

# Landscape Proof of Evidence

Land East of Oxhey Lane, Carpenders Park



**Client:**  
Three Rivers District  
Council

**Date:**  
26/05/2026

**Author:**  
Peter Dawson CMLI

# Planning Appeal

**Site:** Land East of Oxhey Lane, Carpenders Park

**Appellant:** Burlington Developments London Ltd

**Planning Inspectorate Reference:** APP/P1940/V/26/3378268

**Three Rivers District Council Reference:** 25/1020/OUT

## Proof of Evidence

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**Date:** 26<sup>th</sup> May 2026

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# 1 Introduction

## Qualifications and Experience

- 1.1 My name is Peter Dawson. I am a Chartered Landscape Architect. I appear at this Inquiry on behalf of Three Rivers District Council. (“TRDC”; “the Local Planning Authority”), and deal with the Landscape matters of the proposals for “*Outline planning application for up to 256 homes (C3 use class) (including affordable and self/custom build housing), housing with care (C2 use class), a children’s home (for looked after children) (C2 use class) together with associated access (including off-site highway works), parking, open space and landscaping (appearance, layout, landscaping and scale as reserved matters),*” Land East of Oxhey Lane, Carpenders Park (25/1020/OUT).
- 1.2 My role is the Built Environment Manager working for Place Services, which is a trading arm of Essex County Council specialising in the provision of integrated environmental assessment, planning, design, and management services to the public sector. I have over 20 years’ experience working within the public sector.
- 1.3 I manage a team of Landscape Architects, Urban Designers and Planners. Collectively Place Services provide specialist advice to support over 50no. Local Planning Authorities throughout England and Wales. Our team is a Registered Practice of the Landscape Institute (membership number 00050179), and we are bound by the Code of Conduct of the Landscape Institute. As a Chartered Member of the Landscape Institute, I am also bound by this Code of Conduct.
- 1.4 I have given expert evidence on Landscape issues at various Public Inquiries and Hearings, most recently for Colchester City Council, Chelmsford City Council and Essex County Council. A key part of my role involves providing development management response for planning applications. My interest in Landscape Architecture extends to the authorship of various guidance documents, including the latest edition of the award-winning Essex Design Guide. Through that I have been involved in the training of officers and elected members from several local authorities.
- 1.5 In my role as Built Environment Manager, I am responsible for the Essex Quality Review Panel (EQRP). The Essex Planning Officers Association (EPOA) in partnership with Place Services has established the Essex Quality Review Panel.
- 1.6 The EQRP ensures delivery and promotion of high-quality new developments through the creation of good design, sustainability and improved quality, creating better places and environments to work

and live in the County. The EQRP provides a well-established method of offering independent and impartial guidance on the design of new buildings, landscapes and public space.

- 1.7 I hold a Degree of Bachelor of Arts (with Honours) in Landscape Architecture and a Post Graduate Diploma in Landscape Architecture from University of Greenwich.

### Declaration

- 1.8 The evidence which I have prepared and provide for this Inquiry reference APP/P1940/V/26/3378268 in this proof of evidence is true and has been prepared and is given in accordance with The Landscape Institute's 'Code of Standards of Conduct and Practice for Landscape Professionals' 2021. I confirm that the opinions expressed are my true and professional opinions.
- 1.9 The evidence set out in this statement is provided on behalf of TRDC and includes my opinions based on my experience. I visited the appeal Site and reviewed the application, Place Services' consultation responses and the decision notice, before confirming my acceptance to act as landscape expert witness to this inquiry and in preparation of this statement.
- 1.10 I confine my evidence to landscape and visual matters. My evidence should be read in conjunction with that of Elizabeth Fitzgerald who provides evidence on planning and planning balance matters.

### Instruction

- 1.11 In November 2025, Place Services Landscape team provided a written response to the application for Outline Planning Permission (Ref: 25/1020/OUT) on all landscape matters on behalf of TRDC. This response was drafted by Almudena Quiralte CMLI Senior Landscape Consultant. A further landscape consultation response was issued on the 16<sup>th</sup> January 2026. Both consultation responses were authored by Almudena Quiralte CMLI and can be found in Appendix B. Although the consultation responses were largely satisfied with the approach and methodology taken of the submitted Landscape and Visual Appraisal, they included a series of comments on key judgements and recommendations.
- 1.12 In early May 2026, Place Services were subsequently appointed to provide evidence pertaining to the landscape harm of development in the Green Belt and the 'Non-Green Belt' landscape and visual harm, as set out in the Reason for Refusal (RfR) regarding the current appeal against refusal of planning permission at Land East of Oxhey Lane, Carpenders Park. At this stage, we reviewed the following documents:
- The application documents.
  - The policy position and context,

- The Reason for Refusal (RfR),
- The consultation responses; and
- The Appellant's Statement of Case.

1.13 I have considered the proposed development and the landscape harm directly associated with the proposed development in the Green Belt and the impact this will have on the Site and its countryside setting. I have considered the visual appraisal of the development on various viewpoints within and around the Site area. A site visit was undertaken in early May 2026.

### Site and Context

- 1.14 The site is situated on the eastern edge of Carpenders Park, immediately to the east of the A4008 Oxhey Lane. It comprises three grassland fields, separated by two hedgerows. The northern boundary is defined by a treeline, whilst the southern boundary is currently open to the field parcel to the south.
- 1.15 The eastern boundary adjoins Merry Hill Woodland, and the western boundary is lined with trees and hedgerow, beyond which lies the existing settlement of Carpenders Park. A historic tree line runs north–south through the centre of the site. Adjacent to the western boundary is the three storey high Carpenders Park Care Home. There are several notable feature trees within the site, including veteran specimens located along the northern boundary.
- 1.16 A Public Right of Way (Footpath Watford Rural 013) runs east–west across the northern part of the site, providing a connection between Carpenders Park and Merry Hill Wood.
- 1.17 The site's topography varies significantly. The northern field features a steep incline from west to east, rising from 83.71 metres to 104.23 metres. The remaining fields exhibit a gentler slope from north to south. The highest point on the Site is in the northeast corner at 104.23 metres, while the lowest point lies in the southwest at 77.61 metres. The elevated areas of the site offer long-distance views towards the west and south.
- 1.18 There are no statutory or non-statutory landscape protection designations within the site.
- 1.19 The surrounding landscape to the north, east and south of the site is of rural character. It features a high density of landscape features including woodland, golf course, riparian vegetation and trees, set within a layered field pattern and rolling topography.

## Scope of Evidence

- 1.20 The application was recommended for approval by officers, as set out within the Planning Committee Report dated 19<sup>th</sup> March 2026. However, members resolved to refuse planning permission. Prior to a decision being issued the application was called in by the Secretary of State and therefore a decision was not formally made by TRDC.
- 1.21 The published minutes of the 19 March Planning Committee indicate that the proposed reasons for refusal would have been:
- “1) It would constitute inappropriate development in the Green Belt, harm openness, and conflict with purpose (a) and (c) of the Green Belt. Very special circumstances would not exist to outweigh the harm to the Green Belt and any other harm identified; and*
- 2) In the absence of a S106 agreement, failure to secure infrastructure contributions.”*
- 1.22 My evidence, specific to landscape harm addresses Reason for Refusal (RfR) 1, as recorded within the Planning Committee minutes. Although there is not a Landscape specific Reason for Refusal, Section 4.1.1 (Summary Table) of the Planning Committee minutes lists the Place Services Landscape Architect (9.33) comments as an objection.

## Guidance Used in Compiling my Evidence

- 1.23 Within my evidence, and where appropriate, the following published best practice guidance for considering the potential impact on the landscape includes:
- National Planning Policy Framework (NPPF), Department for Levelling Up, Housing and Communities (DLUHC), Latest update – December 2024 (CD3.2)
  - Planning Practice Guidance (PPG) DLUHC and Ministry of Housing, Communities & Local Government (MHCLG), December 2024; (CD3.1)
  - The Hertfordshire Landscape Character Assessment (2005) ‘Bushey Hill Pastures’ (CD4.30)
  - National Landscape Character Area Profiles National Character Area (NCA) 111: Northern Thames Basin, (2014): (CD4.41)
  - Three Rivers District Council Landscape Sensitivity Assessment 2019 and 2026) (CD4.25, CD4.26 and CD4.27)
  - Development Management Policies Local Development Document (adopted March 2013) (CD3.4)
  - Assessing Landscape Value Outside National Designations; TGN 02-21 (CD4.38)
  - Three Rivers District Council & Watford Borough Council Green Belt Review 2017 (CD4.45)

- Three Rivers District Council & Watford Borough Council Green Belt Review 2017 Appendix B5: Parcels E1 – E1 (CD4.45)
- Stage 2 Green Belt Assessment for Three Rivers District and Watford Borough Part 1 2019 (CD4.20)
- Stage 2 Green Belt Assessment for Three Rivers District and Watford Borough Part 2 2019 (CD4.21)
- Three Rivers District Council Stage 4 Green Belt Review 2026 (CD4.22)

## 2 Planning Policy Context

### Introduction

- 2.1 The Reasons for Refusal (RfR) refers to the proposal being inappropriate development in the Green Belt, harm to openness, and conflict with purposes (a) and (c) of the Green Belt.

### National Planning Policy Framework

- 2.2 The UK Government published an updated and revised National Planning Policy Framework (NPPF) in December 2024, which sets out the environmental, social and economic planning policies for England. There have been some recent changes to the NPPF in relation to Green Belt policy since the NPPF was first published, however most of the policies in relation to Green Belt and plan-making have been retained and remain unchanged.
- 2.3 Paragraph 141 of the NPPF sets of the fundamental aim of Green Belt policy to: *“prevent urban sprawl by keeping land permanently open”*
- 2.4 Paragraph 143 of the NPPF includes the five main purposes of Green Belt:
- a) to check the unrestricted sprawl of large built-up areas,*
  - b) to prevent neighbouring towns merging into one another,*
  - c) to assist in safeguarding the countryside from encroachment,*
  - d) to preserve the setting and special character of historic towns, and*
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 2.5 The NPPF includes a new definition relevant to Green Belt land, by introducing ‘Grey Belt’ which is defined as: *“land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development”*

## Planning Practice Guidance

- 2.6 The 2025 update for the Green Belt Planning Practice Guidance (PPG) adopts the changes made to the NPPF. The PPG now provides guidance regarding:
- *the considerations involved in assessing the contribution Green Belt land makes to Green Belt purposes, where relevant to identifying grey belt land*
  - *the considerations involved in determining whether release or development of Green Belt land would fundamentally undermine the remaining Green Belt in the plan area;*
  - *guidance for considering proposals on potential grey belt land*
  - *guidance on identifying sustainable locations when considering the release or development of Green Belt land*
  - *updated guidance on how major housing development on land which is released from the Green Belt through plan making, or on sites in the Green Belt, should contribute to accessible green space*
  - *updated guidance on how to consider the potential impact of development on the openness of the Green Belt*
- 2.7 The PPG also provides guidance on how to consider proposals on potential grey belt land for the purpose of decision-making.
- 2.8 The PPG is clear that the identification of grey belt land does not necessarily mean that the land should be allocated for development or released from the Green Belt. The contribution of the land to the Green Belt purposes needs to be considered alongside wider NPPF policies in making any decisions about Green Belt land.
- 2.9 The PPG sets out the key steps used to identify grey belt:
- *identify the location and appropriate scale of area/s to be assessed*
  - *evaluate the contribution each assessment area makes to Green Belt purposes (a), (b), and (d), using the criteria identified below*
  - *consider whether applying the policies relating to the areas or assets of particular importance in footnote 7 to the NPPF (other than Green Belt) would potentially provide a strong reason for refusing or restricting development of the assessment area*
  - *identify grey belt land*
  - *identify if the release or development of the assessment area/s would fundamentally undermine the five Green Belt purposes (taken together) of the remaining Green Belt when considered across the area of the plan*
- 2.10 The PPG provides explicit guidance on how to identify grey belt in relation to purposes (a), (b) and (d). It is silent on purposes c and e as they are not included within the grey belt definition.

## Landscape Guidance

### Guidelines for Landscape and Visual Impact Assessment 3rd Edition

- 2.11 The Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3) (CD-F3) sets the best practice standards for the scope and content of landscape and visual impact assessments as well as providing principles that help to achieve consistency, credibility, transparency and effectiveness to Landscape and Visual Impact Assessments.

### Landscape Institute Technical Guidance Notes (TGN)

- 2.12 Visual Representation of Development Proposals TGN 06/19 (CD-F42). This document aims to help landscape professionals, planning officers and other stakeholders in the selection, production and presentation of types of visualisations appropriate to the circumstances in which they will be used.
- 2.13 Assessing landscape value outside national designations TGN 02/21. This technical guidance note (TGN) provides information and guidance to landscape professionals and others who need to make judgements about the value of a landscape (outside national landscape designations) in the context of the UK Town and Country Planning system. It is also intended to be of assistance to those who review these judgements, so that there is a common understanding of the approach.

## 3 Evidence Base Context

### Landscape Sensitivity Assessment August 2019 and January 2026 (updated addendum)

- 3.1 The Landscape Sensitivity Assessments (Place Services) were produced to inform the selection of development sites. The conclusions of the study seek to inform the selection of suitable sites for allocation in the Local Plan Review and provide a sound basis for decision making in the determination of planning applications. The Landscape Sensitivity Assessments provide a context for policies and proposals within the emerging Local Plan, particularly in relation to proposed built development.
- 3.2 The Landscape Sensitivity Assessments consider sensitivity to the 'principle' of built development on the sites proposed by Three Rivers District Council, without knowing the specific size or type of potential development. Assessment is based on a combination of desktop study and detailed field survey. The principal source of written information for carrying out the sensitivity assessment is the Hertfordshire's Landscape Character Assessment (HLCA). This describes the variations in character between different types of landscape in the county. It also sets out strategies and guidelines for the protection, management and planning of the landscape.

- 3.3 The study accords with best practice guidance and methodology and follows the techniques and criteria set out in ‘An approach to landscape sensitivity assessment – to inform spatial planning and land management’ (Natural England, 2019). The Study is also consistent with the impact assessment guidance and methodology set out within the ‘Guidelines for Landscape and Visual Impact Assessment’ (Third Edition, 2013) (GLVIA3) and ‘An Approach to Landscape Character Assessment’.
- 3.4 Specific to Green Belt, the Landscape Sensitivity Assessments methodology is clear on its limitations when assessing Green Belt sites. Table 3: ‘Visual Sensitivity Assessment Criteria’ includes reference to the *“Prevention of merging/coalescence”*. Stating that the assessment: *“Considers the potential effect on merging or coalescence of settlements or parts of existing settlements if the whole Green Belt area were to be developed.”*
- 3.5 Relevant sections and pages are:  
Landscape Sensitivity Assessment August (2019) site reference CFS11 pages 56-58 and CFS69 pages 62-64.  
Landscape Sensitivity Assessment August (2026) site reference NCFS12 pages 48-50.
- Three Rivers District Council & Watford Borough Council Green Belt Review Strategic Analysis August 2017 (Amec Foster Wheeler Environment & Infrastructure UK Limited)
- 3.6 The purpose of the report was to set out the results of a review of the Green Belt in both Three Rivers District and Watford Borough. The objective was to test the Green Belt against the five purposes set for it in national policy and to determine the extent to which it is contributing to those purposes.
- 3.7 The report does not identify land for release or development. The report will be used as part of the evidence base in the production of the Councils’ emerging Local Plans.
- 3.8 The overall objective of the report was to test the Green Belt against the five purposes set for it in the National Planning Policy Framework (NPPF)
- To check the unrestricted sprawl of large built-up areas.
  - To prevent neighbouring towns from merging into one another.
  - To assist in safeguarding the countryside from encroachment.
  - To preserve the setting and special character of historic towns.
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Stage 2 Green Belt Assessment for Three Rivers District and Watford Borough Final Report October 2019 (LUC)

3.9 The overall aim of the study was to undertake an independent, robust and transparent assessment of the Green Belt within Three Rivers and Watford building on the Stage 1 Green Belt Study undertaken in 2017 by Amec Foster Wheeler.

3.10 Paragraph 1.4 of the report states: *“The Stage 2 Study involved a more focussed assessment of the potential harm to the Green Belt purposes of releasing Green Belt land within Three Rivers and Watford to facilitate the expansion of inset settlements (whether within, or close to the District and Borough).”*

3.11 Paragraph 1.5 of the report states: *“the assessment of harm considers the extent to which the release of different areas of land reduces the contribution to the Green Belt purposes, through both the loss of openness of the released land and the resulting impact that this could have on the strength of the adjacent Green Belt. Ratings and supporting analysis are provided in relation to each assessed Green Belt purpose and considered in combination to arrive at a single overall harm rating.”*

Stage 3 Three Rivers District Council Green Belt Study Stage 3: New Settlement Analysis January 2020 (LUC)

3.12 As with the Stage 2 study, this assessment addresses harm to the Green Belt purposes, considering the contribution made to those purposes by land which would need to be released, together with the impact this would have on the contribution made by adjacent Green Belt land.

Three Rivers District Council Stage 4 Green Belt Review Final Report February 2026 (ARUP)

3.13 The purpose of this report was to update Three Rivers District Council’s Green Belt evidence in light of the updated national policy and guidance. A primary component of this review is the assessment of the previous GBRs against the new policy and guidance to assess whether they are aligned and can continue to be relied upon going forward, or whether parcels require re-assessment.

3.14 In addition to the above, the study also incorporates the following elements:

- Grey belt identification following the key steps set out in the Green Belt Planning Practice Guidance (PPG).
- Review of the previous washed over villages assessment to consider whether any changes to the recommendations are necessary in light of new policy and guidance.
- Analysis to support any future assessment by the Council of whether release of Green Belt would fundamentally undermine the function of the remaining Green Belt, as required by the latest policy and guidance.

## 4 Landscape Character, Context and Setting

### Site Context

- 4.1 The Site is situated on the eastern edge of Carpenders Park, immediately to the east of the A4008 Oxhey Lane. It comprises three grassland fields, separated by two hedgerows. The northern boundary is defined by a treeline, whilst the southern boundary is currently open to the field parcel to the south.
- 4.2 The Site measures approximately 12.7 ha in size and comprises three main greenfield parcels of land. The Site adjoins and wraps around Carpenders Park Care Home which fronts Oxhey Lane and a telecommunication mast, set behind the care home.
- 4.3 A Public Right of Way (Watford Rural 013) extends through the site (running east to west) and is positioned towards the site's northern edge where it connects to 'Bushey 025'.
- 4.4 To the east, the site is predominately bounded by Merry Hill Wood with tree belts to fields parcels and other site boundaries. To the south of the site is the Hartsbourne Stream, a tributary of the River Colne and the Hartsbourne Stream Flood Storage Area.
- 4.5 The site has a varied topography with the land at its highest to the north sloping gently downwards towards the southern boundary. The site has a significant level change rising steeply from Oxhey Lane to the eastern boundary. Within and adjacent to the application site, a significant number of trees are provisionally protected by Tree Preservation Order 937.
- 4.6 In terms of policy designations, the application site falls wholly within the Metropolitan Green Belt. To the south and southwest there are local wildlife sites (Mutton Wood and Woodwalks, on the western side of Oxhey Lane).

### Landscape Character Assessments.

#### National

- 4.7 The site is located within National Character Area (NCA) 111: Northern Thames Basin.
- 4.8 The Statements of Environmental Opportunity include [but are not limited to]:  
*“SEO 3: Protect and appropriately manage the historic environment for its contribution to local character and sense of identity and as a framework for habitat restoration and sustainable development, ensuring high design standards (particularly in the London Green Belt) which respect*

*the open and built character of the Thames Basin. Enhance and increase access between rural and urban areas through good green infrastructure links to allow local communities recreational, health and wellbeing benefits.”*

- 4.9 Page 41, bullet point 2 of the National Character Area (NCA) profile (Landscape Change) states: *“The increased pressure for infrastructure development around London is going to continue to grow and create difficulties in preserving the London green belt. Care must be taken so that important habitats, geological, archaeological features and recreational greenspace is not destroyed in the process and the character of the area adversely affected.”*

### County

- 4.10 The Site lies within the Hertfordshire Landscape Character Assessment (2005) ‘Bushey Hill Pastures’ Landscape Character Area (LCA14).

### Bushey Hill Pastures Landscape Character Area

- 4.11 Key characteristics of the Bushey Hill Pastures LCA include:
- strong rising slopes up towards Merry Hill
  - extensive grazing and equestrian activity
  - considerable new planting
  - surprisingly rural and panoramic views to the west
  - parkland areas at Haydon Hill
  - golf courses (3 no.)
  - strong containment by urban settlement although generally visually well screened
- 4.12 The site reflects many of the key characteristics of the LCA. The small field patterns remain, within a landscape which has ‘strong rising slopes’ and an undulating context, surrounded by hedgerows, some of which contain trees. The site is also consistent with the LCA in offering broad rural panoramic views to the west, which includes glimpses of the urban settlement.
- 4.13 Page 69 of the LCA, under Visual and Sensory Perception the area is described as being: *“only locally visible from outside, being restricted by the surrounding built development. Within the area there are a number of good viewpoints, e.g. south of Merry Hill House. There are also good views out of the area, particularly to the west, to a remarkably wooded horizon including Oxhey Woods, Pinderswood and Harrow Weald Wood.”*
- 4.14 Under rarity and distinctiveness the LCA states; *“The area is relatively unusual in the county. The main distinctive quality is the maintenance of rural and pastoral character within a wider urban*

*context.”*

- 4.15 Major urban extensions (over 5ha) and new settlements have a High sensitivity within this LCA, owed to the integrity of woodlands, hedgerow field pattern, visual exposure of some ridge sides and small areas of tranquillity in the west.

## 5 Landscape Harm

- 5.1 NPPF Paragraph 153 states that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness”*.
- 5.2 Furthermore Paragraph 153 also states *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*
- 5.3 The following paragraphs of my Proof of Evidence explore how the proposals will result in landscape harm and the negative impact which will result on the site, its character and surrounding countryside.
- 5.4 This section will cover issues relating to landscape character, landscape openness and topography.

### Landscape Character

- 5.5 The site demonstrates many of the key characteristics of the Bushey Hill Pastures LCA it falls within. *“The area consists of the eastern and undeveloped slopes of Bushey Hill, a distinctive east-west ridge extending from Merry Hill to Caldecote Hill. Despite being enclosed on the majority of its perimeter by built development, the area maintains a comparatively rural and tranquil atmosphere.”*
- 5.6 The landscape consultation response (Place Services November 2025) reiterated this point. Under the heading Landscape Impact within the LCA, stating:
- “We concur with the high magnitude of change on landscape character (“Introduction of major new elements into the landscape or some major change to the scale, landform, landcover or pattern of the landscape”, as described in the LVIA methodology), giving a significant landscape effect of major adverse.*

- 5.7 The 'condition' of this character area as described within the Bushey Hill Pastures Landscape Character Area, is summarised as having a *“high impact of land-use change”*.

CONDITION	
Land cover change:	widespread
Age structure of tree cover:	mature or young
Extent of semi-natural habitat survival:	fragmented
Management of semi-natural habitat:	not obvious
Survival of cultural pattern:	declining
Impact of built development:	moderate
Impact of land-use change:	high

Ref page 69 Hertfordshire Landscape Character Assessment (2005) Bushey Hill Pastures Landscape Character Area (LCA14)

- 5.8 The 'strength of character' defined within the Bushey Hill Pastures Landscape Character Area, is summarised as a *“Prominent impact of landform”* and an *“open sense of enclosure”*:

STRENGTH OF CHARACTER	
Impact of landform:	prominent
Impact of land cover:	apparent
Impact of historic pattern:	relic
Visibility from outside:	locally visible
Sense of enclosure:	open
Visual unity:	coherent
Distinctiveness/rarity:	unusual

Ref Page 69 Hertfordshire Landscape Character Assessment (2005) Bushey Hill Pastures Landscape Character Area (LCA14)

5.9 The Bushey Hill Pastures Sensitivity Evaluation (page 69 Hertfordshire Landscape Character Assessment (2005)) states that the character area focus is *“Improve and conserve”*.

<b>CONDITION</b>	<b>GOOD</b>	Strengthen and reinforce	Conserve and strengthen	Safeguard and manage
	<b>MODERATE</b>	Improve and reinforce	<b>Improve and conserve</b>	Conserve and restore
	<b>POOR</b>	Reconstruct	Improve and restore	Restore condition to maintain character
		<b>WEAK</b>	<b>MODERATE</b>	<b>STRONG</b>
<b>STRENGTH OF CHARACTER</b>				

5.10 Page 8 paragraph 3.2 of the submitted Landscape & Visual Impact Assessment, incorrectly states *“The proposed development could deliver a cohesive and high-quality green infrastructure network that would: Respect local landscape character to enhance visual amenity and promote a sense of place,”*

5.11 It is my view (which echoes the two landscape consultations) that the proposed submission fails to respect the landscape character. The proposal ignores the sites topography and sensitive characteristics by locating the primary access road at the location with greatest impact. The location of development parcels on the highest point within the site also fail to respond to what is one of the most sensitive features harming the landscape character.

5.12 With regard to the proposed Green Infrastructure Network, page 6 of the Place Services Landscape Consultation (November 2025) stated:

*“The development is fragmenting three of the existing green corridors with the new access road. This is contrary to Policy CP9, which states: “Development will not compromise the integrity of the Green Infrastructure network, by causing fragmentation, damage to, or isolation of Green Infrastructure assets including natural habitats and species.”*

*The fragmentation of these corridors undermines the continuity and ecological function of the site’s green infrastructure, which plays a vital role in supporting biodiversity and landscape connectivity.”*

**Openness**

5.13 Regarding Openness, NPPF Paragraph 142 states: *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land*

*permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

5.14 NPPF Paragraph 153 also states us that the decision maker ‘*should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness.*’ If the Application proposals are not considered to be grey belt (and/or if Paragraph 155c of the NPPF is not satisfied), the scheme constitutes inappropriate development which is, ‘by definition, harmful to the Green Belt and should not be approved except in very special circumstances. *‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*’

5.15 My view is consistent with the Place Services landscape consultation response dated November 2025 which states:

*“Generally, the LVIA portrays the Site as having a strong relationship with the built edge of the settlement to the west and says it is well-contained by vegetation. However, it fails to adequately consider the Site’s relationship with the wider undeveloped character of Merry Hill and the surrounding landscape to the north and south. This omission weakens the assessment of landscape impacts.”*

5.16 Within the same consultation letter the response is summarised by stating:

*“It is considered that the proposals do not demonstrate a clear response to the site’s opportunities and constraints, nor do they reflect its valued characteristics or the surrounding local context. The site functions as a transitional edge between the urban settlement of Carpenders Park and the rural landscape of Merry Hill. This edge is not only spatial but experiential, offering a gradual shift in character, vegetation structure, and land use. The existing hedgerows, veteran trees, and open views contribute to a layered transition that should be preserved and enhanced.”*

5.17 Within the Three Rivers District Council Landscape Sensitivity Assessment (January 2026) the site was assessed for its sensitivity to the ‘principle’ of built development. On page 48 of the report an assessment of site NCFS12 (the application site) is undertaken. The site is ‘*classed as having medium sensitivity to built development.*’

5.18 On review of the following criteria and assessment (page 49) of the Landscape Sensitivity Assessment, the assessment scores the “*susceptibility Medium High*” under the categories of “*openness to Public View, Openness to Private View and perceptual quality*”.

- 5.19 This assessment recognises the sites intrinsic qualities of openness and perceptual quality which is consistent with my own view. The resulting impact will constitute inappropriate development which is, by definition, harmful to the Green Belt.

## Topography

- 5.20 Site topography is consistent with the description with the LCA.
- 5.21 Paragraph 3.3, page 22 of the Design and Access Statement (submitted as part of the application pack) recognises the changes to level within the application site, stating:

*“The topography of the site varies; the northern field has a steep incline from west to east going from 83.71m to 104.23m. The other fields have a more gentle slope from north to south. The highest point of the site is in the north-east at 104.23m. The lowest point on site is southwest at 77.61m.”*

- 5.22 Photograph labelled (1) on page 24 of the Design and Access Statement shows the rising topography of the site from the Public Right of Way running through the northern section of the site.

- 5.23 Paragraph 3.37, page 32 of the Design and Access Statement sets out the development site opportunities and constraints. The final two bullet points state:

- *The site is constrained with its topography. The northern parcel has a steep incline from west to east; and*
- *The site is located in the green belt.*

- 5.24 The proposed Illustrative Landscape Masterplan (P24-2420\_EN\_08E) fails to respond to the highlighted constraints which should have been used to inform and guide potential development. Instead, the illustrative masterplan locates a development parcel and the main/only access at the most sensitive area of the site for levels, viewpoints and public receptors. (In the form of the Watford Rural Footpath 013) Public Right of Way.)

- 5.25 The submitted Parameter Plan (P24-2204\_DE\_003\_C\_10) provides a very constrained development framework to respond and adapt to these issues. The parameter plan simply mirrors the illustrative development layout.

- 5.26 The proposed Building Heights Plan (page 44 of the DAS) seeks to establish a development density framework for the site. This plan and the supporting explanation are unclear. The plan suggests three density categories, lower density, medium density and medium density. Yet the Key within the same page includes four categories of density. From this plan and analysis, the density plan fails to respond the specific topography of the site, by locating development “*up to two storeys*” on the highest part of the site.

5.27 Paragraph 4.9 (page 12) of the supporting LVIA makes it clear that the existing site levels will remain unchanged, with no cut or fill operations used to facilitate development and therefore reducing visual impact.

*“The overall gradients across the Site would remain as existing, with only minor changes to the landform proposed. This would include localised excavations to facilitate construction of the SUDs basins, the road network, paths, parking areas and driveways, and with the digging of the new building foundations.”*

5.28 The Access and Movement Plan (page 45 of the DAS) has located the primary street at the northern parcel of the site. This location is the most sensitive of the site and introduces urban development to the highest point.

5.29 Visibility of the access road will be accentuated by the removal of vegetation to facilitate highways sight lines along Oxhey Lane.

5.30 As a result of locating the primary street at this point, contrary to paragraph 6.27 of page 48 of the DAS, the site’s steep topography (in this immediate location) will likely become a barrier to walkers and cyclists, and will fail to achieve the desired modal shift as stated as *“giving precedence to the needs of those walking and cycling over motor vehicles.”*

5.31 The sensitive nature of the site and its topography have failed to be appropriately considered. As a result, the harm caused by disregarding this as a sensitive, yet inherent feature creates maximum impact to the site and landscape.

5.32 Consistent with my own view is the Place Services landscape consultation response (January 2026) which reiterated this point. Under the heading Landscape Impact, it states: *“We consider that the topography of the site is reflective of the key characteristic of Bushey Hill Pastures LCA. While not rare, it is distinctive. High value criteria as per Table 2 within the Methodology says “Rare or distinctive landscape elements and features are key components that contribute to the landscape character of the area”*

5.33 *Using the methodology from the submitted LVIA, we considered value to be high and susceptibility to be medium, when combined it results in a high sensitivity, and with a magnitude of change of medium, resulting in a major adverse effect. We recognise that the steepest parts of the site are more susceptible than the southern parts.*

- 5.34 *A moderate adverse effect (locally) can be considered acceptable on the basis that the access road across the steepest slopes is designed without the need for retaining walls or significant alterations to existing gradients. The residential parcels should also be delivered in a manner that avoids the introduction of retaining structures and prevents the formation of landforms that would appear engineered or out of character with the surrounding topography. However, the construction of the proposed attenuation basin will result in discernible alterations to the existing landform, giving rise to a notable, but localised, change in topographical character.*

## 6 Summary and Conclusions

- 8.1 In conclusion, the landscape harm can be summarised under three specific headings.
- 'Non-Green Belt' landscape and visual harm,
  - Harm to Green Belt openness,
  - Green Belt purposes - A and C.

### 'Non-Green Belt' landscape and visual harm

- 8.2 My Proof of Evidence is in alignment with the Place Services landscape consultation response (January 2026) which highlighted the importance of the sites topography which is a key feature within the Bushey Hill Pastures LCA.
- 8.3 The LCA states that while it is not rare, it is distinctive. High value criteria as per Table 2 (page 3 LVIA Appendix 2: Assessment Methodology) states *"Rare or distinctive landscape elements and features are key components that contribute to the landscape character of the area"*
- 8.4 Using the methodology from the submitted LVIA, it is considered that the value to be high and susceptibility to be medium, when combined this results in a high sensitivity, and with a magnitude of change of medium, resulting in a major adverse effect.
- 8.5 This landscape and visual harm is compounded as it is recognised that the steepest part of the site is more susceptible to development, especially when considering this location has been selected for the primary access road and northern most development parcel within the site.
- 8.6 The visual impact of development on the northern part of the site (residential parcels, play provision and access road) will have a negative visual impact on the landscape. Mitigation planting will have a limited effect on screening this impact. Especially when considering the road alignment, visibility sight splays and topography.

Harm to Green Belt openness

8.7 To summarise the harm to Green Belt openness, the Landscape Sensitivity Assessment, set out a “Medium High susceptibility” under the categories of “openness to Public View, Openness to Private View and perceptual quality”.

8.8 This assessment recognises the sites intrinsic qualities of openness and perceptual quality, which is consistent with my own view, with the resulting impact constituting in inappropriate development which is, by definition, harmful to the Green Belt.

8.9 The openness of the site will be further harmed by the extent of vehicle movement through the proposed development, which will be intensified by the proposed route of the primary access road at the highest point of the site.

Green Belt purposes - A and C

8.10 Purpose A relates to the need to check the unrestricted sprawl of large built-up areas. The NPPG (Paragraph: 005 Reference ID: 64-005-20250225) sets out an illustration of key features anticipated in order to ascertain the level of contribution afforded to each of the Green Belt purposes. For Purpose A, the criterion for a site to make a strong contribution is as follows:

8.11 Purpose A – to check the unrestricted sprawl of large built-up areas

Contribution	Illustrative features
Strong	<p>Assessment areas that contribute strongly are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict and contain development.</p> <p>They are also likely to include all of the following features:</p> <ul style="list-style-type: none"> <li>- be adjacent or near to a large built-up area</li> <li>- if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)</li> </ul>

8.12 A full assessment of the PPG is covered in Elizabeth Fitzgerald’s Planning Proof of Evidence.

8.13 The site is adjacent to the eastern side of Oxhey Lane and alongside the other parcels of land to the east of Carpenders Park, contributes to the Green Belt by checking the unrestricted sprawl of a large built-up area. The site is free of any existing development and not fully contained by physical boundaries and will result in an incongruous form of development.

8.14 Purpose C however relates to the need to safeguard the countryside from encroachment. It is understood that it is mutual ground that harm to the countryside will arise from this proposal.

- 8.15 As stated within the Landscape Character Assessment (LCA) Bushey Hill Pastures Sensitivity Evaluation (page 69 Hertfordshire Landscape Character Assessment (2005) the report states that the character area focus is *“Improve and conserve”*.
- 8.16 The ‘condition’ of this character area as described within the Bushey Hill Pastures Landscape Character Area, is summarised as having a “high impact of land-use change”.
- 8.17 The ‘strength of character’ defined within the Bushey Hill Pastures Landscape Character Area, is summarised as a “Prominent impact of landform” and an “open sense of enclosure”.
- 8.18 The Place Services landscape consultation response (November 2025) reinforces the point regarding the LVIA’s approach to the site and surroundings, stating:  
*“Generally, the LVIA portrays the Site as having a strong relationship with the built edge of the settlement to the west and says it is well-contained by vegetation. However, it fails to adequately consider the Site’s relationship with the wider undeveloped character of Merry Hill and the surrounding landscape to the north and south. This mission weakens the assessment of landscape impacts.”*
- 8.19 The approach to site topography embedded within the proposals fails to respond to the natural character of the site and avoid the harm caused by proposing inappropriate development on the sensitive northern portion of the site.
- 8.20 The Landscape Sensitivity Assessment, scores the sites “susceptibility Medium High” under the categories of “openness to Public View, Openness to Private View and perceptual quality”.
- 8.21 The proposed scheme will undermine Purpose C. The impact of the development in this location will erode the countryside edge and the clearly defined linear nature of the Green Belt. The site is part of an area of *‘fundamental importance’* (Page 38 (pdf page 42) Three Rivers District Council Stage 4 Green Belt Review Final Report 13 February 2026 ARUP) and plays a key role in creating a strong landscape edge to the urban area of Carpenders Park.