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For the attention of: Mr G Glenday
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Our ref: RDT/HLR/L/QD 8.1

7th November 2017

BY EMAIL TO: SNICHOLAS@UTTLESFORD.GOV.UK

Dear Sirs

Localism Act 2011 and Assets of Community Value Regulations 2012 – Quendon Woods

Thank you for your letter dated 13th October 2017 relating to the application you have received from Quendon & Rickling Parish Council (Mr. P Wilsher) to nominate Quendon Woods as an Asset of Community Value.

Please accept this letter as a formal objection to the application. This challenge is being submitted following instructions received by Pegasi Management Company Limited (“Pegasi”), the freehold owner of Quendon Woods.

Basis of Objection:

We set out below the basis forming our objection.

We refer to the published definition of an Asset of Community Value taken from page 8 of Uttlesford District Council's Nomination Form (which we understand is derived from Section 88(1) of the Localism Act 2011):

‘A building or land is deemed to be of community value if:

- 1. Its actual current use furthers the social wellbeing and interests of the local community, or a use in the recent past has done so; and***
- 2. That is not an ancillary one; and***
- 3. For land in current community use it is realistic to think that there will continue to be a use which furthers social wellbeing and interests, or for land in community use in the recent past it is realistic to think that there will be community use within the next 5 years (in either case, whether or not that use is exactly the same as the present or past) and***
- 4. It does not fall within one of the exemptions’.***



Quendon Woods is a privately owned ancient woodland, which is maintained and managed by Pegasi. At no point has the woodland been used in such a manner as to further the social wellbeing or social interests of the local community, and it is not currently so used.

Whilst public footpaths exist along the north eastern, northern and easterly perimeter borders of the woodland, the woodland is not intersected by permissive or registered footpaths. For clarification, no additional public rights are granted by the landowner as supported by a Section 31(6) deposit made in accordance with the Highways Act 1980. As a consequence, no member of the public should at any time deviate from the registered footpaths. Any use beyond the perimeter footpaths would constitute trespass.

Additionally, the use of the footpaths at the perimeter of the woodland could only ever be considered ancillary to the primary use of the areas through which they pass, which is as privately managed woodland.

As a final point, the plan that accompanies the application is simply an extract from the Ordnance Survey map for the Quendon area. There is no indication on that map of the extent of the area that the Parish Council is seeking to nominate. As such, it may be that there are other landowners whose property interests would be affected by the nomination who have not been appropriately notified.

Based on the following evidence:

1. the woodland is privately maintained and managed by Pegasi;
2. the woodland has not been used in such a manner as to further the social wellbeing or social interests of the local community, and it is not currently so used; and.
3. rights to walk around the perimeter of the woodland are restricted to registered public footpaths only and the use of those footpaths could only ever be considered ancillary to the primary use of the wood as managed woodland. No public access is permitted through the main body of the woodland at any time or for any purpose;

and for the purposes outlined above, we believe that Quendon Woods do not qualify as an Asset of Community Value. Accordingly, we request that Uttlesford District Council does not include them on its list of Assets of Community Value.

Yours faithfully

Robert Timmins
Associate
For and on behalf of Strutt & Parker