



OBJECTIONS FROM OUR COMMUNITY

I am writing as a local resident to inform you that I am **opposed to and object to** the deregistration of Woodcock Hill Village Green and to the exchange of land to move the Village Green to a new site.

Woodcock Hill Village Green is a nature park with ponds, trees, grassland and an abundance of flora and fauna. I, myself, have been lucky enough to volunteer my time over the years to plant willow trees for screening and drainage benefits, plant pond plants which are now well established, cut back brambles along pathways and generally tidy up this beautiful, peaceful, well loved green space. Those managing the site, voluntarily, are extremely knowledgeable and care for the area exceptionally well. I do not feel any change in management could be an improvement. It is a place that local people can easily access, away from busy roads, where plants and wildlife can thrive and we can feel at one with nature.

Regarding specific points made in the submission by Taylor Wimpey:

TW say: they will leave a path from Vale Ave to the Village Green and hence to the exchange land.

I say: Access for elderly and disabled residents from north and north east of the site will be much more difficult as it is a very steep hill. At present there are several access points including a gate to the north west of the site by Byron Ave. Residents would not want to lose the benefit of immediate access to a Village Green

TW say: access for residents of south west Borehamwood will be improved from Barnet Lane.

I Say: Access onto the exchange land is nearly a mile away from south west Borehamwood down a steep hill with heavy traffic most of the day. SW Borehamwood residents already have safe access by a public Right of way and several other points along the north of Barnet Lane exist already. Barnet Lane is not a suitable access point as there is no parking and few residents live nearby.

TW say: that the exchange land is larger.

I say: It may be very slightly larger but it is of poorer quality. The diversity of habitats for flora and fauna on the exchange land is poor compared to the release land. WHVG Committee with working parties have improved the range of habitats. Three ponds have been built providing habitats and help to prevent flooding in Byron Ave. The exchange land will suffer from traffic noise and air pollution.

TW say: They will provide picnic benches outdoor trails etc.

I say: This is a Nature Reserve registered as a Wildlife Conservation area. We don't want another park and play area – we want to experience a peaceful walk in a natural environment, leaving established wildlife to flourish.

Local Resident, Borehamwood

I would like to register my strong objection to the Taylor Wimpey proposal to swap land in return for part of the village green for their proposed housing development. This would result in a village green nowhere near the main built up area of Borehamwood with difficult access points and an extremely odd shape. Two thin legs up steep hills to a piece of land fronting Barnet Lane. No No No to this proposal.

Local Resident, Borehamwood



We refer to the above application by Taylor Wimpey and write to formally register our deep concern and objection to the proposed deregistration and 'land swap' at Woodcock Hill Village Green on the following counts:

¾ The Village Green was registered in 2008, an outstanding achievement due to the hard work and enthusiasm of local residents and at a substantial financial cost only funded by local donations. The Green comprises an area of land in direct proximity to the urban fringe of Borehamwood with good and level access from the adjoining local roads, the Vale and Carrington Avenue. There is also a gated access leading from Byron Avenue.

Taylor Wimpey's proposal to provide a path from Vale Avenue to the Village Green and onward to the 'replacement land' is not an acceptable alternative access. The path would be up a steep gradient and would prove difficult for older or disabled users. It would not provide the immediate access that residents presently enjoy.

¾ The 'swap' would also fragment the integrity of the Green as it is now.

¾ The 'release land' has been carefully managed by volunteers over a number of years and has become a delightful habitat for a variety of flora and fauna including the ponds that have been looked after by our volunteers and which again increase the bio diversity of the area and which would be lost if Taylor Wimpey's application is upheld.

In terms of the richness of bio diversity, the value of the 'replacement land' cannot compare with what would be lost and is in no way a fair and equitable exchange.

¾ At a time in our history when access to open spaces is ever more important and when Borehamwood is experiencing an increasing loss of green spaces, the safeguarding of the Woodcock Hill Village Green and its availability to the Town's residents is even more critical.

We trust the above will help to inform when you are reviewing and ruling on the future of this remarkable and historic green space within Borehamwood and that you will find in favour of the retention of our Village Green as it is and reject the application by Taylor Wimpey to deregister.

Local Resident, Borehamwood

I have made clear my opposition to Taylor Wimpey's plans on Woodcock Hill Village Green.

Woodcock Hill Village Green is a real community treasure in Borehamwood that I have visited many times since becoming the Member of Parliament for Hertsmere, including as part of Mitzvah Day and even planting trees as part of the Queen's Commonwealth Canopy project and an Extinction Rebellion Tree.

I met with the Woodcock Green Village association in the summer, when I wrote to the Secretary of State to register my opposition to these plans, as well as responding to Taylor Wimpey's consultation. It is vital that we preserve our green spaces that surround Hertsmere's towns and villages which create distinct communities and prevent ugly, unsustainable urban sprawl.

At this next stage, I have submitted my strong opposition to Taylor Wimpey's proposal to the Planning Inspectorate and I continue to work closely with the Woodcock Hill Village Green Association.'

Oliver Dowden, Hertsmere MP



Herts and Middlesex Wildlife Trust objects to this application for the reasons outlined below, set against the appropriate clause from the Common Land Consents Policy (2015):

The Common Land Consents Policy (2015) states:

3.1 The 2006 Act, along with earlier legislation on common land, enables government to:

- improve the contribution of common land to enhancing biodiversity and conserving wildlife.*

This must be proven in a measurable way. Currently the ecological report does not make a direct comparison of the existing or potential value of the compensatory land with the existing common land. This application should only be allowed if the uplift value of the compensatory land is greater than the existing value of the common. This should be established by using an objective measure rather than the subjective opinion of an ecological consultant. The most appropriate mechanism to use is the DEFRA biodiversity metric. This is a DEFRA endorsed system to quantify biodiversity value and it is entirely appropriate to use it in this instance. This should show a net gain i.e. 10% increase, in biodiversity units from the exchange. If it does not the exchange will not '*improve the contribution of common land to enhancing biodiversity and conserving wildlife*' and is not consistent with policy.

It should also be borne in mind that the ultimate purpose of this deregistration is to facilitate a housing development. This means that what is actually being proposed is the loss of this section of the Local Wildlife Site and Common land to be replaced with land that already exists – and is also a local wildlife site. This is not a net gain but a significant net loss. You cannot replace an existing valuable local wildlife site and nature reserve with an area that already exists. In order to achieve a meaningful net gain the replacement site must be capable of delivering a biodiversity unit uplift equivalent to the proposed release land. This means that the compensation site must be improved in biodiversity units equivalent to the release site plus 10%. If it cannot then the proposal will result in a biodiversity net loss. The requirement for a measurable replacement area of land capable of providing an additional number of biodiversity units plus 10% is supported by clause 3.2

3.2 To help us achieve our objectives, the consent process administered by the Planning Inspectorate seeks to achieve the following outcomes:

- our stock of common land and greens is not diminished so that any deregistration of registered land is balanced by the registration of other land of at least equal benefit;*

It cannot be replaced by land that already exists to provide '*at least equal benefit*' because that benefit to biodiversity already exists. It must be uplift. The proposal has not demonstrated this in a meaningful, measurable way, by reference to Defra's own metric.

4.3 The Secretary of State will wish to know what alternatives have been considered to the application proposal

There is no imperative reason to deregister this site. It is only being sought to facilitate a housing development that the people of the area, when consulted, overwhelmingly did not support. The alternative is to leave the common land as is, as the local community demand.

4.4 When an application is assessed, the following criteria will be considered:

- Positive benefits — Will the proposed replacement land, or outcome intended by the proposed works, add something that will positively benefit the neighbourhood?*
- Loss of existing use — Will the loss of the release land or the construction of the works mean that local people will be prevented from using the common or green in the way they are used to?*
- Future use and enjoyment — Will the removal of the release land from its status as common land or green, or the construction of the works, interfere with future use and enjoyment (whether by commoners, the public or others) of the land as a whole*



The common land has been maintained and enjoyed by the local community for many years. It is actively managed for wildlife by the local community, who have produced and work to a conservation management plan, and who have invested a significant amount of time and effort into developing the nature conservation value of the site. The loss of this site will not '*add something that will positively benefit the neighbourhood*'. Quite the opposite, it will significantly demotivate the local community to see all their hard work disappear under concrete.

Point two above is again clearly in conflict with the application. The stated objective of the applicant is to apply for a housing development which will destroy the release land.

The future use and enjoyment of the release land will be completely lost as a result of this application, if the intended development is approved. The applicant would not be seeking this deregistration if it did not expect this to happen. It is therefore clearly in conflict with point 3 above.

4.5 The public interest is defined as including the public interest in nature conservation, the conservation of the landscape, the protection of public rights of access to any area of land,

- Nature conservation — Are there potential benefits to nature conservation from carrying out the proposals?..... In relation to any exchange, what will be the impact of the replacement land in relation to nature conservation compared with the release land?*
- Impact on the landscape - Will the impact include an adverse effect on the enjoyment of the remaining part of the common or green (e.g. if development of any release land might spoil the view or impair the conservation of wildlife on the remaining part)?*

Potential benefits to nature conservation can only be considered legitimate if the compensation site is capable of delivering an uplift equivalent to the ecological value of the proposed release site, as stated previously. Without a Defra biodiversity metric calculation that shows that this is the case, any benefits suggested are entirely subjective and not legitimate. Only substantiated, objectively measurable ecological uplift, verified by the Defra metric is acceptable. This is required to satisfy the clause on nature conservation above.

The stated purpose of this application is to pursue a planning application on the release site. It is currently protected by its status as a common. It's status of Local Wildlife Site offers no statutory protection to the habitats that are present. Provided that protected species are not harmed, it could be legally destroyed. This can be actively achieved through direct intervention or as a consequence of lack of management and neglect. Neglect alone would threaten the meagre protection in planning accorded to local wildlife sites because once the habitat changes, it will be de-notified. Given its significant potential monetary value for development, it is extremely vulnerable to this. This will not only be heartbreaking to the local community, but will compromise the wildlife functionality of the '*remaining part of the common*'. The introduction of hundreds of households and their pets cannot fail to have an '*adverse effect on the enjoyment of the remaining part of the common*' and '*impair the conservation of wildlife on the remaining part*'.

It can therefore be demonstrated that granting this application would not be in the public interest and it should not be permitted. In addition, the overwhelming opposition to the scheme, as evidenced by the consultation, shows that not only is it not in the public interest but also that it is deeply unpopular with the local community.

5.1 The Secretary of State's primary objective in determining applications under section 16(1) is to ensure the adequacy of the exchange of land in terms of the statutory criteria. Therefore, even where an applicant makes an otherwise compelling case for an exchange, the Secretary of State's expectation will be that the interests (notably the landowner, commoners, and the wider public) will be no worse off in consequence of the exchange than without it, having regard to the objectives set out in Part 0 above. Her expectation is more likely to be realised where the replacement land is at least equal in area to the release land, and equally advantageous to the interests. So the Secretary of State



will wish to evaluate the exchange in terms of both quality and quantity. An inadequate exchange will seldom be satisfactory, whatever the merits of the case for deregistration might otherwise be.

It has been established above that the applicant has not demonstrated that the potential uplift of the compensation land is equivalent in quality to that of the release land – because it has not used the gov't's biodiversity metric to establish this. The interests of the commoners are also overwhelmingly against this proposal, so are explicitly '*worse off in consequence of the exchange than without it*'. HMWT are also firmly against this development because of the ecological consequences of the application, and the extremely dangerous precedent is sets.

Thank you for considering this argument and if you require any further information please do not hesitate to get in touch.

Herts & Middlesex Wildlife Trust

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.*

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.

Campaign to Protect Rural England