

Hertsmere Borough Council proposed SADM policy

SADM 36 Local Green Space – The Paddock Bushey Heath

Bushey Heath Residents' Association's response to The Inspector's request for further public consultation and commentary on the submission made by the Bushey Museum Property Trust in their objection to The Paddock being designated as a Local Green Space

Background

The Bushey Heath Residents' Association (BHRA) has supported Hertsmere (HBC) in their determination to designate The Paddock as a Local Green Space.

The latest revisions made to the SADM paper, as required by the Inspector, retained The Paddock for this designation and has deemed it meets the required criteria as set out in paragraph 74 of the NPPF - **the BHRA fully supports this.**

The landowners, The Bushey Museum Property Trust (BMPT) made representation on SADM 36 and the evidence submitted in support of this policy by the BHRA. This paper aims to comment on the BMPT's objections and assumptions and to refute their claims of apparent errors or misrepresentations by the BHRA.

1) HBC recommendation for designation as Local Green Space being appropriate for The Paddock.

Much of what the BMPT criticised in the original SADM submission by HBC has been amended and re-confirmed by HBC.

The key criticism of the LGS designation is that it would not be of benefit to the local community and they would continue to keep it private and not for use by the public.

This discounts the pleasure it provides, being a welcome break in the ever increasingly urbanised environment of the locality. It is indeed 'demonstrably special' by virtue of its historical importance, the views over Hertfordshire and is a key element in the environmental health and welfare of local residents.

The BMPT claim that the name 'The Paddock' is not an official name of the site but a 'shorthand' to describe the 'horse field' (as Mrs Chewett referred to it) since planning approval has been sought. The BMPT fails to mention that the field has, in the memory of many local residents, been used for the grazing of ponies - again reflective of the more recently adopted name for the field.

One can only surmise that the appellation was created to make the site more 'marketable' and attractive to buyers/developers.

In the fight against planning applications, both The Paddock and indeed Reveley Lodge itself, have had some very positive PR and have become much better known in the neighbourhood and gained 'notoriety' which benefits the Trust in that local people are now more interested in, and animated by, Reveley Lodge and thus more willing to support it, if given the opportunity and not seen as 'the enemy'.

The BMPT's objections, whilst attempting to find reasons for denying the LGS designation, in planning guidelines, are founded on the fear that such a designation results in the land being worthless from a potential building site point of view - such that they would be unable to sell this asset to protect the future of Reveley Lodge.

It is the contention of the BHRA that this is not their only recourse to funding the maintenance of the building opposite The Paddock which, at the point of writing this comment, appears to have no business plans to secure its charitable, commercial, educational or financial future - or to make it more of an asset to the community - as was the desire of its previous owner, Mrs Chewett.

In addition, the financial woes or potential benefit to a landowner are not of 'material concern' with regard the LGS designation.

2) The BMPT's specific comments regarding the submission in favour of SADM 36 made by the BHRA

The BMPT claim *that 'the many points made by BHRA to support the designation of 'The Paddocks' as an LGS lack supporting evidence and are superficial in nature, or a just plain incorrect.'*

In the main, we the BHRA believe that these criticisms have been overcome by the subsequent (to their writing of this comment) submission made by the BHRA to the Inspector in February 2016.

However, specific issues raised by the BMPT will be commented on below;

- a) Claim that the land was *'bequeathed to the people of Bushey'* – the BHRA claim, with the support of people close to Mrs Chewett both during her lifetime and specifically shortly before her death, including her carer Mrs Doreen Devereux - that whilst the land together with the Reveley Lodge Estate and investments with cash funds were 'given' by Mrs Chewett to the Bushey Museum Trust - it was on the understanding that they were 'guardians' or 'caretakers' on behalf of the people of Bushey Heath.

Mrs Chewett had no descendants and wished her home to be used for charitable artistic endeavours, which thus far, after 13 years, the Trust – who split the management of the Reveley Estate into a separate Trust to ensure the security of financial support of the Museum – have not yet succeeded in realising.

- b) Claim of being *'historically important as last piece of the 'heath' in Bushey Heath'*. The BMPT argues this is unproven and that they in fact actually disproved this claim.
- c) Since then, the BHRA has shown mapped documentation (1806) to show that the 'common land', also known as 'heath', was partitioned in the Enclosures Act and that The Paddock is the last undeveloped piece of said 'heath'.
- d) Claim, re *'a beautiful peaceful setting. Residents enjoy sitting on the benches and enjoying the rural setting'*. It is unclear if this is a direct quote, however the BPMT go on to state that the benches are on the busy A411 facing way from the field, used by few and not in a tranquil or rural setting.

In fact the reference made by the BHRA is regarding the commemorative bench facing The Paddock on Caldecote Gardens, downhill from Elstree Road near the entrance previously used by pony owners.

A photograph (attached) of the bench and the view over The Paddock taken in late January 2016 shows a rural, tranquil and picturesque the sight.

Many people, have used and continue to use that bench and many neighbours remember it being where they took their children to feed the ponies. One can only assume that the person writing in behalf of the BMPT (said to be an independent advisors/barrister) is not familiar with the site or the environment.

The BMPT concludes that the LGS designation would prohibit development, *'make any development very difficult'*.

Surely that is the intention of such a designation - i.e. to preserve a green space. Without the LGS designation two planning applications have been refused on Appeal as inappropriate.

The BMPT now claim that *'There is no reason to believe that a future modest proposal could not be produced that would be fully compliant with Council policies'*.

This ignores the fact that;

- i) it is the same Council whose approval they are hoping to gain for development that is seeking to designate the site as LGS
- ii) a 'modest' development may not have attracted such a wave of strong objection from the local community and might even have been approved and built before the Council decided to place The Paddock on the list for LGS designation.

It must be remembered that the process of trying to sell the land and gain planning approval commenced in 2010 with a purported price tag of £4m - which led to the 'inappropriate developments' put forward for planning approval that the BMPT supported.

The BHRA would conclude this commentary by saying that with 2 petitions to 'Save our Urban Green Space' – preceding the SADM36/LGS debate – with many local residents writing to object to the planning applications and in support of the LGS designation all providing local addresses, this contradicts and outweighs the BMPT claim that *'this is balanced by a similar number of residents who oppose the designation'* - when the Museum and Reveley Lodge asked all visitors to sign - whether or not they were local - and without, to our knowledge, submitting addresses - only claiming they were all local.

This paper has addressed only the new information that has been published - and attempted to avoid repetition regarding previous submissions to Council and to the Inspector.

Unfortunately Mrs Devereaux (Mrs Chewett's carer in later years) - who can and has previously, in writing and in person, testified to Mrs Chewett's wishes prior to her death and in bequeathing the Estate to the Bushey Museum Trust - is now too ill to further support these claims or be present at any meetings. We wish her well and hope for a speedy recovery.

The Public Examination is now due to take place w/c 11 April 20122 and we welcome the opportunity to answer questions regarding the BHRA's claims and in support of the designation of The Paddock as Local green Space.

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for and on behalf of the Bushey Heath Residents' Association