

**PLANNING CONSULTATION BY EPPING FOREST DISTRICT  
COUNCIL**

**OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE  
EXISTING BUNGALOWS AND THE CONSTRUCTION OF A CARE HOME  
CONSISTING OF A TWO-STOREY BUILDING WITH A TOTAL OF 56  
BEDROOMS, WITH ASSOCIATED ACCESS AND LANDSCAPING AND A  
TOTAL OF 12 SINGLE STOREY BUNGALOWS ALONG THE SOUTHERN  
BOUNDARY OF THE SITE.**

**AT 83, OLD NAZEING ROAD, NAZEING, WALTHAM ABBEY, EN10 6RN -  
REF EPF/1189/23.**

Presented by Head of Planning

**SUMMARY**

This is an outline application for the demolition of two bungalows and the development of a care home and 12 bungalows situated within a large plot of open land at No.83 Old Nazeing Road. The site is located within the northern part of River Lee Country Park and the Green Belt. All matters except access are reserved.

Although not publicly accessible or directly relevant to the recreational amenity of visitors to the Park, the application site does perform an important function as part of the landscape and biodiversity of the River Lee Country Park (RLCP). It contains a range of habitats and scattered trees and provides a green link and wildlife corridor running north south, acting as an important break in the established linear residential area which runs east west along Old Nazeing Road. As such the proposed development which would extend across the whole site, is considered to be contrary to the Park Development Framework Area Proposals 6.A.4 as they relate to the River Lee Country Park which seek to protect and enhance its largely consistent landscape and rural character, and high ecological value. There is also concern that protected species surveys have not been provided and this makes it difficult to assess the proposed development for biodiversity impacts, which should be a material consideration in this case. It is therefore recommended that an objection be made to the current outline proposal.

## RECOMMENDATIONS

- Members Approve:
- (1) that Epping Forest District Council be informed that the Authority objects to the outline application for the demolition of existing bungalows and the construction of a two storey care home and 12 single storey bungalows at 83 Old Nazeing Road on the grounds that:
    - a) the proposal is contrary to Park Development Framework Area Proposals as they relate to Area 6.A.4 The River Lee Country Park;
    - b) the proposed development would impact negatively on the landscape character and ecology of the River Lee Country Park;
    - c) protected species surveys have not been provided and as such there is insufficient information on which to assess the proposed development for biodiversity impacts, which should be a material consideration in this case; and
    - d) a Biodiversity Net Gain assessment is required to demonstrate biodiversity net gain can be achieved on site.

## DESCRIPTION OF SITE

- 1 The application site forms part of a linear residential area situated to the south of Old Nazeing Road and is located within the Regional Park. It consists of two single storey bungalows located one behind the other in the north eastern portion of the site, close to the site access from Old Nazeing Road, together with a couple of sheds and a detached stable block located in the south-western corner of the site. To the west and south of the bungalows lies a large garden and paddock area which includes a number of mixed scattered trees. A wooden panel fence is present around all sides of the site's perimeter, although on the south-eastern side it has been replaced with a wire mesh fence. All of the site apart from the two bungalows lies within the Green Belt. The total site area is approx. 0.82ha.
- 2 The western boundary of the site lies adjacent to The Chimes residential area where development is progressing and beyond this is the Keysers Estate. Immediately to the south lie two tree lined fishing lakes known as the Green Lane Pits, accessed from Green Lane and which are managed and operated by one of the Authority's licensees the Abbey Cross Angling Society. These form part of the area known as Nazeing Marsh. Immediately to the north of the application site is the wooded area of Rushymead. This wider area forms the northern part of the River Lee Country Park, (RLCP). Please refer to the Plan at Appendix A to this report.
- 3 The application site is located approximately 15 to 20 mins walk from Broxbourne Station (1250m to the north) and bus stops are located

approximately 5 to 10 mins walk away (450m) to the east on Nazeing New Rd. To the north access can also be obtained to the Lee Valley Walk which runs alongside the River Lee Navigation. The site is located within Flood Zone 2.

## POLICY BACKGROUND

- 4 The majority of the application site sits within the Green Belt. Epping Forest District Council's (EFDC) Local Plan Policy DM4 (B) 'Green Belt' states that *"Within the Green Belt planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national planning policy"*. The Local Plan considers the provision of 118 homes sufficient to support the aspiration for Nazeing to function as a small centre which is able to support the needs of the local community. The application site is not allocated for residential development under Policy P10 'Nazeing'.
- 5 Local Plan policy DM3 'Landscape Character, Ancient Landscapes and Geodiversity' seeks to ensure development proposals are *"sensitive to their setting in the landscape in particular in settlement edge locations, and to its local distinctiveness and characteristics"* and expects proposals to take into account existing landscape features from the outset with careful landscaping of the site and sensitive use of design, layout and materials. Policy DM5 A. 'Green and Blue Infrastructure' states that development proposals must *"demonstrate that they have been designed to: (i) retain and where possible enhance existing green and blue infrastructure assets, including trees, hedgerows, woods and meadows, green lanes, wetlands, ponds and watercourses and improve connectivity of habitats:..."*
- 6 Policy H1 'Housing Mix and Accommodation Types' supports proposals for specialist accommodation i.e. for those with support needs, providing they are appropriately located in terms of access to facilities, services and public transport; and where the development is designed and managed to provide the most appropriate types and levels of support to the proposed occupier and adequately caters for the needs of support staff.
- 7 Policy DM1 'Habitat Protection and Improving Biodiversity' states that all development should seek to deliver net biodiversity gain, integrating biodiversity within the development, and protecting and enhancing natural habitats. It also states that *"Development proposals must seek to avoid harm to, protect and enhance natural habitats, species, areas and corridors for biodiversity"*.
- 8 The Local Plan is recognised as having an important role in terms of the protection, enhancement, development and management of the Lee Valley Regional Park (LVRP) and the public enjoyment of its leisure, ecological, heritage, and sporting resources. The Local Plan 2023 recognises and supports the Regional Park, its vision and remit as a key asset for the District, and as a component of the region's green and blue infrastructure (para 2.23). It also recognises the Park Development Framework (PDF), and its specific proposals for the future use and development of the Regional Park including the importance of improving access into and through the Park for pedestrians and cyclists.
- 9 **Park Development Framework**  
Park Development Framework (PDF) Area Proposals 6.A.4 "The River Lee Country Park" (RLCP) apply in this case and seek to protect and enhance the RLCP for informal recreation and countryside activities based on the quality of

the Park's landscape and its natural resources and heritage interest. Visitor Proposals identify the need for joint working with stakeholders to improve access and the quality of routes for pedestrians and cyclists at entrance points to the RLCP in the north including along Old Nazeing Road. Sport and Recreation Proposals recognise the need to work with the Council and landowners to bring the area known as Nazeing Marsh and Rushymead into *"a recreational or leisure use in accordance with the Park's remit"*, and the importance of protecting and continuing to improve the fisheries within the RLCP as regional leisure and sporting venues for a diverse range of specimen and course angling. Biodiversity proposals identify the need to protect enhance and manage the mosaic of open water, scrapes, meadows floodplain grassland and farmland habitats within the RLCP to improve its ecological value and species diversity.

- 10 The Lee Valley Regional Park Landscape Strategy identifies the RLCP as part of landscape character type A 'Rural valley floor mosaic with wetlands and marshes' and the application site sits within Landscape Strategy Character Area A4 an area with a largely consistent landscape character of high quality where the overall strategy is to conserve and enhance the secluded rural character and high ecological value, as well as provision for informal access and recreation. The Landscape Strategy notes the importance of trees and scrub which help reduce the perceived influence of surrounding development and create a sense of seclusion.

## **DESCRIPTION OF DEVELOPMENT**

- 11 The application is in outline with all matters reserved except access. The applicant proposes to demolish the existing bungalows, sheds and stable block and construct a two storey care home consisting of 56 bedrooms, associated access, parking and landscaping. The care home is to be located on the northern, central and western part of the site. Along the southern boundary of the site the applicant proposes to build 12 single storey bungalows; these are set out on the current plans as 4 terraces of 3 bungalows, each provided with one car parking space. A further 36 visitor parking spaces are proposed along the eastern edge of the site. A new internal access road will run from the existing access off Old Nazeing Road through to the care home and then the bungalows. Please refer to Appendix B to this report, Proposed Site Plan supplied by the applicant.
- 12 The Design and Access Statement (DAS) seeks to make a case for the principle of development within the Green Belt based on very special circumstances. This includes the contribution and importance of the site to planning positively for an ageing population in Epping Forest District and the limited contribution that the existing site makes to the Green Belt. The site is considered to be an infill development to the existing properties along Old Nazeing Road to the east and Chimes development to the west.
- 13 The application is accompanied by a number of supporting reports including a Tree Report, a Transport Statement, Preliminary Ecological Assessment (PEA), a Habitats Regulations Assessment report, Flood Risk and SUDs Assessment.
- 14 The Transport Assessment submitted with the outline application considers that *"the development benefits from good pedestrian, cycle and public transport facilities..."* The outline application includes 48 car parking spaces which exceeds the required ECC standards. There will be 4No. EVC charging spaces

available on site with the remaining spaces to have passive infrastructure for future connection. Cycle parking is to be provided in line with Essex County Council standards with at a minimum level of 3 spaces for staff and 1 space for the bungalows. This equates to 4No. cycle parking spaces site wide and will be secure and covered.

- 15 The PEA makes a number of recommendations. It notes that the mixed scattered trees on site, which are all set to be removed under the current proposals, are important features within the landscape, offering foraging and nesting habitat for a variety of species. It recommends that they should be retained, if possible. However, if they are to be removed, removal should be undertaken outside of the bird breeding season (March to August, inclusive). It also recommends the incorporation of designated wildlife corridors as part of the design for the site, to be identified within a soft landscaping plan and management strategy. Linear features that enhance the site for a number of species should also be maintained during and after the scheme of works.
- 16 It states that further survey effort will be required, particularly for protected species to:
- establish the presence/absence of great crested newts (these surveys can only be done from mid-April to the end of June, to ensure the samples collected provide an accurate result);
  - provide an updated badger survey; and
  - undertake bat activity surveys for the bungalows on site (between the optimal survey months of mid-May and August) and to assess the site's year-round usage (i.e. due to the trees on site) by the local bat populations. Additionally, all lighting must avoid the features of interest for the local bat populations.

A number of site enhancements are proposed to improve the site and opportunities for various species. An Invasive Non-Native Species Removal, Management and Monitoring plan is also required to be devised due to invasive non-native species being present on site.

- 17 The PEA recognises that Biodiversity Net Gain needs to be ensured within the scheme of works and proposes *"this will be devised using an appropriate metric"*.
- 18 The flood risk assessment indicates that following detailed analyses of flooding risks over the lifetime of the proposed development, including allowances for climate change, and with the mitigation measures in place (SUDs strategy, the raising of final floor levels, and implementation of a flood warning and evacuation plan for the site) the baseline flood risk and residual risks are low to very low.

## **PLANNING APPRAISAL**

- 19 This is an outline application with all matters reserved except access. The indicative layout demonstrates that the proposal would however extend the residential development footprint from the current established area associated with the existing bungalows out and across the whole site. The majority of the built footprint would therefore sit both within the Green Belt and the Regional Park on the undeveloped portion of the site. Currently this presents as an

attractive area of grassland and trees which makes a positive contribution to the landscape of the River Lee Country Park, albeit fenced off and part of the garden and residential curtilage associated with the bungalows.

- 20 The applicant considers that the application site makes only a limited contribution to the Green Belt. This will be a matter for the local planning authority (LPA) to consider but for the Park Authority the application needs to be considered in relation to the PDF Proposals for the RLCP, namely the impact of the proposed development on the RLCP's landscape character, the recreational amenity of visitors to the Park and the impact on the Park's ecology.

**21 Landscape and Recreational Amenity**

The open and green nature of the application site situated adjacent to the tree lined lakes in the south and bordering the wooded area of Rushymead to the north is an important feature in the landscape in terms of the northern part of the RLCP. Notwithstanding the fact this is a private and fenced open space associated with the existing bungalows and not directly relevant to the recreational amenity of visitors to the Park, it does function as a green link running north south, providing an important break in the residential corridor which runs east west along Old Nazeing Road through to the Chimes and Keyzers Estate in the west. This is perhaps best shown on an aerial photo, please refer to the plan at Appendix C to this report. It also provides an attractive treed landscape backdrop to the fishing lakes connecting through to the larger areas of Nazeing Marsh in the south just beyond the two lakes.

- 22 The outline proposals would see the development of the entirety of this open space, and it is understood the removal of all trees. The proposed Care Home, although shown as a two storey building would extend well into the core of the site and providing 56 rooms, the indicative design suggests a structure of some considerable bulk compared to the existing detached houses and bungalows present along Old Nazeing Road. The 12 new bungalows are shown located close to the northern boundary of the fishing lake and its wooded boundary. Although difficult to judge at this outline stage the proposed development is likely to have a negative impact on the landscape character of the RLCP and would sever an important north south green link. This would be contrary to the PDF Landscape Proposals to protect and enhance the largely consistent landscape character, its rural character and high ecological value.

- 23 It is unclear at this stage whether any on-site amenity or open space is to be provided for residents of the Care Home and no information is included as to whether provision for pedestrian/cycle access into the River Lee Country Park is to be considered as part of the detailed scheme.

**24 Ecology**

The application site also has an ecological value contributing to the RLCP's biodiversity. This is both in terms of the habitats on site and their potential to support protected species, and as a green link providing a wildlife corridor between land to the south - the two waterbodies and Nazeing Marsh and the Rushymead woodland and further areas of open space within the Regional Park to the north. The site offers ecological connectivity between habitats on site and surrounding the site and this wildlife corridor is likely to be lost or undermined by the proposed development given the extent of the proposals.

- 25 These values are noted by the PEA accompanying the application. It states that the application site contains a number of habitats such as improved grassland,

introduced shrub, mixed scattered trees, and tall ruderal communities of plants, all of which are considered to have potential to support a number of protected species. It also considers the wider landscape surrounding the site, where further habitats are present, such as arable land, broadleaved woodland, hedgerows, improved grassland, running water, scattered trees and standing water. These surrounding habitats also have the potential to be utilized by a variety of protected species. The PEA also highlights the mixed scattered trees on site as important features within the landscape offering foraging and nesting habitat for a variety of species. It recommends that they should be retained, if possible.

- 26 Although landscape is a reserved matter the PEA recommends that designated wildlife corridors are incorporated into the design scheme of the site through a soft landscaping plan, suggesting that this is an important function of the site to be replicated as part of the development. It states that linear features that enhance the site for a number of species should also be maintained during and after the scheme of works.
- 27 Importantly the PEA has identified that further survey work is required particularly in relation to protected species. National Planning Policy Guidance for 'Protected Species and Development: advice for local planning authorities' (updated Sept 2023) states that local planning authorities "*...should not usually attach planning conditions that ask for surveys. This is because you need to consider the full impact of the proposal on protected species before you grant planning permission*". The PDF Biodiversity proposals seek to improve ecological value and species diversity within the RLCP so it would be important to know whether Protected Species are present on or close to the application site. This might impact the extent of the proposed development and the extent of any mitigation. Government Circular 06/2005: Biodiversity and Geological Conservation Areas states "*it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision...*"
- 28 Further survey work is also required to inform a Biodiversity Net Gain assessment which is also missing from the application submission. Ideally a biodiversity net gain should be achieved on site as part of the development scheme rather than requiring off-site provision.
- 29 **Conclusion**  
The proposed outline development raises a number of concerns in relation to its impact on the landscape character and ecological value of the Regional Park and is contrary to PDF Area proposals as they relate to 6.A.4 RLCP. Although the application site is a private area of open space associated with the existing bungalows and not directly relevant to the recreational amenity of visitors to the Park, it has an important function in the landscape of the Park in this area providing a north south green link and wildlife corridor between existing development, connecting areas and habitats within the RLCP.
- 30 Insufficient information has been provided to assess the proposed development for biodiversity impacts, in particular in relation to protected species which is a material consideration in this respect and no biodiversity net gain assessment or plan has been provided to inform the detail of the scheme.

For the above reasons an objection to the outline application is therefore proposed.

## **ENVIRONMENTAL IMPLICATIONS**

31 These are addressed in the body of the report.

## **FINANCIAL IMPLICATIONS**

32 There are no financial implications arising directly from the recommendations in this report.

## **LEGAL IMPLICATIONS**

33 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of the Lee Valley Regional Park Act 1966. The Act requires a local planning authority to consult with the Authority on any planning application for development, whether within the designated area of the Park or not, which might affect any part of the Park.

34 The Park Act enables the Authority to make representations to the local planning authority which they shall take into account when determining the planning application.

## **RISK MANAGEMENT IMPLICATIONS**

35 There are no risk management implications arising directly from the recommendations in this report.

## **EQUALITY IMPLICATIONS**

36 There are no equality implications arising directly from the recommendations in this report.

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Author: Claire Martin, 01992 709828, [cmartin@leevalleypark.org.uk](mailto:cmartin@leevalleypark.org.uk)

## **BACKGROUND REPORTS**

Application Papers 23.084

September 2023

## **APPENDICES ATTACHED**

Appendix A	Plan of the application site
Appendix B	Proposed Site Plan
Appendix C	Plan showing application site in relation to adjoining areas of open space

## **LIST OF ABBREVIATIONS**

RLCP	River Lee Country Park
EFDC	Epping Forest District Council
LVRPA	Lee Valley Regional Park Authority



PDF  
DAS  
PEA  
LPA

Park Development Framework  
Design & Access Statement  
Preliminary Ecological Assessment  
Local Planning Authority

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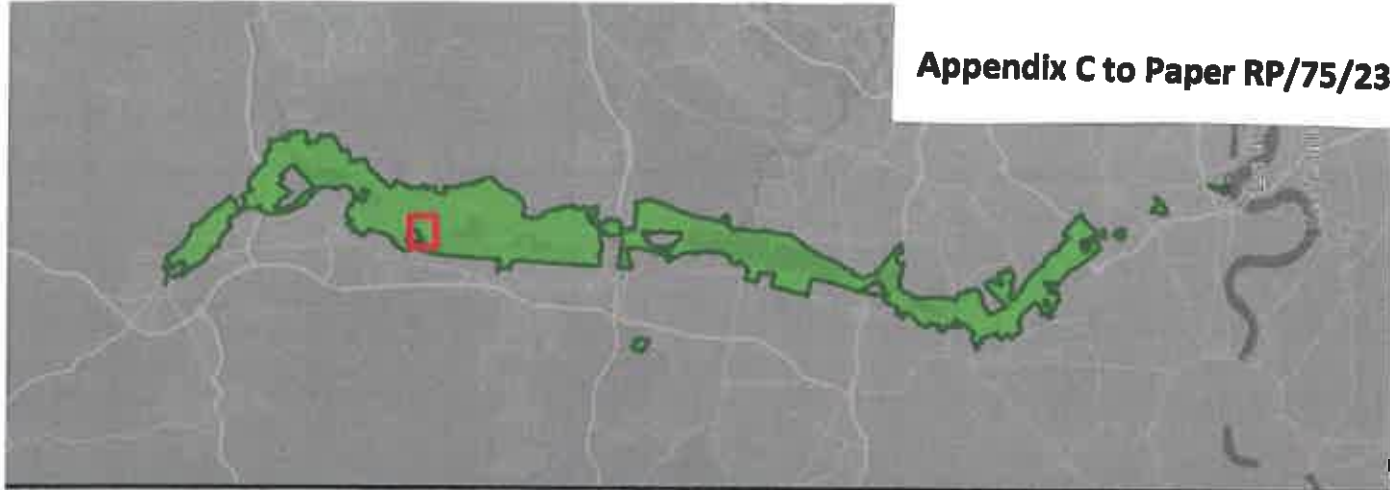
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Application Site  
Park Boundary



Plan showing application site in relation to adjacent open green spaces within the River Lee Country Park  
NTS @ A4

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