

OPEN LETTER TO OXHEY VILLAGE ENVIRONMENT GROUP (OVEG) (C/O MR BEN ATKINS)  
and  
RESPONDANTS TO QUESTIONNAIRES  
and  
RESIDENTS OF SHERWOODS ROAD / BUCKS AVENUE / ELM AVENUE / LOWSON GROVE / WILCOT  
AVENUE / TALBOT AVENUE AND WILCOT CLOSE.

26 October 2015

By Email to [chair@oveg.org](mailto:chair@oveg.org) , by email/post to questionnaire respondents and hand delivered to households.

Dear Mr Atkins, Respondents to Questionnaire and Residents

**UPDATE - Land at Bucks Meadow Riding School, 37 Bucks Avenue, Watford, Herts, WD19 4AR.**

I write on behalf of Clovercourt Fusion to provide an update regarding Clovercourt Fusion's forthcoming planning application on land at Bucks Meadow Riding School. Clovercourt Fusion undertook to provide an update at (a) the public exhibition & subsequent presentation evening held 21<sup>st</sup> August and 1<sup>st</sup> September respectively and (b) on the Questionnaires made available at the same. Regarding the latter, as not all questionnaire respondents provided email addresses (or provided email addresses which unfortunately were illegible) a hard copy of this letter will be sent to those correspondents where a postal address was provided. A hard copy will also be posted to each property along the roads cited above.

The public consultation generated 34 questionnaire responses, individual emails and emails directly from and on behalf of OVEG. The latter included correspondence between OVEG and Hertfordshire County Council Highway Department regarding matters relating to (a) the adequacy of the vehicular access to/from no.37 to Bucks Avenue/Sherwoods Road (b) local road and highway safety and (c) traffic congestion in the vicinity of the site. I refer to County Highways responses to OVEG below.

In parallel, Clovercourt Fusion have been appraising the design to take account of the above and the input and reports of consultants appointed to collate the information necessary for Hertsmere Borough Council to assess the Planning Application (Watford Borough Council would be a consultee). Consultation with stakeholders such as the Wildlife Trust and others has occurred.

Whilst it is impractical to respond to each and every matter raised, it is considered sensible to comment on those matters which featured most frequently in the feedback. On this basis I confirm the following:

The scheme proposes 34 dwellings of which 12 would be in the form of Affordable Housing. As before there will be 12x1 bed apartments, 6x2 bed houses, 8x3 bed house and 8x4 bed houses.

Whilst there have been many objections raised to the number of dwellings and the traffic generation attributed to the same, the aforementioned correspondence with the County Council makes abundantly clear that County do not share this concern and do not raise an objection to either the number of dwellings, the adequacy of the site access or indeed road & highway safety or traffic congestion in the round. When considered purely in relation to this aspect of the proposal, there is no necessity for dwelling numbers to be reduced.

Hertsmere Borough Council are the Parking Authority. Hertsmere will therefore be responsible for assessing the adequacy of the on-site parking arrangements. I confirm that each dwelling will have a Policy compliant number of allocated parking and visitor spaces – 70 in total. In addition lay-bys have been added adjacent to the access road. The amount of on-site parking meets - indeed exceeds – the standards Hertsmere require.

I entirely appreciate that irrespective of County Highways not raising objection to the scheme, concerns relating to traffic generation etcetera will inevitably remain. However at this juncture it is a fact that the Authority whose remit it will be to assess the highway aspects of the development proposal, do not raise an objection to the scheme.

I would reiterate that County Highways also stated they were satisfied (subject to certain changes to the access arrangements which have now been incorporated in the latest design), with a predecessor scheme to that which will form the basis of the planning application. That scheme proposed 49 dwellings.

Two other reasons to reduce the number of dwellings were also commonly cited:- namely the impact of the scheme on the Green Belt and the necessity for the scheme to provide Affordable Housing. On the former point, as explained at the exhibition/presentation, the volume of the proposed dwellings would be fundamentally identical to those buildings presently on site. Furthermore the footprint of all the buildings and all the hardstanding (roads/drives/forecourts etcetera) would be considerably less than that presently in situ. Given this fact coupled with the National Planning Policy Framework (NPPF) supporting the concept of redeveloping previously developed land for residential usage (whether that land is in the Green Belt or not), it is Clovercourt Fusion's firm belief that there is no justification to reduce dwelling numbers. The fact is that the proposed development would occupy less of the site than the current development. The extent of the 'built envelope' would also be fundamentally identical to the spread of buildings on the site already.

Turning to the amount of Affordable Housing proposed, Local and National Planning Policy makes abundantly clear that there is a significant shortage of housing generally and also that there is a significant shortage of Affordable Housing. Recent Government announcements regarding 'Starter Homes' being classed as Affordable Housing is a matter introduced since the consultation phase (albeit this change is not yet enshrined in legislation). Irrespective of whether the definition of Affordable Housing is changed to include Starter Homes or not is in practice immaterial as there will still remain the need for developments of the scale proposed to provide Affordable Housing in whatever guise that is required to take under legislation relevant at the time of determination.

Understandably Clovercourt Fusion wish to do all they can to obtain a planning consent. Therefore and in order to accord with Planning Policy the scheme must make provision for Affordable Housing on site. In this case at least 35% of the proposed dwellings must be provided in the form of Affordable Housing – this equates to 12 dwellings. Some stakeholders have asserted that a scheme of much reduced numbers (in the order of 10 or less) would remain commercially viable and also avoid the need to provide Affordable Housing on site. This belief is incorrect. The scheme is viable with the amount of floorarea proposed – therefore to redistribute this floorarea as, say, 6 properties to avoid 'needing' to provide on-site affordable housing, would result in substantial individual properties which would be entirely out of context with the local area. In addition there would still be a requirement to make a large financial contribution towards the provision of affordable housing elsewhere within the Borough. There is also the fact that there is a pressing demand for Affordable Housing in the local area (as some commentators in support of the scheme have made clear) and quite clearly more than sufficient space to provide the same within the scheme. In addition there is a background of Planning Policy requiring that schemes are not deliberately designed to 'under-provide' housing numbers simply to avoid the provision of Affordable Housing. Taken overall, the approach of artificially reducing numbers to 'avoid' providing affordable housing is not feasible in commercial or planning terms and, frankly, would be questionable from a moral point of view too. It is highlighted that many respondents welcomed the Affordable Housing – indeed suggested that more be provided.

Many consultees questioned the intended use of the large tract of open land – some 11HA in area – to the south east of the proposed dwellings. As introduced at the exhibition/presentation, this land will be made publicly accessible in perpetuity. Path and cycle ways will connect Bucks Avenue/Sherwoods Road to footpath no.17 beyond the south east boundary thereafter providing access to footpath no.12, 17, 59, the Merry Hill Walk, Attenborough's Fields etcetera. Whilst it is not proposed to provide a bridleway through the site, the concept of providing cycle way(s) alongside the footpath(s) to connect ultimately with bridleway no.65 are being worked up.

We have commissioned our ecologists and arboriculturist to prepare a 'Biodiversity Enhancement Plan' and arboricultural improvement programme relating to the whole of this 11HA. This plan will result in works which significantly improve the quality of biodiversity on the site (the current habitat quality being of generally low quality in light of the previous land usage). The Plan will also detail the creation of new water bodies, tree/hedge planting and general habitat improvement to raise biodiversity quality. In parallel we are working up ideas for other uses suitable to retaining Green Belt 'openness' and public accessibility – these include creating community orchard(s), wild flower meadows (some possibly set-aside), installing sculptures, woodland walks, benches, natural play-areas, information boards – akin in parts to that evident around the Merry Hill Walk. The proportion and distribution of all these various

uses around the site will be established once the consultants complete their assessments. The final Plan will form part of the planning application. The implementation of the Plan will be subject to a planning condition which will also require its implementation, retention and ongoing management.

**Others matters:** A few parties have suggested that an alternative vehicular access to the housing be investigated. This would involve stopping up the access to Bucks Meadow and creating a new vehicular access to the south east of the Riding School across the fields before turning towards and punching through to Oxhey Lane. Hertsmere Borough Council have confirmed that the creation of such a road through the Green Belt is a non-starter in Policy terms - not only by virtue of being development inappropriate by definition in the Green Belt but also by reason of introducing vehicular movements into an area presently devoid of the same without any special circumstances being evident.

It has also been suggested that by gaining consent for the redevelopment of the Riding School site that a precedent would be created to develop the remaining 11HA of land for housing. National and Local Planning Policy are quite clear on this matter – the development of previously developed land in the Green Belt is absolutely acceptable in principle. The Riding School, no.37 and associated buildings and hardstandings are unquestionably previously developed land. Equally clear in National and Local Plan Policy is that the development of previously undeveloped land in the Green Belt is inappropriate by definition:- simply put residential development on the open part of the site would be contrary to Planning Policy and would therefore not gain permission as Policy stands today. Therefore, the development of the Riding School site would not set a precedent for the development of the wider site for the simple reason that Policy accepts the development of the former in principle and rejects the latter. By definition a precedent will not be set.

It is acknowledged as being absolutely impossible to rule out that there could be changes in National Green Belt Policy in the future. Obviously neither Clovercourt Fusion, the Councils or OVEG can factor this in at this stage nor predict when and if such a change were to happen. What is known however is that as it stands today the Policy framework is such that no matter what redevelopment occurs on the land where the Riding School buildings are located, the residential development of the 11HA of open land would by definition remain unsupported having reference to the Policy framework today in force.

Whilst Clovercourt Fusion consider that the Planning Policy Framework should be sufficient to allay concerns regarding the future use of the open land, Clovercourt Fusion are nevertheless willing to countenance entering into an agreement to restrict the future residential development of that land to demonstrate their intentions are as stated during the consultation. Accordingly subject to receiving planning permission, Clovercourt Fusion would be quite willing to add covenants onto the Registry Title to prevent further residential development on the open land without first having the agreement of all beneficiaries to the covenant - one of whom could be OVEG (or a.n.other appointed local body) and/or a Council(s). Only with the agreement of the beneficiaries (of whom Clovercourt Fusion would remain one) could the land be developed for residential purposes. Whilst the Planning Policy Framework would prevent such development occurring anyway (and therefore should it not be possible to agree on the additions to the Title, there would be a fall back presumption in place against residential development occurring anyway), were it possible to devise a mutually agreeable position, then there would be an added 'layer' of restrictions in place.

It has also been suggested that the loss of the Riding School (a 'community leisure' facility) would be contrary to Policy. As might be expected Hertsmere Council do have Policies which require this aspect be thoroughly explored and any such loss justified. To this end Hertsmere advised Clovercourt Fusion that a comprehensive 'Needs Assessment' report would be required to explore the closure of the facility. This Assessment has been collated, was presented to Hertsmere in early October and has now been commented upon by Sport England, the British Equestrian Federation and their member bodies. All these parties accept (and it is to be assumed Hertsmere will too), that whilst reluctant to see the loss of a riding school, it is accepted that the Assessment demonstrates that the School is now surplus to requirements and that the loss of the facility would not be contrary to Government Policy in paragraph 74 of the NPPF or Sport England's Planning Policy objectives. In terms of providing 'replacement' community leisure facilities, the proposal will provide footpaths/cycleway/playspaces and general leisure space within the wider site.

As an aside it is noted that not a single respondent to the questionnaires or any other submissions stated that they (or members of their household) used the facilities that were provided at the Riding School. The Riding School ceased operating as of 30<sup>th</sup> September 2015.

I finish by confirming that whilst there is quite clearly opposition to the proposal, there is just as clearly support for the proposal be that across the board or aspects of the scheme. Many questionnaires and general responses reveal support for the mix of housing types, the provision of Affordable Housing, the opening up of land to public access, the creation of throughways for public usage, the intended community based uses of the open land, the habitat creation, the design of the houses and general support for the notion of redeveloping the site in the round.

The application will be accompanied by a series of CGIs. I attach a couple to show the scheme in context. At this exact stage the CGIs are a work in progress but do I hope provide a useful initial guide to help visualise the proposal and how it would fit into the local context.

Finally I would advise that the design is now in the process of being finalised in advance of the scheduled submission of the application in late October.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Iain Taylor', with a stylized flourish at the end.

Iain Taylor  
On behalf of Clovercourt Fusion  
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