times of up to 18 months before the regulator takes a decision.



A 14-year-old known to be at risk of jumping out of windows was housed in this unregulated placement above a shop, the BBC discovered

As a result, some homes feel forced to open illegally or face financial ruin from rents and other start-up costs, according to directors of providers I have spoken to.

But why can't registered children's homes accept this cohort of around 800 children?

Directors say these residents - who may have histories of abuse, exploitation and mental health problems - sometimes smash up premises, attack staff and regularly go missing.



Children have also been placed in these holiday cottages, the BBC has learned

And managers of these homes tell me that even if they were to agree to take these placements for the fees of £30,000-£40,000 a week some local authorities are paying, this would not be worth the risk. They would rather leave their homes empty.

Much of their reasoning is down to the long shadow cast over the sector by the appalling failure to safeguard 106 children in children's homes in Doncaster run by the provider Hesley.

My reporting found that children with learning disabilities were punched, hit with a dog lead and left outside overnight in winter, in what a national expert panel called "systemic and sustained abuse". Ofsted was notified of concerns on over 100 occasions before the homes were finally closed in 2021.

Providers say the regulator is now overly responsive to safeguarding alerts, or notifications, which then trigger inspections.

"After Hesley, Ofsted came out really defensive: if they suddenly saw a home with lots of notifications, it would trigger an inspection. So providers started sitting back going: 'Oh, I don't want to take that child,'" says Dr Kerr.

'It's not right'

When the ban on illegal children's homes was introduced, the Conservative Education Secretary said "the BBC had highlighted something that just needed to be changed".

"That isn't something that we are going to allow to continue," said Gavin Williamson MP in 2020. "I think anyone with compassion in their heart realises it's not right."

But Ofsted has failed to successfully prosecute a single provider of illegal children's homes. The regulator told the BBC there were ongoing proceedings against some providers - and newly passed powers will allow it to issue unlimited fines to illegal children's homes.

It added that it prioritises registrations for placements where children need to be accommodated urgently and it is "very concerned" about the profit motives of some providers.

It might seem more surprising that local authorities are also breaking the law by placing children in these homes in the first place.



One boy was placed with a company that has moved children between narrowboats and caravans, similar to the one pictured here

But no more stringent regulation has been introduced to hold the directors of these services personally accountable - in contrast to sectors like financial services, where bank directors can be held criminally liable by the Financial Conduct Authority.

I've learned that some unregistered providers have begun billing local authorities separately for accommodation and staffing via different companies, in an effort to mask the fact that they are running a children's home. Ofsted said it was not aware of this but said constructing a different invoice would not change the illegality of the provision.

Children's homes were once largely owned and run by local authorities but appalling abuse scandals from the 1990s onwards contributed to councils and charities retreating from the sector.

At the same time, a drive to bring in new providers under New Labour saw councils in England and Wales increasingly commission children's social care, rather than provide it directly.

This was underscored by David Cameron's call to "release the grip of state control" on public services.

Now 84% of children's homes in England are privately run – compared with 17% in Denmark.

England's children's homes are mostly private while Denmark's are mainly public- or charity-run

Children's homes by sector

Private Local authority Charity

Source: Ofsted (England), Ministry of Social Affairs and Housing (Denmark)

Note: A small number of children's homes in England are hospital-owned



At the same time, successive governments have failed to "get a grip" on the persistent shortage of appropriate placements for these children, according to Dr Kerr.

"It's always somebody else's fault: it's either the local authorities' fault or the scandalous profiteering residential sector; nobody will seem to accept responsibility", he says.

Pressure on these places has also been driven by other factors. A sharp decline in the use of custody for children over the past two decades, combined with limited capacity in mental health inpatient beds, has created a bottleneck for children in crisis.

I've learned that a child experiencing an ongoing mental health crisis - but without any emergency health problem - recently spent six consecutive nights in her A&E because the local authority had nowhere to place them.

What governments are doing

The current Westminster government is pinning its hopes of fixing the problem on its recently passed Children's Wellbeing and Schools Bill.

It says the law will create a clear legal framework that allows children facing restrictions on their movements to be placed in children's homes.

The government also says it aims to create 10,000 more foster places to help reduce the need for residential care and provide £53m to invest in new homes.

But critics say this is a drop in the ocean. The UK government's wider policy on residential care is also unclear.

Both the Welsh and Scottish governments are exploring ways of reducing private sector dominance of children's social care. From last month, all new providers of these services in Wales must be not-for-profit.

In February, The Guardian reported that the UK children's homes minister, Josh MacAlister, said he wanted to cap providers' profits if profiteering continues.

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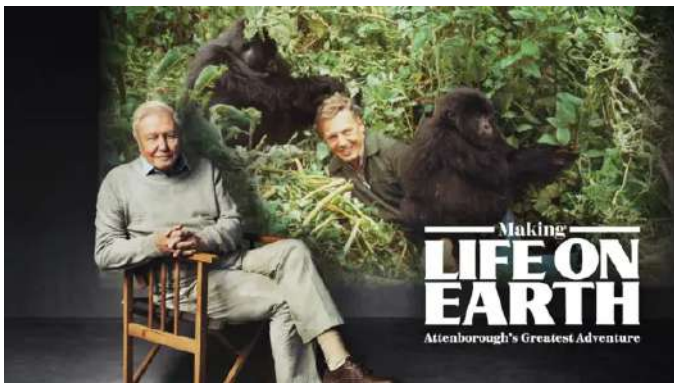
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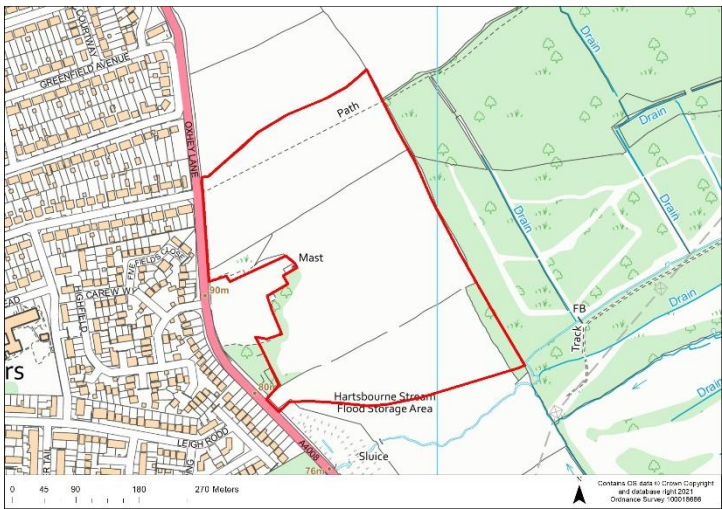
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Social care

Children

APPENDIX SIX - REGULATION 18 DRAFT LOCAL PLAN ALLOCATION (JUNE 2021)

CFS69a:

Site Ref.	CFS69a	Site	Land at Carpenders Park Farm – Northern Parcel	Size (ha):	12.7
				Current Use	Agricultural
				Dwelling Capacity	485
				Green Belt	Yes. If allocated, the Green Belt boundary would have to be revised
				Phasing	6-15 years

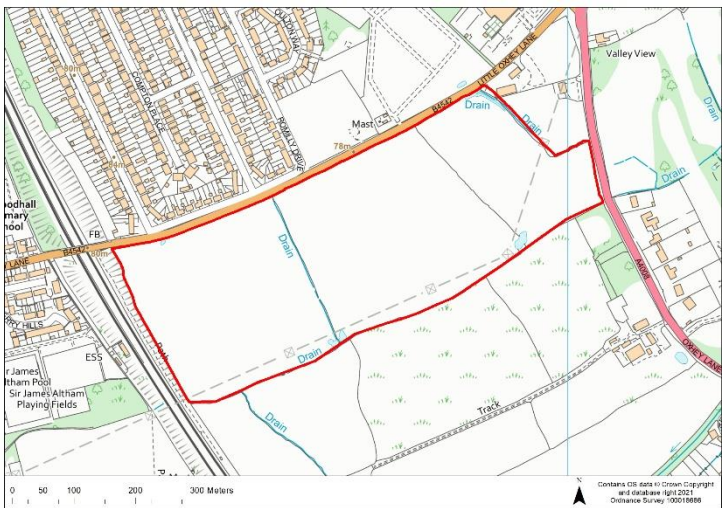
Comments

The southern boundary of the site is a 10 metre distance from the Hartsbourne Flood Storage Area and development would need to ensure protection of this designated flood risk asset. Proposals would need to provide suitable mitigation to address the surface water flood risk on areas of the site and development would need protect the public right of way running through the site to the north. The site would be required to provide open space, play space and a primary school.

Question 63

Do you agree that that Site CFS69a is an appropriate development site? If not, please outline your reasons.

PCS47:

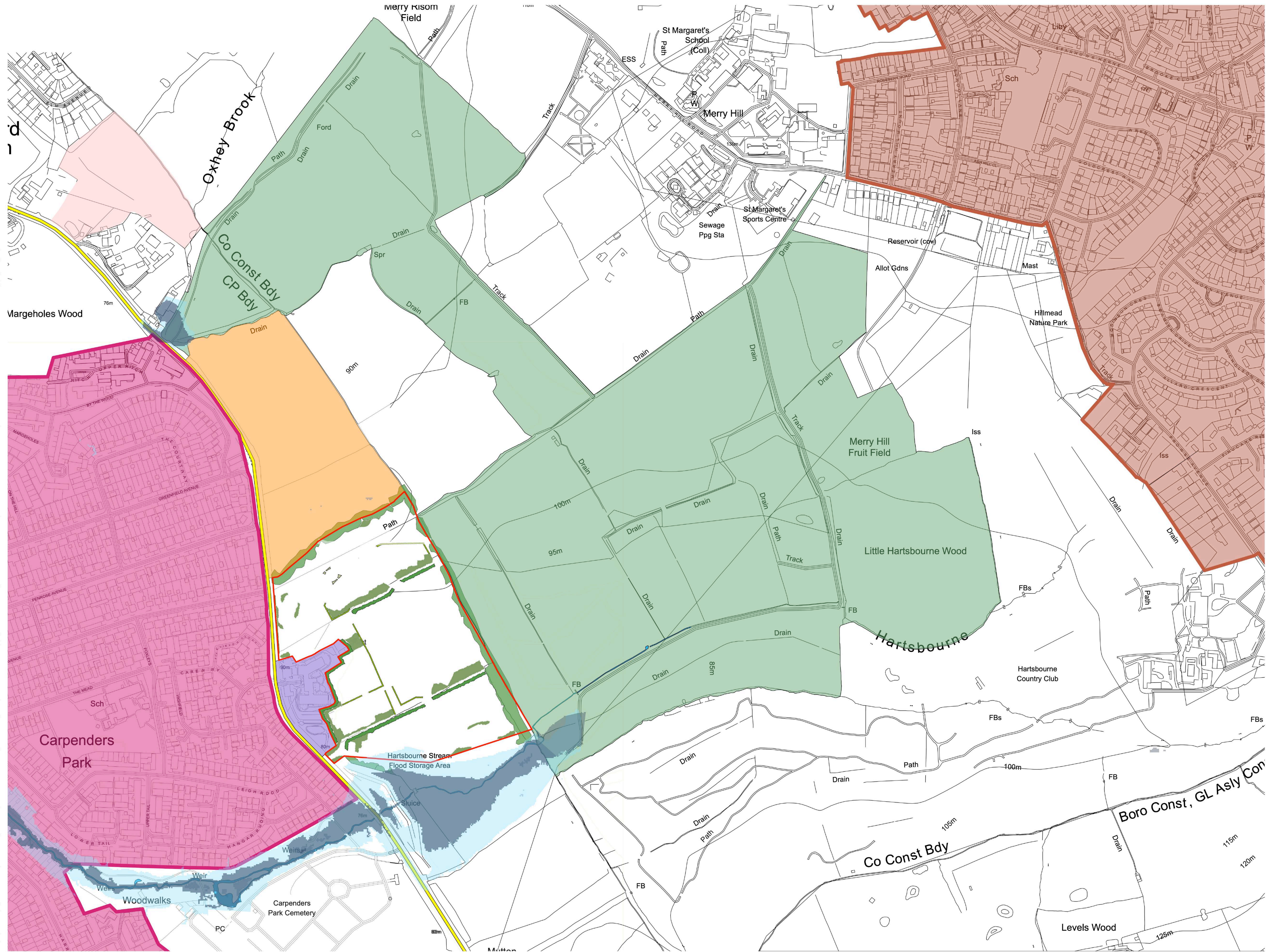
Site Ref.	PCS47	Site	South of Little Oxhey Lane	Size (ha):	19.4
				Current Use	Agricultural
				Dwelling Capacity	678
				Green Belt	Yes. If allocated, the Green Belt boundary would have to be revised
				Phasing	6-15 years

Comments

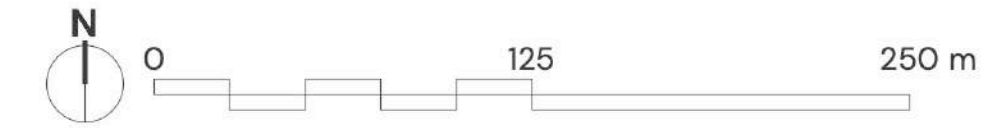
Any development will need to take into consideration the medium pressure gas pipeline which runs along the southern boundary and an appropriate buffer from the pipeline to development will be required. A buffer would also be required between development and the overhead electricity cables which run through the site. A detailed heritage impact assessment and an archaeological assessment would be required prior to any development in order to protect and mitigate any potential adverse impacts to heritage assets. Proposals would

APPENDIX SEVEN – CONTEXT PLAN

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- KEY - WIDER CONTEXT PLAN**
- SITE BOUNDARY
 - SETTLEMENT EDGE OF BUSHEY
 - CARPENDERS PARK
 - PROPOSED ALLOCATION OF NEW SECONDARY SCHOOL
 - CARE HOME
 - 96 UNITS RESIDENTIAL(REF 25/1055/FUL)
 - OXHEY LANE
 - FLOOD RISK ZONE 2
 - FLOOD RISK ZONE 3
 - HARTSBOURNE RIVER
 - WOODLAND TRUST-MERRY HILL WOOD
 - ESTABLISHED LANDSCAPE FEATURES



LAND AT CARPENDERS PARK – WIDER CONTEXT PLAN



APPENDIX EIGHT – HOUSEBUILDER LETTERS



Nathan Stevenson, Managing Director
Burlington Property Group
Foresters Hall
25-27 Westow Street
Upper Norwood
London. SE19 3RY

Bellway Homes Limited
North London
Bellway House
Bury Street
Ruislip
Middlesex
HA4 7SD

By Email Only

E: nstevenson@burlington-uk.com

Tel: 01895 671100

www.bellway.co.uk

08/05/2026

SUBJECT TO CONTRACT

Dear Nathan

Re Land East of Oxhey Lane, Carpenders Park

As requested, I am writing to set out what we believe to be realistic timescales for delivering this proposed development, should planning permission be granted at the upcoming appeal. As you are aware, Bellway are particularly interested in this opportunity and feel with our wealth of experience in this wider area, we are well placed to deliver these homes.

Following our recent correspondence, I am pleased to suggest the below timescales for delivery of the scheme. These dates are subject to a successful Appeal decision and swift Reserved Matters determination by Three Rivers DC, although we feel these timescales are robust and based on previous experience delivering similar schemes.

Inquiry – July 2026

Appeal Decision – September 2026

JR Free Outline Permission – March 2027

Challenge Free RM Approval – March 2028

Registered Provider Agreement Exchanged – March 2028

Start on Site – June 2028

First Unit Delivery - May 2029

BELLWAY HOMES

Bellway has a strong track record in Hertfordshire, with past and forthcoming schemes in Chiswell Green, Borehamwood, Cuffley, Colney Heath and Watford. Bellway also has a long-standing reputation for the exceptional quality of our product which would complement the setting of this development and ensure a high-quality standard is set from the outset for this new community.

We look forward to discussing this opportunity with you in due course.

Yours sincerely,



Melys Concu
Land Director (North London)





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

T: 01628 552 300

cala.co.uk

FAO Nathan Stevenson
Managing Director
Burlington Property Group
Foresters Hall
25 – 27 Westow Street
Upper Norwood
London
SE19 3RY

28th April 2026

Dear Nathan,

SUBJECT TO CONTRACT

Re: Land to the East of Oxhey Lane, Carpenders Park

As requested, I am writing to set out what we believe to be realistic timescales for delivering this proposed development, should planning permission be granted at the upcoming appeal. As you are aware, and as we have maintained since we first looked at this site, Cala remain particularly interested in this opportunity and feel that with our wealth of experience in this location, we are well placed to deliver these homes.

Following our recent correspondence, I am pleased to suggest the below timescales for delivery of the scheme. These dates are subject to a successful Appeal decision and swift Reserved Matters determination by Three Rivers Council. Notwithstanding this, we feel these timescales are robust and are justified based on previous experience delivering schemes nearby.

Inquiry – July 2026

Appeal Decision – September 2026

JR Free Outline Permission – October 2026

RM Planning submission – April 2027

Challenge Free RM Approval – December 2027

Registered Provider Agreement Exchanged – December 2027

Start on site – January 2028

First unit delivery (Affordable) – October 2028

Cala Homes have a strong track record in Hertfordshire, currently delivering schemes in St Albans, Bovingdon, Kings Langley and St Albans. Cala has a long-standing reputation for the exceptional quality of our product, which would complement the setting of this development and ensure a high-quality standard is set from the outset for this new community.

We look forward to discussing this opportunity with you in due course.

Yours sincerely,

[REDACTED]

Neil Farnsworth, Head of Planning
Cala Homes (Chiltern) Ltd

[REDACTED]

**FAO Nathan Stevenson
Burlington Property Group
Foresters Hall
25-27 Westow Street
Upper Norwood
London
SE19 3RY**

Taylor Wimpey North Thames
The Dock
Station Road
Kings Langley
Hertfordshire
WD4 8LZ

T: 0208 236 3800

www.taylorwimpey.co.uk

Dear Nathan,

RE: Land East of Oxhey Lane, Carpenders Park

Further to our discussions, I am writing to set out what Taylor Wimpey believe to be realistic timescales for delivering the proposed development at the above site should planning permission be granted at the upcoming appeal. As you are aware, and as we have maintained since we first looked at this site in 2025, Taylor Wimpey remain interested in this opportunity and feel with our extensive experience in this location, we are well placed to deliver these much needed homes.

Following our recent correspondence, I am pleased to suggest the below timescales for delivery of the scheme. These dates are subject to a successful Appeal decision and a swift Reserved Matters determination by Three Rivers DC, however we feel these timescales are robust considering our previous experience of delivering schemes nearby.

Inquiry – July 2026

Appeal Decision – October 2026

JR Free Outline Permission – November 2026

Reserved Matters Planning Submission – May 2027

Challenge Free Reserved Matters Approval – February – 2028

Registered Provider Agreement Exchanged – March 2028

Site Start – April 2028

First Affordable Delivery – January 2029

Taylor Wimpey North Thames Track Record

Taylor Wimpey have a strong track record in Hertfordshire, currently delivering schemes in Hemel Hempstead, Bovingdon, Hoddesdon, Codicote, and Carpenders Park (nearby to this site). Through delivering these schemes we have built a reputation for exceptional build quality and customer satisfaction which would be replicated on this scheme.

I look forward to discussing this opportunity with you in due course.

Yours Sincerely,
Ollie Johnson

Taylor Wimpey UK Limited
Registered Number:
1392762 England and Wales.
Registered Office:
Gate House, Turnpike Road
High Wycombe, Buckinghamshire
HP12 3NR


Land and Planning Director, Taylor Wimpey North Thames

APPENDIX NINE – SOCIAL ECONOMIC INFOGRAPHIC

ECONOMIC BENEFITS

Carpenders Park

Three Rivers District Council

Outline application for the erection of up to 256 homes (including affordable and self/custom build housing) (Class C3), housing with care homes (Class C2) and a children's home (Class C2), together with associated landscaping, open space and access.



*based on proposed market housing provision

The Proposal



Construction Benefits

Based on 5 year Construction Phase



£65 million

Estimated construction cost



172 FTE jobs



208 FTE indirect and induced jobs



**£12.28 million
GVA**

Per Annum

Operational and Expenditure Benefits

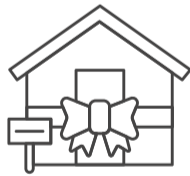
*This is on the basis of 256 dwellings

£598k



Construction
workers direct
spending

£1.98* million



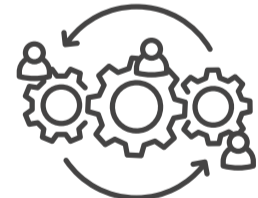
First Occupation
Spending

£4.02* million



Local spending in
Three Rivers
Per Annum

18 FTE jobs



Operational staff

Local Authority Revenue Benefits



**£1.03 million
S106 Contributions**

**£629k
Council Tax**

Per Annum in
perpetuity



APPENDIX TEN – TREE PROTECTION PLAN (UPDATED)



WHY TREE PROTECTION IS NEEDED

- 1) Soil compaction kills roots - caused by plant movement and storage of materials within protected areas.
- 2) Trenching severs roots - many sapling roots grow within the top 600mm of soil. Even the removal of the top 200mm can cause damage.
- 3) Soil pollution kills roots - Drilling fuel storage or cement washings can contaminate the soil resulting in root death.
- 4) Raising & lowering levels kills roots - the soil used to increase levels can compact the underlying soil (see point 1). Lowering levels will remove soils causing damage to the tree.
- 5) Bark and branch damage - bark removal and branch damage can allow disease and fungi into the tree.

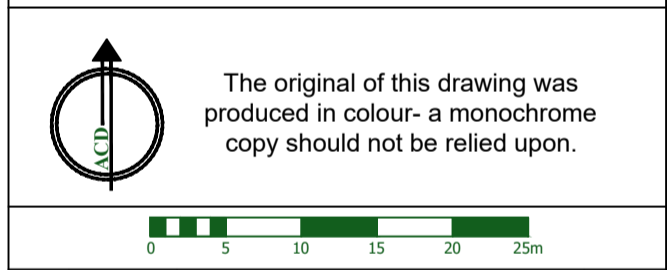
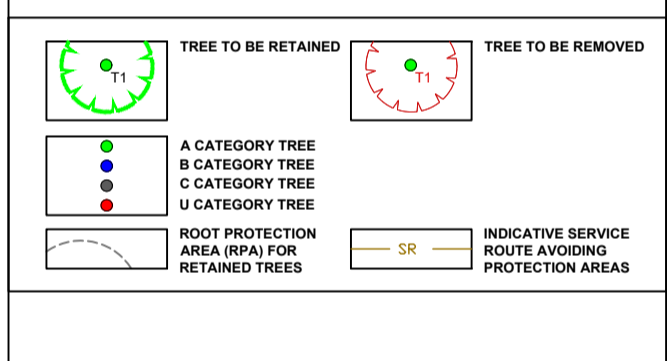
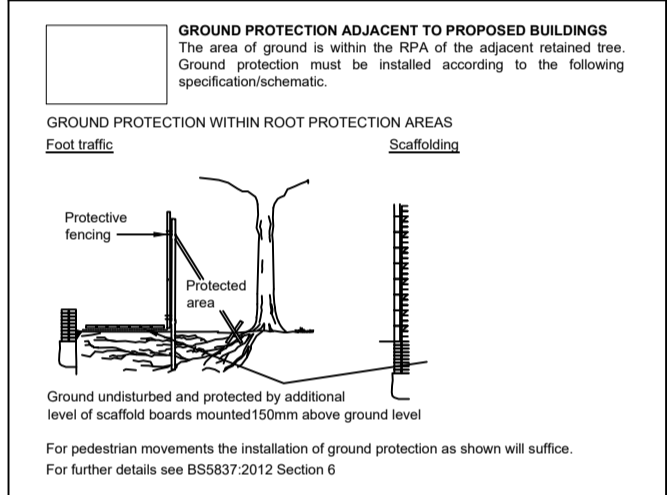
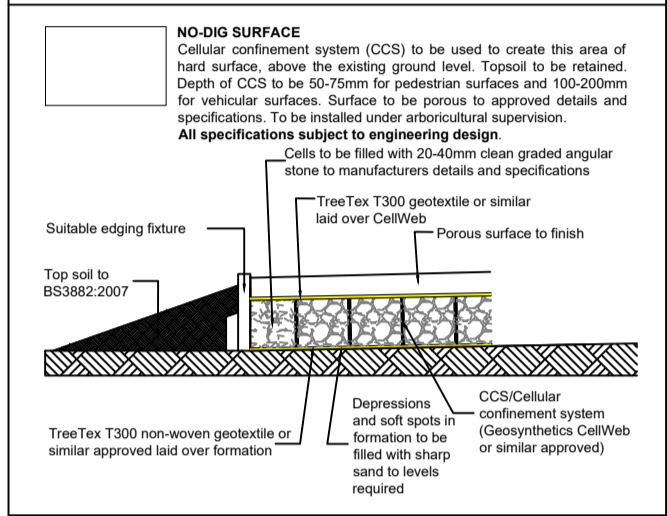
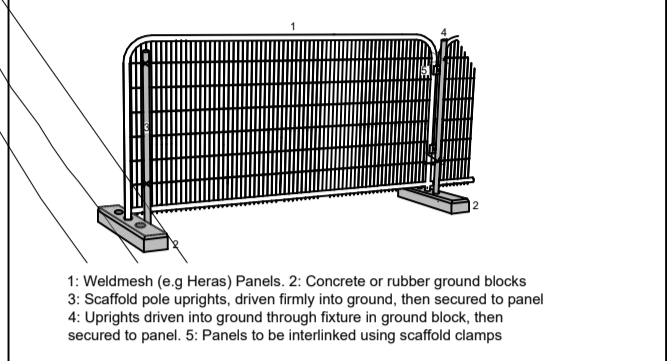
The impact of any of the above can take years to show - trees can have huge reserves of food and water.

LEGEND

TREE PROTECTION FENCING & EXCLUSION ZONE

All fencing shall be installed prior to any plant activity on site whatsoever, including demolition, utility installation, groundworks, and soil stripping.

Once erected, all TPF will be regarded as sacrosanct, and will not be removed or altered without prior recommendation by the project arboricultural and approval of the local planning authority. The TPF shall comprise of interlocking end-caps (ie. Hesco) wall faced by attachment to scaffold pole uprights driven firmly into the ground. Should any alternative method of barrier construction be proposed, consultation with the project arboricultural will be obtained to clarify the efficacy of the revised design prior to informing the local planning authority and obtaining their consent. Once the exclusion zone has been protected by barriers and/or ground protection, construction work can commence. All weather notices may be erected on the barriers.



Rev	Date	Details	Drawn

ACD ENVIRONMENTAL

HEAD OFFICE
Rodbourne Rail Business Centre, Grange Lane,
Malmesbury, SN16 0ES
Tel: 01666 825646

Unit 7, Godalming Business Centre, Woollack Way
Godalming, GU7 1XW
Tel: 01483 425714

Suite 6, Crescent House, Yonge Close,
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www.acdenvironmental.co.uk

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scheme: Land at Carpenders Park
client: Burlington Property Group
drawing: Tree Protection Plan
date: March 2024
scale: 1:500@A1
dwg no: PRI24711-02
Sheet 1 of 4
drawn: AJB checked: AJB

Indicative footpath position shown. Will be aligned outside the RPAs of trees identified for retention. Where realignment not feasible, then a 'no-dig' surface solution will be utilised.

OXHEY LANE

LEAP