



The countryside charity
Hertfordshire

31a Church Street
Welwyn
HERTS AL6 9LW
www.cpreherts.org.uk
office@cpreherts.org.uk
01438 717587

Standing up for Hertfordshire's countryside

Common Land Team
Planning Inspectorate
3F Temple Quay House
Temple Quay
Bristol BS1 6PN

Our Ref:

Your Ref:

commonlandcasework@planninginspectorate.gov.uk

18th November 2020 (by email)

Dear Sir/Madam,

**COMMONS ACT 2006: SECTION 16
PROPOSED DEREGISTRATION AND EXCHANGE
OF VILLAGE GREEN LAND, WOODCOCK HILL, BOREHAMWOOD**

CPRE Hertfordshire object to this application for deregistration of the northern section of the Woodcock Hill Village Green in Borehamwood and exchange of land to the east of the current village green.

The Section 16 notice says that *"the purpose of this application is to enable the delivery of a new, larger and improved Village Green for the community alongside the promotion of the release land through the Hertsmere Local Plan-making process for potential future residential development."* In our view the purpose appears to be the second part of that statement, the first part being a mechanism.

Taylor Wimpey, and their predecessor in title, Laing Homes, have always intended to use the section of the village green now proposed for deregistration for residential development and have publicly stated that fact. They would not have acquired the land otherwise. It is also notable that the lead objector to the designation of the land as village green at the public inquiry which led to the designation of the green was Taylor Wimpey. It was noted by the Inspector who initially designated the site as village green that the application for designation arose out of a desire to protect the application land from future development for housing. The intent of this application is to reverse that position.

The applicant attempts to separate consideration of the deregistration of the land from their intent to develop, but the two are inextricably linked. Rightly, the merits of any future development of the site will be dependent on the determination of future planning applications, but it would be disingenuous to say that the applicant's intent has no bearing on this application.

In essence, the applicant puts forward three justifications for the deregulation and exchange:

(1) *The proposals safeguard the Village Green for current and future generations to use and enjoy by providing a new, larger, more accessible and improved area of Village Green on land directly adjoining the existing Village Green and securing improvements and future management and maintenance through financial endowment and gifting of the land in perpetuity, out of private ownership and on to a Community Trust or Public Body.*

CPRE is working nationally and locally for a beautiful and living countryside

CPRE Hertfordshire is a Charitable Incorporated Organisation

President: Sir Simon Bowes Lyon, KCVO
Chairman: Richard Bullen

Registered Charity 1162419



The Village Green is currently designated as such. It is difficult to see how deregulating part of it and exchanging that part for other piece of land safeguards that designation.

It is not correct of the applicant to say that the land is only managed by 'occasional volunteers'. As we understand it, since its designation in 2008 the Village Green has been maintained and improved by working parties of volunteers from members and local youth organisations co-ordinated by the Woodcock Hill Village Green Trust. There is nothing in this proposal which will enhance that situation. Initially a management plan was produced with assistance from the Herts Countryside Management Service and that plan has been subsequently updated. This has ensured that the distinctive natural state of the green has been maintained, and biodiversity increased. Funding has come from grants, donations and other sources. As landowner, it has always been possible for Taylor Wimpey to gift the land in perpetuity to the Trust or make suitable endowments for the maintenance of the land. Unfortunately, in the current context, this belated offer looks like an inducement not a benefit.

(2) *The proposals ensure the special qualities of the Village Green are protected by retaining existing access via Vale Avenue for the community of south-east Borehamwood; by improving social inclusion by bringing the Village Green physically closer to and providing new access to the Village Green via Barnet Lane for the community of south-west Borehamwood also; by providing improved recreation opportunities consistent with the current use of the Village Green; by incorporating existing features such as the railway air shafts as new features of cultural interest; and retaining the most elevated sections of existing Village Green in order to preserve established long-distance views of historical importance.*

We fail to see how the special qualities of the Village Green are protected by retaining the existing access to it. Social inclusion of the community to the south-west may well be improved by a new access from Barnet Lane, but as Figure 1 of Appendix 11 shows, there are already two access points from Barnet Lane. The user survey presented to the original Inquiry and a number of witnesses demonstrated that there was no difficulty in people gaining access from that direction.

The distinctive quality of Woodcock Hill Village Green is its wild aspect. It is not the conventional image of common grassland with a pond for watering cattle. Nor is it parkland with recreational facilities. It (and the proposed exchange land) is a Local Wildlife Site. Its ecology is dependent on the retention of its wild quality and to that end it should be maintained with minimum human interference. This is a point which Taylor Wimpey completely missed in their initial consultation, proposing a whole series of 'enhancements' which were urban in character. While those have now been scaled back, 'improved recreation opportunities' is still redolent of that approach. Access to the railway air shafts would certainly be of cultural interest to some, but probably not to such an extent as to be considered a gain to the community which offsets the loss of the existing land. The existing elevated sections to the south of the village green will remain, whether or not this deregulation and exchange takes place, so that cannot be considered a gain either.

(3) *The proposals improve the contribution of Village Green land to enhancing biodiversity and conserving wildlife through the delivery of significant biodiversity enhancement measures to create new habitat and improve existing habitat in recognition of the wild nature of Woodcock Hill Village Green.*



The existing Village Green meets the relevant criteria under Section 16(6) and 39(1) of the Commons Act 2006, having regard to the key objectives of the legislation. Nothing in this application improves on that.

The Village Green is maintained in accordance with a management plan and biodiversity enhancement measures are already part of the work undertaken. As we have mentioned above, both the portion of the Green which it is proposed to deregulate and the exchange land are Local Wildlife Sites (85/083/01 and 85/065/01 respectively). We note that Herts and Middlesex Wildlife Trust consider that the proposals for compensation for loss of the deregulated site are almost certainly incapable of delivering the biodiversity uplift necessary to compensate for the loss.

The designation of Woodcock Hill as a village green came after considerable lobbying and effort by a significant portion of local residents in order to preserve a valued community space and prevent urban sprawl, on the assumption that it would then be protected in perpetuity. It continues to be used and enjoyed by the local community. That overwhelming support is continued in the consultation carried out prior to this application. Appendix 9 shows that 81.6% of local residents consulted object to the proposal to deregulate and exchange and only 1.04% approve. The remaining 17.36% are listed as 'Not Stated'. This is because they did not explicitly use the words 'object' or 'approve'. However, if you read these 'not stated' responses, phrases such as "terrible idea", "an absolute travesty", "all that would be achieved would be devastating chaos" and "absolutely no benefit to the local community" do not suggest support.

Woodcock Hill Village Green meets the needs of those for whom it was designated perfectly well and we see no reason to change that designation other than to meet the development aspirations of the applicant.

Yours faithfully,

David Irving
Senior Planning Volunteer
CPRE Hertfordshire