

Dear Sir/Madam

I am writing in support of the application of „Chalky Meadow „ to become an asset of community value. I understand that if it is successful in the application process, it only gives the community the option of bidding for the site should it be sold at a future date. There is of course no guarantee that the bid would be successful. Over the last 25 years I have seen it gradually transform from agricultural land to its present status. In actual fact it is home to one of the largest colonies of Common Lizards in the county (Steve Latford Essex Reptile and Amphibian club August 2016). Having recently attended a meeting in Thaxted where the guests were given a talk about the recent Wild Thaxted B1oblitz, and many other people were not surprised at the number of species identified on the site. This site has been used by many residents over the last 25 years for dog walking and general recreation, it was quite apparent that there was a diverse habitat being established, with siting's of a wide range of wildlife, and areas of wildflowers increasing. It is my view that this site and its diverse habitat must be protected for future generations of residents and visitors alike.

Community involvement in the Bioblitz was an important aspect as well .It raised public awareness to the possibility that this site may be lost under a future development of houses. There was a good degree of support from local children of all ages, Essex Wildlife Trust, Independent experts and staff from Wilderness Foundation UK.

It is, as you can see a great opportunity to save a wonderful wildlife area for the community to enjoy for years to come, and equally, an important site for wildlife to flourish.

Cllr John Freeman UDC.

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23rd November 2017

To whom it may concern

Chalky Meadow, Thaxted nature reserve

Essex Wildlife Trust would very much support the local community in Thaxted in their wish to create a 'nature reserve' to protect the land off Guelphs Lane, Thaxted.

Having visited the site previously we are aware that it is an area of unimproved flower rich grassland developed on chalky boulder clay soils.

On a visit some years ago I noted 100+ pyramidal orchid *Anacamptis pyramidalis* flower spikes (more to the south of the site) both common spotted *Dactylorhiza fuchsia* and bee orchid *Ophrys apifera* occurs on site with abundant Agrimony *Agrimonia eupatoria*, Field Scabious *Knautia arvensis*.

Common butterfly species were evident and interestingly 10+ Marbled white *Melanargia galathea* and a single Brimstone *Gonepteryx rhamni*

The key feature on the site is the flower rich grassland. To ensure continuity the site needs some sensitive scrub removal over the next two or three winters if the grassland interest is not to be lost.

There is an opportunity to improve a hedge and create connectivity to adjacent woodland.

This site is not registered as a Local Wildlife Site (LoWS). This is as designation which is recognised within planning guidance and carries a presumption against development. However it carries no legal status and does not protect the site from damage or destruction.

I would recommend this site is surveyed and if it meets the LoWS criteria be formally designated as a LoWS with Uttlesford DC.

In addition I would propose that Thaxted PC adopt the site as a nature reserve – to raise the profile of the site and involve the local community and raise support

Essex Wildlife Trust would be willing to support the Thaxted Parish Council and local residents in advising how the site is best managed for wildlife and access.

Should you have any further questions or require any help or advice please do not hesitate to contact me.

Best wishes



Mark Iley BA(Hons) MCIEEM
Biodiversity Coordinator



Abbotts Hall Farm
Great Wigborough
Colchester, Essex
CO5 7RZ

Tel 01621 862960
Fax 01621 862990

E-mail
admin@essexwt.org.uk
Website
www.essexwt.org.uk

Essex Wildlife Trust
Company Registered
No 638666 England

Registered Charity
No 210065

VAT Registered
No 945 7459 77

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1 The Maltings
Thaxted
Dunmow
Essex
CM6 2NB

23/11/2017

re: Application for Registration of land in Thaxted known as Chalky Meadow
as a Community Asset

Dear Madam,

I write in support of the application by the Parish Council to nominate Chalky Meadow as a Community Asset.

The land is currently freely accessible to the local residents to do with as they want and has the explicit permission of Essex County Council to do so. I enclose a photograph of a sign prominently displayed at the main entrance to the area taken this morning.

To my mind this clearly shows that it is the intention of the County Council to allow the local community to use their asset, all be it with the proviso that the permission could be revoked at any time, presumably if the County wanted to use the land for the educational purpose it was acquired for many decades ago.

The site has turned itself into a considerable wildlife haven without any intervention from the owner and could be further enhanced if managed locally using the support of local volunteers and the resources of the Parish Council.

I ask that Uttlesford District Council exercise their powers to list this land as a Community Asset.

Yours faithfully

WG Cockerell



ELS
Seax House
Victoria Road South
Chelmsford
CM1 1QH

FAO: Sarah Nicholas
Senior Planning Officer
Uttlesford District Council

Our Ref: EE/BSFM/1286
Your Ref:
Date: 15 November 2017

Dear Sirs

Re: Nomination of Land at Guelph's Lane/ The Mead Thaxted as Asset of Community Value

I am instructed by Essex County Council to enter an objection to the nomination of its property for listing as an Asset of Community Value.

The grounds upon which the County Council is objecting to the nomination by Thaxted Parish Council are as follows:

1. The property in question was acquired by the County Council from Dunmow Rural District Council at open market value for future Educational use under the County Council's Education Powers
2. Since its acquisition, neither the County Council nor any other body has provided any form of services on the land that has any direct impact on the social wellbeing of the local communities.
3. The use of the land remains that of additional vacant land for proposed Primary School
4. The land is not a public open space and there is no permissive right to use or access the land, other than along the footpath running through the land
5. In deciding whether the statutory criteria for listing as provided under Section 88 of the Localism Act are satisfied, it is for the listing authority to be satisfied that the current actual use of the land furthers the social wellbeing or social interest of the local community and that the use is not ancillary and that it is realistic to think that there can continue to be use of the land which is not ancillary and which will further community benefit or if there is no current use that furthers community wellbeing as in this case, the listing authority will have to be satisfied that there was a time in the recent past when an actual use furthered community benefit which is not an ancillary use and that it is realistic

to think that there is a time in the next five years when there could be use of the land which is ancillary and which furthers community benefit

6. Clearly, the Parish Council has failed to demonstrate the existence of these important elements for listing of land as an asset of community value under Section 88 of the Localism Act 2011.
7. It is submitted therefore that the land the subject of nomination does not have any current or past use that further community well-being which is non-ancillary. The commission of a report by the Parish Council to establish what wildlife live in the land does not in any way satisfy the mandatory requirement of Section 88 of the Localism Act.
8. It is further submitted that the isolated use of the property by the Parish Council to conduct biological inventory or census is not the main use of the land and is at best ancillary and therefore does not satisfy the statutory requirements for listing
9. On the basis of the forgoing, I urge you to reject the nomination, as the mandatory requirements of Section 88 of the Localism Act 2011 on the listing of land as asset of community value have not been satisfied.
10. I look forward to hearing from you in due course,

Yours faithfully

Emmanuel Essien
Solicitor

DX 123300 Chelmsford 7

Internet: www.elslegal.org.uk
Email: emmanuel.essien@essex.gov.uk

Sarah Nicholas
Senior Planning Officer
Uttlesford District Council
London Road
Saffron Walden
Essex
CB11 4ER

Doug Fry
22 Guelphs Lane
Thaxted
Essex
CM6 2PT

UTT/17/3253/ACV To Nominate property as Asset of Community, Thaxted, Essex

Dear Ms. Nicholas,

I have recently been made aware of the above planning application for land change of use. I live in Guelph's Lane, Thaxted, a road adjacent to 'Chalky Meadow', and have an interest in its future.

I campaigned against development of 'Weddow Road II' on a similar field adjacent to the one in question. Nevertheless planning permission was granted and that wonderful place is now houses. 'Chalky Meadow' is now surrounded by such houses and is the last oasis of wild meadow in the area.

I'd like to see it saved from development through this change of use so that:

- 1) It can be enjoyed by all those who now live in the surrounding houses
- 2) Wildlife still have a place to thrive
- 3) Land which I'm told was originally purchased by the council as a site for the eventual primary school expansion might still be enjoyed by generations of Thaxted juniors through using the field for nature studies and other field work

Land such as this is a diminishing resource and we need to preserve anything that has such a huge biodiversity value.

Developers have had their way with all other areas of Thaxted over the past 20 years, I think it is about time we started thinking about what amenities these people now need apart from housing.

Yours Sincerely

Doug Fry

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Oakhurst
Park Street
Thaxted
Dunmow
Essex
CM6 2NE

22nd November, 2017

Sarah Nicholas
Senior Planning Officer Uttlesford District Council
London Road
Saffron Walden
Essex
CB11 4ER

Dear Ms Nicholas,

Re. Chalky Meadow, Thaxted

We would like to express our strong support for the proposal that Chalky Meadow is considered as "an asset of Community Value".

As you will be aware, this area, has been identified by experts representing several different ecological and wildlife groups as being of particular scientific and conservation interest. These observations include the recognition of an exceptionally large Common Lizard colony, the recording of 22 types of butterfly, a diverse range of hedgerow and other plants and sightings of many and various birds.

You will also be aware that there has been unprecedented building of houses around Chalky Meadow. The community of Thaxted has been successful in incorporating these new residents into the town. However this building has destroyed much habitat, which was of considerable benefit to local ecology.

Preservation of Chalky Meadow would firstly redress some of this loss and secondarily allow a sanctuary for important and possibly rare wildlife, as well as becoming an important amenity for both the

local community and those who are interested or expert from
father afield.

This is a unique example how a sensitive and outward looking
approach to planning can support a community. If development
was allowed on this site, it would be lost forever. We are aware of
the importance of the environment and urge you to support this
application to protect this asset for its community land value.

Yours sincerely

Mary and Michael Tayler

24 November 2017

Mr G Glenday
Assistant Director Planning
Uttlesford District Council
Council Offices
London Road
Saffron
Walden
Essex
CB11 4ER

By post and email: snichols@uttlesford.gov.uk

Womble Bond Dickinson (UK) LLP

St. Ann's Wharf
112 Quayside
Newcastle upon Tyne
NE1 3DX

Tel: 0345 415 0000
Fax: 0345 415 5256
DX: 61191 Newcastle upon Tyne

antonia.murillo@wbd-uk.com
Direct: +44 (0)191 279 9024

Our ref:
SR1/AM2X/364065.0
Your ref:

Dear Sir

Application to list the Post Office, High Street, Great Dunmow as an Asset of Community Value

We act on behalf of Post Office Limited in the above matter and have been passed a copy of your letter dated 25 October 2017 confirming the District Council has received a request from the Town Council to designate the Post Office, High Street, Great Dunmow as an Asset of Community Value (ACV) when that listing expires in December of this year.

Please take this letter as an objection to the request to list the Post Office. In addition, we reserve our client's right to put forward further objections in due course.

Property History

Our clients have the benefit of a lease granted in 2010 under title number EX853502 and therefore has a sufficient interest in order to object to the proposed listing of the Post Office as an ACV.

The Nomination

We have looked on the Council's website for specific details in relation to the application to list the Post Office and have had sight of the nomination form signed by Mrs Fuller, Clerk to the Town Council and the letter of objection from Mrs Elizabeth Davies.

Legislation

You will of course know that the community right to bid was introduced as part of the Localism Act 2011 ("the Act") and allows land or buildings to be nominated as an Asset of Community Value. The legal test relating to the listing of community value is contained with Section 88 of the Act.

Section 88(1) provides:

"for the purposes of this chapter but subject to regulations under sub section (3) a building or other land in an local authority's area is land of community value if in the opinion of the authority:

- (a) *an actual current use of the building or other land that is not ancillary use furthers the social wellbeing or social interests of the local community; and*

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(b) *it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community"*

Section 88(2)(3) provides for possible exemptions in terms of time period for the continued use and the provision for the making of regulations.

The Act is supplemented by regulations, in this case the Assets of Community Value (England) Regulations 2012 ("the 2012 Regulations").

As such, the application to list the Post Office as an ACV falls to be considered under Part 5 of Chapter 3 of the Act and the 2012 Regulations. Schedule 1 of the 2012 Regulations sets out a number of exemptions whereby land may not be listed as an ACV, including regulation 4 where land is "operational land" as defined by Section 263 of the Town and Country Planning Act (1990 Act). In this instance, the land comprising the Post Office at Great Dunmow is "operational land" for the purposes of Section 262, 263 and 264 of the 1990 Act. The Post Office includes a sorting counter and staff perform functions with the Royal Mail by accepting and processing mail for sorting into the Royal Mail's network. In addition, the Post Office is operational land as it is used by a universal postal service provider in accordance with Section 263(2E) of the 1990 Act. For the purposes of that section, we confirm that Post Office Limited is associated with the Royal Mail. As set out above, Post Office Limited acts as the Royal Mail's agent in accepting and processing mail within the postal service and it is therefore providing services integral to the business of the Royal Mail.

In the circumstances, we trust this is sufficient information for Uttlesford District Council to confirm that, in accordance with Schedule 1 of the 2012 Regulations, this Post Office at Great Dunmow will not be listed as an ACV after the present listing expires in December,

Please acknowledge safe receipt of this letter and, confirm that it will be placed before the Council's cabinet on 30 November.

We look forward to hearing from you.

Yours faithfully

Womble Bond Dickinson (UK) LLP