



Site Allocations and Development Management Policies Plan (SADM)

Publication Stage Representation Form

Scanned
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Reference No:

Date received:

Please use this form to make Representations

Please return to Hertsmere Borough Council by **5pm on Monday 14 September 2015**

By post: Policy and Transport Team, Planning and Building Control, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, Herts, WD6 1WA.

By email: local.plan@hertsmere.gov.uk

This form has three parts:

Part A – Personal details (only needed once).

Part B – Your representation(s). Please complete a separate sheet (Part B) for **every** representation you wish to make, remembering to insert your or your organisation's name at the top of the page.

Part C – What information you want the Council to provide you with about future progress of SADM (only needed once).

Please read the guidance notes at the end before completing this form. They explain the terms used and will help you make your representation(s).

Part A	1. Personal details*	2. Agent details (if applicable)
Title	COUNCILLOR	
First name	CAREY	
Last name	KEATES	
Job title (where relevant)	COUNCILLOR	
Organisation (where relevant)	HERTSMERE B.C.	
Address	[REDACTED]	H.B.C. PLANNING UNIT 14 SEP 2015 RECEIVED
Post Code	[REDACTED]	
Telephone number	[REDACTED]	
Email address	[REDACTED]	

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

Please note that all representations received will be made publicly available and cannot be treated as confidential. This means that the names of all those making representations will be publicly available. Other personal information relating to private individuals, including Contact details, will not however be made publicly available.



Part B

Name or organisation:

~~BUSHEY MOSEL~~ PERSONAL

For office use only

Ref No:

support:

object:

change:

IMPORTANT: Please use a separate Part B form for each representation**3. To which part of SADM ('the Plan') does this representation relate?**

Paragraph

☐

Policy

SADM

Policies Map

☐Other part
of Plan
(specify)**4. In relation to the part of the Plan you identified in 3, do you consider the Plan to be:**

Please tick which boxes apply

4(a) Legally Compliant

Yes

☐

No

☐

no comment to make

☒4(b) Compliant with the
Duty to Co-operate

Yes

☐

No

☐

no comment to make

☒

4(c) Sound

Yes

☐

No

☒

no comment to make

☐*If you have entered 'No' to 4(c), please continue to Q5. In all other circumstances, please go to Q6.***5. If you consider the Plan to be unsound is this because it is not:**

5(a) Positively prepared

☐

Please tick which box(es) apply

5(b) Justified

☒

5(c) Effective

☐

5(d) Consistent with national policy

☒**6. If you consider the Plan is not legally compliant or fails to comply with the Duty to Co-operate or, having regard to the criteria you ticked at 5 above relating to soundness is unsound, please give details of why. Please be as precise as possible.****If you wish to comment in support of the Plan's legal compliance, compliance with the Duty to Co-operate or soundness or wish to make any other comment, please also use this box.**

THE INCLUSION OF THE REVELEY LODGE FIELD, ALSO NOW
REFERRED AS THE PADDOCKS (SITE BH007 IN THE SADM DOCUMENT)
FAILS TO MEET THE CRITERIA IN PARA 77 OF THE NPPF

FURTHER OBJECTIONS ARE INCLUDED IN MY
ANNEX DOCUMENT ATTACHED

(continue on a separate sheet/expand box if necessary)

7. Please set out as precisely as possible what change(s) you consider necessary to make the Plan

- legally compliant or
- sound (having regard to the criteria you ticked at 5 above relating to soundness).

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

THE REVELEY LODGE FIELD ("THE PADDOCKS")
(REF B1007 IN THE COUNCIL'S SADM DOCUMENT)
SHOULD BE REMOVED FROM THE LIST OF SITES
PROPOSED FOR DESIGNATION AS LOCAL GREEN
SPACES.

(continue on a separate sheet/expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity for further submissions based on the representation you are currently making. **After this current publication stage, further submissions will only be able to be made at the Inspector's request, based on the matters and issues he/she identifies for Examination.**

8. If you do not consider the Plan to be sound and the Council is prepared to make changes to the Plan which reflect your suggested change, would you be prepared to enter into a 'Statement of Common Ground' with this Council?

Yes

☒

No

☐

9. If your representation is seeking a modification/change to the Plan, do you consider it necessary to participate at the oral part of the Examination?

No, I do not wish to participate at the oral Examination

☐

Yes, I wish to participate at the oral Examination

☒

10. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary:

THE COUNCIL HAS INCLUDED THIS SITE WITHIN THE LIST OF SITES PROPOSED FOR DESIGNATION AS LOCAL GREEN SPACES, AGAINST THE TERMS OF PARA 77 OF THE NPPF, AND HAS INCORRECTLY ASSESSED THIS SITE AGAINST ITS OWN CRITERIA. FURTHERMORE, DESIGNATION WOULD ADVERSELY AFFECT THE FINANCIAL VIABILITY OF REVELEY LODGE, A LISTED BUILDING.

(continue on a separate sheet/expand box if necessary)

Please note: the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the oral part of the Examination.

Signature: _____



Date: _____

9 Sept 2015

Part C**(Only needed once)****Name (Print):** OLR CAREY KEATES☒

If you wish to be informed of the date of the submission of the Plan to the Secretary of State, please tick this box.

☒

If you wish to be informed of the recommendations of the Inspector appointed by the Secretary of State to carry out the independent Examination of the Plan, please tick this box.

☐

If you wish to be informed of the adoption of the Plan by Hertsmere Borough Council please tick this box.

☐

If you no longer wish to receive communications from the Council on SADM please tick this box.

ANNEXED TO
PUBLICATION STAGE REPRESENTATION FORM
(SADM)

To Hertsmere Borough Council's Planning Department, for forwarding to the Inspector charged with assessing objections to the inclusion of sites with the Council's SADM document.

From Cllr Carey Keates,

Chairman of the Bushey Museum Trust, and former Chairman of one of Hertsmere's Planning Committees.

Objection to the inclusion of the Reveley Lodge Field (RLF), also known as The Paddock, within the list of sites for inclusion in the SADM document

Brief history

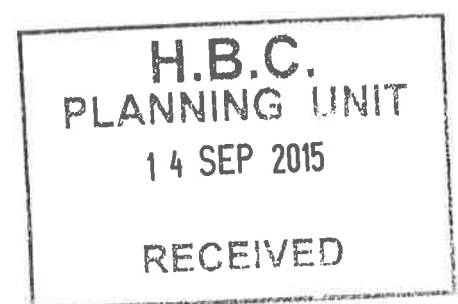
The RLF belongs to the Bushey Museum Property Trust (BMPT), and is directly opposite Reveley Lodge, a Grade II listed house. The house, with its gardens, the Field, and eight terraced houses adjoining comprise the property which was vested in the BMPT, having been bequeathed by its late owner, Mrs Eila Chewett, in 2003.

Her husband, the renowned portraitist Albert Ranney Chewett, acquired the land when building plots along the north side of Elstree Road were being offered for sale. In order to preserve their view from Reveley Lodge, he acquired two plots, which were at one time used for keeping ponies. At one time there was a stable in the Northwest corner of the Field, now long gone. Other neighbouring plots were developed for housing.

Myths, Legends and Misinformation

I would first deal with some facets of local folklore which seem to have acquired the mantle of "fact" by virtue of repetition, and which we believe to be the basis for the move by some local residents to have this site included in the SADM document.

1. The RLF was left to the "community". It is clear from the reading of Mrs Chewett's Will that there is no such wish expressed, rather the properties were bequeathed to the Bushey Museum free from any encumbrances whatsoever.



2. At the Planning Committee meeting to determine the Planning Application for the development of the RLF, Cllr Morris in his address as Community Advocate referred to a former housekeeper to whom Mrs Chewett expressed her intention to bequeath the RLF to the community.

Mrs Chewett's late housekeeper was well known to the Curator of the Bushey Museum, and was not known to have expressed any such statement before her death. We have not been able to ascertain the identity of this "other" housekeeper.

3. Some local residents have claimed that the RLF is the "last remaining piece of Bushey Heath". Firstly, the geological survey determines that the geology of Reveley Lodge itself is on the edge of a sandy and stony ground sometimes known as "Stanmore Shale", whereas heathland is invariably of the acid soils required for heathers and ling. The RLF however is loam over a clay subsoil.

However, if they are actually referring to "the last piece of open ground in Bushey Heath", they are again incorrect. Please note the Mary Fosdyke Gardens, Hillmead Nature Reserve, the former Ringway land off Richfield Road, and large tracts of agricultural land which can be found within a few hundred metres immediately to the northeast of this site, and of course, the genuine remainder of the old heathland, known today as Stanmore Common.

- . There have been other statements made, as example about the wildlife on the site, including badgers, Great Crested Newts and roosting bats, and about the historic importance of the Field. These will be dealt with below.

The reality:

The National Planning Policy Framework.

The National Planning Policy Framework refers to the creation of Local Green Spaces under Section 77, which I quote in full:

The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

1. *where the green space is in reasonably close proximity to the community it serves;*
2. *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
3. *where the green area concerned is local in character and is not an extensive tract of land.*

Let us look at this paragraph in detail, with reference to the inclusion of the RLF within the SADM proposals.

1. This particular field is private land, and has never served any community except its owners, the late Mrs Chewett until her death in 2003, and subsequently the Trustees of the Bushey Museum Property Trust.

- 2(a). As stated above, the Field has never been available to the “*local community*”, it is, and has been for many years, private land. Since acquired by the BMPT, it has been used on a very few occasions only as a temporary car park on the occasions of the holding of Charity Garden Party events.
- 2(b) The Field is *not* “*beautiful*”. There have been two ecological surveys carried out recently. Apart from a lone Oak tree and groups of Silver Birch trees, all of which are subject to Tree Preservation Orders (TPO’s), the Field is described in an environmental report as “scrubby grassland”.
- 2(c) It has been claimed that the Field has “*historic significance*” as it has been painted by local artists. Bushey Museum has the largest public collection of oil paintings in Hertfordshire, and its Art Curators have not been able to identify one single painting of the Field. The Field has no historic significance.
- 2(d) It has *no* “*recreational value*”. As stated above, it is a private field to which the public have no access.
- 2(e) Its “*tranquillity*” is largely negated by the busy A411 Elstree Road which adjoins its southern boundary.
- 2(f) Two ecological surveys have both confirmed that there is no “*richness of wildlife*” on the site. No evidence of badgers or great crested newts was found on the site – there is no standing water on the site, so the latter finding comes as little surprise. Although the Oak tree has been identified as a potential roost for bats, the reports state that though bats were noted to be hunting around the trees at night, there was no evidence of any roosting bats. As stated above, the Oak and the groups of Silver Birch are all subject to TPO’s.
- 3. How can anyone state with any certainty that any given piece of land is “*local in character*”? What constitutes “local in character”? This can only be the subjective individual judgement of each person who views the land.

Conclusion: As almost all the criteria stated in the NPPF clearly do not apply to the RLF, I contend that this paragraph of the NPPF has not been properly taken into account by the Council’s Planning Officer, and the RLF should never have been considered at all for inclusion in the list of sites to be added to the SADM

“Scoring” of the Field for inclusion in the list of sites for inclusion in the SADM

This document was belatedly received by the BMPT after much delay, as the Council had failed to note changes in email addresses and change of Chairmanship of the BMPT, all of which had been advised to the Council.

This document outlined the methodology of the points matrix on which the various sites were included by Hertsmere Council's planning officers. The BMPT's Chairman, Granville Taylor issued a rebuttal of both the methodology and the conclusions of the document. Mr Taylor, the Chairman of the BMPT, sought a meeting with the relevant Planning Officer, Ms Ann Darnell, to discuss these conclusions. This meeting was held in February, and was attended by Ms Darnell, Mark Silverman, Hertsmere's Planning and Transport Policy Manager, and by Granville Taylor, accompanied by myself.

Granville Taylor went through Ms Taylor's conclusions, point by point, challenging almost every single one, and challenging the scores which she attributed to the Field under the various headings.

He also made the point that the financial future of Reveley Lodge depended upon the Trust receiving funds from the sale of the Field, to which Mr Silverman responded that this point could be viewed as a material consideration in any future planning application.

The Planning Officers were well aware, having already received a planning application for the site, that the BMPT's intention was to sell the site in order to provide funding for a wide range of necessary repairs to Reveley Lodge, and that without such funding the result would almost certainly be the loss of Reveley Lodge, which has been described as "the Jewel in Bushey Heath's crown"

Regrettably, Ms Darnell simply disagreed with every point of Mr Taylor's analysis, concluding that "we have made our decision and it's too late to change anything now". In my opinion, this was scarcely a value judgement, and made no allowance for the Council's error in failing to communicate with the BMPT

The criteria, follow here, with my own comments on these.

Criteria - Context

Definition This relates to the value of the space locally. Is it easily accessible to all? Is it the only park/open space or play area in the neighbourhood? Does it form part of the historic environment?

Factors Accessibility of site to users

Quantity of provision in the surrounding area.

Quality of the provision in the surrounding area

My Comments:

The field is fenced off private land and is not accessible to the public. High quality parks and spaces are very close (there are 4 Local Nature Reserves within 840m and the garden of Reveley Lodge itself is directly opposite). There are also 4 large open spaces within 500 metres of this site (Hillmead Nature Reserve, land off Richfield road, the grounds of Bushey Heath Primary School, and land further down and adjoining Elstree Road.

The field is not part of the historic environment (as opposed to Reveley Lodge). It is not the remaining part of historic heathland, and does not form any part of "the historic environment.

Should have NO SCORE.

Criteria - Structural and landscape benefits

Definition The landscape framework of open spaces can contribute to the study of environmental quality. Well-located, high quality green spaces help to define the identity and character of an area, and separate it from areas nearby.

Factors Buffer between roads and houses. Buffer/link between areas of a town. Focal point of town structure/layout. Green belt land.

Edge of settlement forming local landscape

My Comments:

The field is not a "high-quality green space", instead it is an empty plot of scrubby grass, with high hedges along the Elstree Road and Caldecote Gardens frontages, with some trees of merit which are subject to Tree Preservation Orders. It does not mark, link or separate any part of Bushey. It is not a "buffer between roads and houses" – it separates only one house from the Elstree Road. Should have NO SCORE.

Criteria - Ecological benefits

Definition Green spaces support local biodiversity and some provide habitats for local wildlife and may exhibit some geological features. Some may help to alleviate the extremes of urban climates such as noise and water pollution.

Factors Designations – e.g. SSSI's, LNR's. Diverse and rich habitats. Site includes rivers, ponds, lakes that encourage wildlife habitats.

Local biodiversity studies

My Comments:

The field has never been used for biodiversity studies, apart from that carried out on behalf of a developer. That showed that there appears to be no evidence that it has any significant wildlife living on the Field. It certainly has no more importance as a wildlife site than the Richfield Road site, which was scored ZERO. It is not an SSSI, or a LNR. It has no rich or diverse habitat. It has no river, pond, or lake to encourage wildlife.

In contrast, just across the road, Reveley Lodge, which will be at risk if this site is not removed from the SADM, does have a pond and four beehives, and a wide range of habitats for wildlife, such as invertebrates, small mammals and birds, have been created over the years. These grounds are very actively managed, and they are open to the public 5 days a week at no cost.

In my view, on the above factors, this should also have NO SCORE

Criteria - Cultural and Heritage benefits

Definition Some green spaces have a historical value and some provided a setting (for) listed buildings; also can be high profile symbols of towns and cities.

Factors Historic buildings. Historic gardens. Symbol of the area. Conservation area. Monuments and/or memorials

My Comments:

The field has no historical value unless one considers that ponies were once kept there, it has no inherent importance, it is not a “symbol of the area” and it has no monument or memorial on it. It is not a “setting for a listed building”, as the field is the other side of the busy A411 from Reveley Lodge, which can barely be seen clearly from the site as there is a high boundary hedge in the way. It has been claimed by some proponents that it is “culturally important” as it has been painted by artists. The Art Curator of Bushey Museum has made a detailed search both of the Museum’s collection and of other sources, and has found no evidence whatsoever that the field has ever been painted (another local myth?)

Should have NO SCORE

Criteria - Amenity: Benefits and sense of place

Definition The network of green spaces can contribute to the visual amenity of an urban landscape and make them a more attractive place to live, work and play. They can be appreciated both visually and passively – not just through the active use of facilities provided.

Factors Helps to create specific neighbourhood.

Provides important landmark

Clearly visible from most areas

Softens urban texture

My Comments:

I could accept that the field, in common with most other fields, may be “visually attractive” to some, but it is neither special nor particular, and is scarcely visible as it has high hedges on both accessible boundaries. It does not “create a specific neighbourhood”, and it is not a “landmark” in any way.

Should have NO SCORE

My Conclusions on Hertsmere’s Planning Officer’s scoring of this site against the Council’s own criteria:

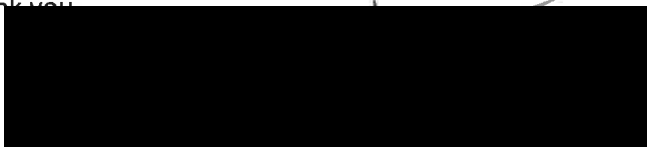
The Reveley Lodge Field (‘The Paddocks’) does not meet four of the Council’s own Criteria as a Local Green Space, nor does it meet the criteria in para 77 of the NPPF, and it should therefore be removed from the list.

I would ask the Inspector to look again very carefully at:

- **The Council’s rationale for including this site within the SADM, bearing in mind the manifest failure of the Council to take into account the criteria of para 77 of the NPPF.**
- **The Council’s points system for the inclusion of the all sites within the SADM.**
- **The Council’s specific criteria for including the RLF within the SADM, and how the Council allocated the points which were awarded in this specific case,**
- **resulted in the inclusion within the SADM of the RLF.**

and to remove this site from the SADM.

Thank you



Carey Keates

11th September 2015