

Local Planning Authority Response to the National Planning Policy Framework 2026.

APP/P1940/V/26/3378268

Land East of Oxhey Lane, Carpenders Park

This note has been produced following a request from the Inspector on the 19 August 2026 seeking comments on the new National Planning Policy Framework published on the 17 August 2026 (NPPF 2026).

In reviewing the new NPPF, it is considered that the following chapters and policies are the most relevant to the consideration of this application:

Chapter 3 – Decision making policies

- Policy DM4 – Emerging development plan proposals

Chapter 4 – Achieving sustainable development

- Policy S5 – Principle of development outside settlements

Chapter 6 – Delivering a sufficient supply of homes

- Policy HO7 – Meeting the need for homes
- Policy HO8 – Providing affordable homes
- Policy HO9 – Specialist forms of accommodation

Chapter 12 – Making efficient use of land

- Policy L3 – Achieving appropriate densities

Chapter 13 – Protecting Green Belt land

- Policy GB6 – Control of development in the Green Belt
- Policy GB7 – Development which is not appropriate in the Green Belt
- Policy GB8 – The Golden Rules

Chapter 14 – Achieving well-designed places

- Policy DP3 – Key principles for well-designed places

Chapter 15 – Promoting sustainable transport

- Policy TR3 – Locating development in sustainable locations
- Policy TR4 – Street design, access and parking

In applying the NPPF 2026, the Council comments as follows:

The Development Plan

Policy DM4 seeks to replace paragraph 49-51, the principles set out are fundamentally the same. With the emerging Local Plan only being at Regulation 19 stage, it is not considered that the NPPF 2026 changes the position or weight to be afforded to this emerging Plan.

Green Belt

The application site falls entirely within the Metropolitan Green Belt.

Chapter 13 of the NPPF 2026 states

“the objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The Government attaches great importance to Green Belt, the essential features of which are their openness and permanence”.

Policy GB2 identifies the that Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

Paragraph 153 of the NPPF 2024 has been changed to Policy GB6, the ethos in that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances and that substantial weight should be given to any harm to the Green Belt, including harm to its openness, is reflected within this policy.

Policy GB7 replaces paragraph 154 and sets out the categories of development that are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or required to demonstrate very special circumstances:

- a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;*
- b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building⁴⁰. In the case*

of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;

- c. Limited infilling in villages lying within the Green Belt;*
- d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);*
- e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;*
- f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:*
 - i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);*
 - ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;*
 - iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
 - iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.*
- g. Development where all of the following apply:*
 - i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
 - ii. There is an evidenced unmet need for the type of development proposed⁴¹;*
 - iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework⁴²; and*
 - iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.*

h. Residential or mixed-use development which would:

- i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);*
- ii. Be physically well-related to the station or the settlement within which the station is located;*
- iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;*
- iv. Not prejudice any proposals for long-term comprehensive development in the same location; and*
- v. In the case of proposals for major development, comply with policy GB8."*

The most significant change between the 2024 and 2026 version is the introduction of GB7(1h). The definition of a 'Reasonable walking distance' is contained within Annex B and is stated as follows:

"Reasonable walking distance: For the purpose of policies S5, L3, GB7 (relating to land around well-connected stations), this should be considered to be around 800 metres, or around 10 minutes' walk time if topography, route availability and quality or physical barriers would prevent or discourage walking from up to 800 metres away. ... Where a reasonable walking distance is required to be calculated when applying policies S5(1)(h), L3(2)(c) and GB7(1)(h), and only part of the site falls within the reasonable walking distance, those sub paragraphs of policies S5, L3 and GB7 only apply to the area of the site within that reasonable walking distance."

It was agreed that the site is outside of an 800m walking distance of Carpenders Park Station and, given the topography of the site, taken alongside comments from local residents on the opening day of the Inquiry, it is not considered that the site falls within a reasonable walking distance to the station, such that the proposal cannot benefit from GB7(1h).

The proposal remains to be considered against the grey belt policy test set out in GB7(g).

The definition of grey belt remains largely unchanged, noting the removal of footnote 7, however, given the premise of footnote 7 was not considered to apply to this application, it does not change the Council's position in respect of the consideration of Purpose A, such that the Council remains of the opinion that the site is not grey belt.

As with the evidence submitted in support of the Inquiry, we have considered the other tests within GB7(g), in particular iii which deals with the sustainability of the site. Previously reference to paragraphs 110 and 115, this has now been amended to cross refer to the requirements of Policy TR3.

Policy TR3 does mark a change in the terminology used when compared to paragraph 110 and 115 but the thrust of the need for development to be in sustainable locations, or locations that can be made sustainable remains, it states:

1. *So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:*
 - a. *Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;*
 - b. *Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;*
 - c. *Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;*
 - d. *The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and*
 - e. *In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.*

2. *The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development.*

For the purposes of the consideration of this application, TR3(1a) is considered to be most relevant to the Council's position, in that the location should limit the need to travel by private car, with a genuine choice of transport modes for residents. As set out in the Council's evidence, it is not considered that there is a genuine choice provided for as part of the proposed development. The scheme lacks any robust alternative to walking and cycling for those users unable to walk across the reasonable walking distances.

Paragraph 115 is not directly replicated within the NPPF 2026, however, much of 110 and 115 have been wrapped into TR3 and TR4. Policy TR4 requires developments to employ measures to meet the needs of disabled people, older people and children in relation to all modes of transport.

Policy GB08 effectively replaces paragraphs 155-158. There is little change that affects the considerations of the application to date but we note that compliance with the golden rules should now be afforded substantial weight over the previous significant weight.

Sustainability/Accessibility

The general need for development sites to be sustainable or made to be sustainable runs through the NPPF 2026, as with the general assumptions in the NPPF 2024.

Policy DP3 presents the key principles for a well-designed place in a more definitive manner, setting out 7no principles for achieving the aims. (DP3(2)), in particular DP3(2d) introduces a movement principle:

"Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;"

Emphasising that it is not just walking and cycling that need to be considered but also public transport. The Council are of the opinion that the scheme fails to prioritise public transport and that when having regard to the topography of the site walking would be discouraged. It is not therefore considered that the proposal satisfied DP3(2).

The NPPF 2026 is not considered to fundamentally change the considerations of this particular case but serves to re-emphasise the need for sites to be in the right location with the right level of accessibility for all.

Tilted Balance

The tilted balance set out in NPPF 2024 Paragraph 11(d) has now been removed and replaced by Policy S5 for developments located outside of the settlement boundaries.

Policy S5(5) makes it clear:

"This policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and/or GB8 (as appropriate). However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework, and applying paragraph 2 of this policy."

The Council's position remains that this is inappropriate development within the Green Belt, applying GB7.

If the Secretary of State concludes that the Scheme is *not* inappropriate development, the Council's position is that the benefits of approving the Scheme *would* be substantially outweighed by adverse effects – and so the Scheme should not be approved, applying Policy S5(5). Applying Policy S5(2) (as Policy S5(5) requires), the Scheme *"would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances"*. That is because the Scheme, without clear justification, conflicts with a relevant aspect of Policy DP3(2) – namely, Policy DP3(2a) (see above). Policy DP3 states that in those circumstances, development proposals should be refused.

28 August 2026