

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: APP/P1940/V/26/3378268 - Land East of Oxhey Lane, Carpenders Park - NPPF Response
Date: 27 August 2026 10:51:15
Attachments: [image317530.png](#)

Hi Matthew and Leanne

Please see below the Applicant's comments in light of the new NPPF.

As a general point, the new NPPF places a greater emphasis on the delivery of new housing which is evident in the enhanced presumption in favour of sustainable development (split across Policies S3-S5), for example proposals should be approved unless the benefits of doing so would be 'substantially' outweighed by any adverse effects (a higher bar than the previous NPPF which referred to 'significantly'). In addition, the NPPF is more explicit on the positive weight to be attached to the delivery of new homes (as reflected in Policy HO7).

We note that the 2024 and 2025 HDT results were published alongside the NPPF which show that the Council achieved a score of 35% (in 2024) and 47% (in 2025). The persistently dire housing delivery in the Council's area has thus continued for two further years, highlighting the importance of delivering new homes in the District.

Notwithstanding the above, given the Site's location in the Green Belt, the key tests regarding the principle of development are set out in Chapter 13. The new NPPF retains the Grey Belt route and the tests are very similar, now set out within Policies GB7 1(g) and GB8. We maintain our case that the Site meets the Grey Belt definition as it does not make a strong contribution to Green Belt purposes (a), (b) and (d), with Footnote 7 considerations now not relevant. The PPG Guidance related to Green Belt purposes remains the same (and is now endorsed in Annex E of the new NPPF) therefore there are no changes to our case regarding the Site's contribution to purpose (a).

The Golden Rules (Policy GB8) continue to be met through the provision of 50% affordable housing, improvements to infrastructure to be secured through the s106 and the provision of public open space. Part (2) of Policy GB8 confirms that substantial weight should be given to the importance of complying with the Golden Rules. The reference to substantial weight represents greater positive weight being attached to this compliance than was previously the case (significant).

With regards to sustainability, the new policy of reference is Policy TR3 which replaces the requirements of Paragraphs 110 and 115. Whilst there have been changes to the wording of the policy, the overall requirements remain the same to 'support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure'. Policy TR3 also notes that the Connectivity Tool should be used alongside other relevant quantitative and qualitative evidence. It has been demonstrated through evidence and at the inquiry that the proposals are in a sustainable location and will provide residents with a genuine choice of transport modes. Furthermore, the sustainability of the Site will be improved further through the transport improvements proposed including the bus service improvement. To this end, we do not consider that Policy TR3 materially changes how the sustainability of the Site should be assessed.

The new NPPF does not change the definition of a veteran tree (when compared to the 2024 NPPF). As a result, based on the findings of FLAC (see p2 of the FLAC Veteran Tree Technical Note, Appendix 15, CD6.10) none of the existing trees meet the definition of a Veteran Tree. As such, this is a neutral factor in the planning balance.

Overall, we maintain our position that the proposed development meets the necessary tests to follow the Grey Belt route and is appropriate development. Therefore Policy S5 (5) is triggered which confirms that the proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects. The policy notes that these circumstances are likely include situation where the development would fail to comply with one of the national decision-making policies, which is not the case. We consider that the harm associated with development does not outweigh the many benefits with the changes to the presumption (i.e. the use of the word 'substantially') simply seeking to underline this.

With regards to the Council's case (which is that proposed development is inappropriate and the relevant test is VSCs,

now set out within Policy GB6 (2)), the test remains the same, namely that the potential harm to the Green Belt and any other harms should be clearly outweighed by other considerations. As set out, the Council agreed at the inquiry that the benefits do outweigh the harms, but not clearly. We consider that the explicit positive weight to be attached to delivery of new housing and compliance with the Golden Rules (now substantial, applicable whether the site is Grey Belt or not) further supports our case and therefore we maintain our position that the various benefits of the scheme clearly outweigh the harms and that therefore VSCs exist.

We therefore respectfully invite the Inspector to recommend that planning permission is granted. Please let us know if you require any further information.

Kind regards
Alice

Alice Moore
Associate Director



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