

To: David Andrews (Chairman) Graham McAndrew
 Chris Kennedy (Vice Chairman) Gordon Nicholson
 John Bevan Paul Osborn
 David Gardner Mary Sartin
 Calvin Horner John Wyllie
 Heather Johnson

A meeting of the **REGENERATION AND PLANNING COMMITTEE** (Quorum – 3)
will be held at Myddelton House on:

THURSDAY, 23 MARCH 2023 AT 10.30

at which the following business will be transacted:

AGENDA

Part I

1 To receive apologies for absence.

2 **DECLARATION OF INTERESTS**

Members are asked to consider whether or not they have disclosable pecuniary, other pecuniary or non-pecuniary interests in any item on this Agenda. Other pecuniary and non-pecuniary interests are a matter of judgement for each Member. (Declarations may also be made during the meeting if necessary.)

3 **MINUTES OF LAST MEETING**

To approve the Minutes of the Meeting held on 23 February 2023 (copy herewith).

4 **PUBLIC SPEAKING**

To receive any representations from members of the public or representative of an organisation on an issue which is on the agenda of the meeting. Subject to the Chairman's discretion a total of 20 minutes will be allowed for public speaking and the presentation of petitions at each meeting.

**5 STANSTEAD ABBOTTS AND ST MARGARETS
DRAFT NEIGHBOURHOOD PLAN 2017-2033
REGULATION 14 CONSULTATION**

Paper RP/69/23

Presented by the Head of Planning

**6 PLANNING CONSULTATION BY EAST HERTS
DISTRICT COUNCIL**

Paper RP/70/23

HYBRID PLANNING APPLICATION COMPRISING:

A) OUTLINE APPROVAL FOR A RESIDENTIAL LED MIXED USE DEVELOPMENT FOR UP TO 1800 NEW MARKET AND AFFORDABLE HOMES, INCLUDING SELF-BUILD/CUSTOM BUILD HOMES AND AROUND 3HA OF NEW EMPLOYMENT PROVISION, MIXED USE LOCAL NEIGHBOURHOOD CENTRES, NEW RETAIL, BUSINESS, COMMERCIAL AND COMMUNITY USES, NEW AND EXPANDED PRIMARY SCHOOLS, NEW PUBLIC OPEN SPACE AND OUTDOOR SPORTS FACILITIES, INCLUDING AN ALL WEATHER 3G SPORTS PITCH, THE PROVISION OF PLOTS FOR TRAVELLING SHOW PEOPLE, NEW ECOLOGICAL AREAS, ALLOTMENTS, WOODLANDS AND OTHER PUBLIC AREAS, NEW PEDESTRIAN, CYCLE AND VEHICULAR ACCESSES AND MOVEMENT NETWORKS WITHIN THE SITE, ASSOCIATED DRAINAGE AND SUD'S INFRASTRUCTURE, UTILITIES, ENERGY AND WASTE FACILITIES. ALL MATTERS RESERVED FOR LATER APPROVAL, APART FROM WORKS IN CONNECTION WITH THE ASSOCIATED PRIMARY AND SECONDARY ACCESS JUNCTIONS AT THE A10/A117/MOLES FARM INTERCHANGE AND THE ACCESS JUNCTION AT THE B1004 AT WIDBURY HILL AND AT FANHAMS HALL ROAD.

B) FULL PLANNING APPROVAL FOR INTERNAL HIGHWAYS WORKS RELATING TO THE CONSTRUCTION OF STAGES 1A AND 1B OF THE SUSTAINABLE TRANSPORT CORRIDOR LINKING THE A10/A1170 TO THE B1004, VIA THE NEW ACCESS JUNCTIONS, AS DEFINED ON THE MOVEMENT AND ACCESS PARAMETER PLAN AND THE DETAILED ACCESS PLANS. REF: 3/22/2406/FUL.

LAND NORTH AND EAST OF WARE (WARE2), WARE, HERTFORDSHIRE.

Presented by the Head of Planning

- 7 Such other business as in the opinion of the Chairman of the meeting is of sufficient urgency by reason of special circumstances to warrant consideration.
- 8 Consider passing a resolution based on the principles of Section 100A(4) of the Local Government Act 1972, excluding the public and press from the meeting for the items of business listed on Part II of the Agenda, on the grounds that they involve the likely disclosure of exempt information as defined in those sections of Part I of Schedule 12A of the Act specified beneath each item.

AGENDA
Part II
(Exempt Items)

- 9 Such other business as in the opinion of the Chairman of the meeting is of sufficient urgency by reason of special circumstances to warrant consideration.

15 March 2023

Shaun Dawson
Chief Executive

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LEE VALLEY REGIONAL PARK AUTHORITY

REGENERATION & PLANNING COMMITTEE MINUTES 23 FEBRUARY 2023

Members Present: David Andrews (Chairman) Graham McAndrew
 Chris Kennedy (Vice Chairman) Gordon Nicholson
 John Bevan Paul Osborn
 David Gardner Mary Sartin
 Calvin Horner

Apologies Received From: Heather Johnson

In Attendance: Suzanne Rutland-Barsby

Officers Present: Claire Martin - Head of Planning
 Beryl Foster - Deputy Chief Executive
 Jon Carney - Corporate Director
 Lindsey Johnson - Committee Services Officer

Part I

172 DECLARATIONS OF INTEREST

There were no declarations of interest.

173 MINUTES OF LAST MEETING

THAT the Minutes of the Regeneration & Planning Committee meeting held on 19 January 2023 be approved and signed.

174 PUBLIC SPEAKING

No requests from the public to speak or present petitions had been received for this meeting.

175 LONDON BOROUGH OF NEWHAM DRAFT LOCAL PLAN Paper RP/68/23 REGULATION 18 CONSULTATION

The Paper was introduced by the Head of Planning, who informed Members that this Local Plan will include the whole of the borough as the London Legacy Development Corporation will be handing back planning powers to Newham in 2024. She also informed Members that a draft of the letter has already been sent to Newham in order to meet their deadline, but they will still accept the approved letter and any additional comments resulting from this meeting.

The Head of Planning drew Members attention to some of the main points from the letter attached as Appendix A to Paper RP/68/23:

- Lack of supporting policy for the Park Development Framework and the Authority's remit;

REGENERATION & PLANNING COMMITTEE MINUTES 23 FEBRUARY 2023

- Lack of support for the Park's local relevance and the strategic importance of the Velopark;
- Policies on tall buildings and the need to ensure these are both set back from and down towards the Park;
- Clarity needed in policy for sporting and cultural venues such as the Velopark and Three Mills, we would like to see the same recognition for these areas as we have in the London Legacy Development Corporation's Local Plan; and
- Three neighbourhoods sit close to the Park or include areas of the Park, with site allocations against our boundary which could have impacts upon the Park.

The Chairman thanked the Head of Planning for an excellent letter which covered everything appropriate and steered the London Borough of Newham towards more recognition of the Park. The Vice Chairman added that the response was also consistent with our response to both other Local Plans and developments elsewhere in the Park.

The Vice Chairman suggested expanding on the comments regarding the 15 minute neighbourhoods and whether they might be incompatible with biodiversity in the Park.

A Member suggested that there should be both a commitment and framework within the Local Plan to safeguard the banks of the River Thames and River Lea along with improving connectivity of links between Three Mills, Bow Creek and East India Dock Basin as developments happen. The Head of Planning stated that she would create a new section in the letter that reflects this.

The Chairman raised concern over the potential for tall buildings surrounding Three Mills Island and the Gas Holders site. The Head of Planning stated that the Local Plan does acknowledge the need to protect these sites.

The Chairman agreed that he should write to the Mayor of Newham in order to gain support for the points we have made in the letter along with encouraging our Member from Newham to help to support us.

The Chairman noted that we have had several Local Plans from various boroughs come to this Committee recently and wondered whether we should consider looking once again at our Park Development Framework to ensure it is up to date. The Deputy Chief Executive stated that this is something that we will look at in the next couple of years.

- (1) **the comments as set out in Appendix A to Paper RP/68/23 as the Authority's formal response to the consultation by London Borough of Newham on the draft Local Plan Regulation 18 document were approved with the following amendment:**
 - (a) **a new section be added to the letter which asks the London Borough of Newham to provide a framework within their Local Plan to safeguard the banks of the Rivers Thames and Lea and to improve connectivity links as developments happen.**

**REGENERATION & PLANNING COMMITTEE MINUTES
23 FEBRUARY 2023**

Chairman

Date

The meeting started at am and ended at pm.

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**STANSTEAD ABBOTTS & ST MARGARETS DRAFT
NEIGHBOURHOOD PLAN 2017 - 2033 REGULATION 14
CONSULTATION**

Presented by the Head of Planning.

SUMMARY

This report considers the current consultation on the Stanstead Abbots and St Margarets draft Neighbourhood Plan (SASMNP). This has been prepared with regard to the policies of the East Herts District Plan, (2018) and the National Planning Policy Framework. The Neighbourhood Plan seeks to promote sustainable development and use of land within the Designated Area through to 2033 and embraces a range of social, economic and environmental issues. It includes site allocations to accommodate at least an additional 94 homes one of which requires the Green Belt boundary to be amended.

The Authority's comments are set out in the draft letter attached at Appendix A to this report. They are generally supportive of the Neighbourhood Plan and the level of detail it contains. The main concern raised relates to housing Site Allocation H3 'Land East of Netherfield Lane/South of Roydon Road', which proposes residential development on a green field site in the Regional Park. Comments also seek the inclusion of further detail about the Regional Park and additional consideration of Park Development Framework Area Proposals.

RECOMMENDATIONS

Members Approve: (1) the comments as set out in Appendix A to this report as the Authority's formal response to the consultation by the Stanstead Abbots and St Margarets Neighbourhood Plan Steering Group on the draft Neighbourhood Plan Regulation 14 document.

BACKGROUND

1 Neighbourhood Planning is a tier of planning policy that enables communities to play a greater role in shaping the development and growth of their area.

Introduced by the Government through the Localism Act 2011, the preparation of a Neighbourhood Plan must follow procedures set out in the Neighbourhood Planning Regulations (the Town and Country Planning England Neighbourhood Planning (General) Regulations 2012) and the Neighbourhood Planning Act 2017 (as amended). Adopted Neighbourhood Plans will form part of the statutory Development Plan used to determine planning applications. As such they are required to meet the following four 'Basic Conditions' or criteria. They must be in conformity with the Local Development Plan, in this case the East Herts District Plan 2018 (EHDP) and the National Planning Policy Framework (NPPF). They must comply with other local, national and European/or UK equivalent policies and contribute to the achievement of sustainable development.

- 2 The Stanstead Abbots and St Margarets Neighbourhood Plan (SASMNP) is supported by a Strategic Environmental Assessment (SEA) which considers the likely effects of the emerging plan, and alternatives, with a view to avoiding and mitigating negative effects and maximising positive effects.
- 3 Stanstead Abbots Parish Council, as the lead Parish Council, is the "qualifying body" for the preparation of the Neighbourhood Plan which covers the entire parishes of Stanstead St Margarets (known as St Margarets) and Stanstead Abbots and the south east section of Great Amwell Parish within the village settlement. This is known as the 'Designated Area'. Please see Figure 1 from the Neighbourhood Plan attached as Appendix B to this report – the Regional Park boundary has been added as a layer to this map. The Plan at Appendix C to this report shows the Policies Map as included within the SASMNP with the addition of the Park boundary. The Neighbourhood Plan has been compiled on behalf of the three Parish Councils by a community Steering Group, which was set up on 21st June 2017. A Communications Sub-group have undertaken a range of engagement activities with the local community including open days, surveys delivered to every home, a design workshop, drop-in session, regular articles in the Parish Magazine and a webinar.
- 4 Following the current consultation and consideration of responses, the SASMNP and SEA Environmental Report will be finalised for submission and further consultation. An Independent Examination will then follow at which the Neighbourhood Plan will be considered in terms of whether it meets the Basic Conditions for Neighbourhood Plans and is in general conformity with the Local Plan. If the examination leads to a favourable outcome, the Neighbourhood Plan will then be subject to a referendum, organised by East Herts District Council. If more than 50% of those who vote agree with the Neighbourhood Plan, then it will be 'made'. Once 'made', the SASMNP will become part of the Development Plan for East Herts District, covering the defined Neighbourhood Area.
- 5 The Neighbourhood Plan area falls within East Herts district, adjacent to the boundary with the Borough of Broxbourne. The eastern edge of the Designated area lies partially alongside the boundaries of Epping Forest District and Harlow Town in Essex. St Margarets and Stanstead Abbots lie on either side of the River Lea Navigation and the railway line parallel to it. Great Amwell Parish lies to the north of the Station. The Neighbourhood Plan Area includes the part of Great Amwell Parish, the 1950s built estate known as The Folly and the 1980s development which replaced an old maltings, known as Riversmead, and some additional dwellings.

6 Local Plan Context

The EHDP recognises Stanstead Abbots & St Margarets as a village inset from the Green Belt and Policy GBR1 states that “the villages of Hertford Heath, Stanstead Abbots & St Margarets, and Watton-at-Stone will be encouraged to consider whether it is appropriate through the formulation of a Neighbourhood Plan to accommodate additional development”. Policy GBR1 (Green Belt) identifies that where proposals would involve changes to Green Belt boundaries, the District Council will consider making these amendments. The more recent update to the NPPF also now allows Neighbourhood Plans to change Green Belt boundaries if supported by strategic policies e.g., in this case the EHDP.

- 7 Policy VILL1 identifies Stanstead Abbots & St Margarets as a ‘Group 1 village’ and sets a range of parameters for growth in these areas, including: an appropriate scale, development that is in keeping with the character of the village, avoiding the loss of significant open space or important gaps, avoiding an extension of ribbon development, and protecting important views. Supporting text in the EHDP (Table 10) quantifies the increase required for Stanstead Abbots and St Margarets as an additional 94 new homes, i.e. a 10% increase in housing stock (based on the 2011 Census) to be built by 2033. Furthermore, Policy VILL4 protects three Employment Areas within the Plan area, at Leaside Works, Riverside Works (Amwell End) and The Maltings.

8 The Regional Park and Park Development Framework (PDF)

The Regional Park boundary includes parts of the villages of Stanstead Abbots and St Margarets and land that falls within Greater Amwell. In total 260ha of the Regional Park falls within the Neighbourhood Plan area. Notable areas include Rye Meads, and Rye House Gatehouse in the south, the River Lee Navigation and its towpath, and to the north of the A414 Stanstead Innings, and land adjacent to Netherfield Lane. The southern part of Amwell Nature Reserve is also included within the Plan area. Please refer to the Plan at Appendix C to this report.

- 9 The Authority’s Park Development Framework Area 8 Proposals ‘The Upper Valley Rye Meads to Ware’, are relevant to the SASMNP. These include:

- Visitor related proposals which seek to secure access improvements along routes into the Park and between the Park and St Margarets Station and the promotion of circular routes linking to PRoW outside the Park.
- Sport and Recreation proposals seeking commercial opportunities for cycle hire pick up and drop off facilities as well as boating focal points and leisure boat hire.
- Biodiversity proposals to protect, restore and enhance existing habitats, particularly those associated with the Lee Valley SPA/Ramsar site and proposals to maintain the Positive Conservation Management status of Stanstead Innings Local Wildlife site and improve access to nature on site.
- Landscape and Heritage proposals to conserve and enhance the positive character and quality of the countryside and farmland, and the notable heritage assets contained within and avoid adverse impacts on the quality of the recreational and landscape experience within the Park.

- 10 The Authority was approached by members of the SASMNP Steering Group and officers have had a couple of meetings over the last few years to discuss the scope of the Plan, the role of the Regional Park and site allocations options

for potential residential development within the Park.

THE DRAFT NEIGHBOURHOOD PLAN

11 Vision and Objectives

The NP sets out a Vision for its area:

“..to thrive as a diverse and inclusive rural village that supports varied livelihoods and promotes community cohesion and wellbeing. We will promote locally accessible and sustainable development that provides affordable housing whilst protecting the heritage of our area and the individual character of each parish. Our vision includes the enhancing of our green spaces for wildlife and community use, the development and improvement of natural flood defences, and further establishing our place in the wider Lea Valley corridor.”

In support of this vision, 18 objectives are included under the themes of housing and design, the riverside, heritage, natural environment, leisure and community facilities, business and employment, and transport. Policies are presented under each of the above themes. Those of most relevance to the Regional Park are considered below.

12 Housing

The SASMNP includes 5 site allocations for housing under Policy SASM H2 'Housing Numbers'. These allocations are informed by the East Herts Strategic Land Availability Assessment 2017, a call for sites exercise and a detailed survey of the Neighbourhood Plan area. 4 small sites are identified which together with an existing permitted site allow for 48 homes. A further allocation for approximately 60 homes on land east of Netherfield Lane (Site H3 on the Policies Map, approx. 3.2ha) brings the total to approx. 108 homes. This total is slightly above the 10% increase identified for Group 1 Villages in the EHDP as 94 new homes.

- 13 Site Allocation H3 Land East of Netherfield Lane/South of Roydon Road is a combined brownfield and green field site located within the Park and the Green Belt. The brownfield element is a redundant factory which now has outline permission for 20 homes and employment use. Members considered this application at Committee in June 2020 (RP/42/20). Whilst redevelopment of a brownfield site was considered acceptable a number of conditions were sought to mitigate any adverse impact from the development on the surrounding Park area, to ensure ecological enhancement within the site and along its boundaries, and to enhance the access route along Netherfield Lane, as an important entry point into the Park. Further detail was also sought about the drainage solution to ensure this will not negatively impact on the water quality of Stanstead Innings or the Rye Meads Site of Special Scientific Interest (SSSI) complex. It is understood that due to the substantial remediation required on site the permission was granted without the requirement for affordable housing. A S106 contribution to the Park for access enhancements and habitat creation at Stanstead Innings was included.

- 14 The SASMNP is seeking to combine the brownfield site with the adjacent unused green fields in order to achieve a combined allocation of 60 homes, secured via a covenant thus enabling the Neighbourhood Plan to reach the housing allocation target. The policy requires 40% affordable housing (on land outside the existing outline permission) plus land for a 6 unit scheme of

community-led housing. Green space should include communal public recreation and play space and the layout should accommodate the retention of all existing trees and hedgerows to minimise loss of countryside and achieve biodiversity net gain.

- 15 In order to accommodate this development, Policy SASM H1 'Village and Green Belt Boundary' proposes that the Green Belt boundary be amended to extend the Village Development Boundary to include the SASM H3 site allocation. This effectively removes the site from the Green Belt although it is still within the Regional Park.
- 16 Site Allocation H4 is located to the south of South Street within the Regional Park and forms the northern part of the Lee Valley Marina, Stanstead Abbots (site H4 on the Policies map, approx. 0.3ha). It lies outside the Green Belt and is viewed by the SASMNP as a small brownfield site within the village settlement area. Housing Site Allocation Policy SASM H4 indicates the site has a capacity for 9 units although it is acknowledged that the site is within Flood Zone 2 and that despite flood defences South Street floods at times of heavy rainfall. The Policy sets out site-specific criteria in terms of the scale, layout and environmental considerations for any future development of the site.
- 17 **Riverside Development**
The SASMNP recognises the importance of the riverside and water related environment in terms of the quality of life of local residents. The Plan seeks to "celebrate the rivers' unique contribution to the village by increasing opportunities for people to enjoy and directly interact with the river." Policy SASM R1 'Riverside Development' aims to ensure all development alongside the river contributes to improvements and enhancements of the river environment and retains and enhances public access or provides new public access where possible. SASM R2 'Floating Structures' considers moorings and floating structures to be acceptable providing they do not detract from the character, openness or views of the river, and do not interfere with recreation and commercial use of the river. Policy seeks to ensure parking spaces and other infrastructure provision for permanent moorings applications.
- 18 **Heritage Assets**
The SASMNP acknowledges the richness of heritage assets in the area, including its archaeological significance and the importance of protecting these whether designated or undesignated. It also highlights the need to raise awareness and deliver accessible guidance and information about their significance. A Neighbourhood Plan Heritage Report has been prepared by the Steering Group as an additional evidence document. Policy SASM HA1 'Heritage Assets' states that development proposals should preserve and enhance all designated heritage assets whether above or below ground and their settings. Non designated heritage assets are also identified in Policy SASM HA2 to ensure development proposals take account of their significance.
- 19 SASM HA4 'Protected Views' identifies 12 views to be protected from inappropriate development. These are considered an important part of the landscape character of the area. Views also contribute to and help preserve the setting of heritage assets.
- 20 **Natural Environment**
The SASMNP includes 3 key objectives relating to the natural environment as follows:

- To protect the Stanstead Abbots & St Margarets countryside setting, landscape, and character, for the benefit of the village itself as well as the wider community, (Objective H).
- To improve protection of assets such as woodland spaces and water networks that are vital for wildlife, but also to the quality of life for residents, (Objective I).
- To maintain irreplaceable species, promote ecosystem diversity and ensure that development results in a net gain in biodiversity, (Objective J).

Policy NE1 identifies Local Green Space to be protected and includes parcels of land within the Park including land adjacent to the Navigation towpath (on the western side), and other spaces and allotments situated to the rear or north of the High Street.

- 21 Supporting text references the Lee Valley SPA/Ramsar Site and its international importance and the sensitivity of this habitat to recreational pressure, air quality reduction and changes in water quality and levels. Both Rye Meads SSSI which lies within the wider Neighbourhood Area and Amwell Nature Reserve SSSI which borders the Plan boundary in the north are part of the SPA/Ramsar site.
- 22 A Habitats Regulations Assessment (HRA) accompanies the SASMNP and this found that only changes in water quality required assessment. The report concluded that the District Plan together with the Neighbourhood Plan would provide a policy framework sufficient to ensure no adverse effects on the integrity of the European Sites, either in isolation or in combination with other projects and plans. An additional policy statement is included as part of Policy SASM H2 'Housing Numbers' which states that support for new dwellings is contingent on upgrades to Rye Meads Wastewater Treatment Works keeping pace with the delivery of housing so as to ensure no adverse effect on the integrity of the Special Protection Area/Ramsar Site.
- 23 Policy SASM NE2 'Nature Conservation' states that development proposals must conserve and enhance biodiversity and deliver Biodiversity net gains of at least 10%. Where development would impact nationally and locally designated sites the SASMNP defers to the East Herts District Local Plan policy NE1 and the conditions it sets to protect sites and ensure mitigation is provided. Policies are also included to protect valued hedgerows and trees (SASM NE3) and to protect natural flood defences and ensure development makes adequate provision for surface water drainage (SASM NE4).
- 24 **Leisure and Tourism**
Policy SASM B4 'Farm and Tourism Related Business' bullet point II. (located within the Business and Employment section of the SASMNP) makes a policy reference to the PDF Area 8 Proposals. It states:
- "II. Proposals for development of leisure and tourism uses that support delivery of the Lee Valley Park development framework for Area 8 will be encouraged, including:
- a) visitor and recreational moorings, boat repair and other boat related services at Stanstead Marina to support recreational use of the waterways; and
 - b) commercial opportunities for cycle hire, leisure boat and water taxi

facilities, in partnership with the Canal and Rivers Trust.”

This policy also offers support for proposals for overnight stay accommodation in association with leisure uses and social and education functions and links this with policy under the Leisure and Community Facilities section - Policy CL4 'New Facilities' which identifies the need for new tourist accommodation in the village.

25 Access and Transport

Transport policies are focused on achieving safe and sustainable transport provision as part of development proposals. Policy seeks to ensure development proposals do not generate unacceptable increases in traffic volume and movements within or through the village, (SASM TR2) and maintain the safety of pedestrians and cyclists. Development which result in the loss of Public Rights of Way (PRoW) or negatively impact the enjoyment of using those rights of way will need to demonstrate how the PRoW will be re-provided or how the impact on the PRoW will be mitigated, (TR1).

26 Implementation

Implementation of the Neighbourhood Plan will be primarily through the determination of planning applications by East Herts District Council with the Plan policies providing criteria against which planning applications are assessed. The Neighbourhood Plan should deliver community benefits and it is understood that spending priorities have been identified by the community through the Plan preparation. These are contained within an Action Plan (appendix J to the NP). Policy SASM IM1 'Spending Priorities' states that "These priorities should be reflected in Section 106 agreements, where appropriate. The Parish Councils in the Neighbourhood Plan Area will direct funding received from any New Homes Bonus, Community Infrastructure Levy, or other funding streams, towards projects which fall within these priorities".

COMMENTS ON THE DRAFT NEIGHBOURHOOD PLAN

27 The Authority's comments on the SASMNP are set out in the draft letter attached as Appendix A to this report. In principle the Vision and Objectives of the NP can be supported and the synergies between the SASMNP objectives for the natural environment, countryside, heritage assets and tourism have been highlighted.

28 Further detail about the Regional Park and the remit of the Authority should be included in the supporting text to highlight the full scope of the Regional Park and its current and future contribution to the local area, in line with the Neighbourhood Plan topics and policy areas. Reference to relevant PDF Area 8 Proposals would also be helpful. Policy SASM B4 'Farm and Tourism Related Business' does reference the Area 8 Proposals in relation to tourism and leisure provision but a consideration of the wider, regional function of the Park should inform policies across other topics such as Housing, Natural Environment, Riverside and Transport. A number of the PDF Area proposals are relevant to the SASMNP Area and could be supported through the SASMNP policies. These are highlighted below and in the attached letter.

29 Housing

The proposed site allocation H3 is of concern. It proposes residential development for an open green field site within an attractive area of the Regional Park and the Green Belt. The site also lies in close proximity to

Stanstead Innings, one of the Authority's 'access to nature' sites designated as a Local Wildlife Site by the County and it would need to be accessed from Netherfield Lane, an important entry point into the Park and a designated Bridleway.

- 30 It is understood that the SASMNP is seeking to provide affordable housing to serve the needs of its local community and that this requires sites of sufficient size; only sites of 10 or more dwellings are obligated to provide a percentage of affordable housing. Hence the allocation of H3 and the proposal to amend the Green Belt boundary in order to provide a site of sufficient size for a range of housing provision. However it is not clear whether the SASMNP has considered the implication of the development in terms of the Regional Park, its landscape character and recreational role, nor is reference made to the PDF Proposals. The only reference is to the need to mitigate adverse impacts from development on the surrounding Lee Valley Park by preserving "as much of the existing hedgerow and treeline as possible," as mentioned in supporting text.
- 31 Policy SASM H3 would result in built development intruding further into the largely rural valley sides which form an important part of the Park's landscape and feature in views out towards the north east. The woodland and vegetated boundaries along field edges has direct connectivity with the woodland and scrub habitat edge to Stanstead Innings and therefore has value in terms of the wider ecology of the area. Development even if screened and well designed will impact upon the wider Park area by reducing the connectivity of habitats, introducing light pollution and increasing vehicular movements along a route that is well used by pedestrians/cyclists and is a designated a bridleway. The SASMNP Steering Group should be asked to reconsider this designation in the light of the above concerns.
- 32 Site allocation H4 (approx. 0.3ha) is noted, this is also land within the Regional Park, owned by the Authority, although in this case it lies outside the Green Belt and forms part of a developed site located on the northern edge of the Lee Valley Marina Stanstead Abbots. It is acknowledged that the site sits within the village settlement area and although within flood zone 2 may have potential for a small residential development. Officers have in the identified the potential of this site for further development, including residential, when considering the Marina operations. At this time however the site forms part of the Marina's business, any change in this position will need to be a matter for future consideration. Inclusion of the site allocation within the SASMNP does not however limit future operations of the Marina business.
- 33 **Riverside**
The emphasis placed on the importance of the riverside and water related environment is to be welcomed. The waterside environment is a focal point for leisure and recreation within the Regional Park and a key habitat underpinning many of the designated sites and biodiversity of the Park. However the competing demands placed on the waterside environment are not easy to balance and policy needs to take this into account. In particular it should consider the ecological significance of the river and other waterbodies and how the impacts of development and other uses can be avoided or minimised. For example light pollution, noise and other forms of disturbance will be a particular issue in this respect. In a number of cases the waterways offer important dark corridors for foraging and commuting wildlife which connect with other habitats up and down the valley.

34 Recreational moorings are supported in the Park and contribute to the visitor experience. PDF Area Proposals seek to enhance visitor moorings at Stanstead Lock on the Navigation and River Lea and more generally the recreational use of the Lee Navigation. Proposals are also clear that the development of residential moorings are to be avoided in the Regional Park, and are considered more appropriately located off line and outside the Park where provision for parking and other services can be included without detriment to the waterside environment, its accessibility and visitor enjoyment of the wider Park.

35 Heritage

It is understood that A Neighbourhood Plan Heritage Report has been prepared as part of the SASMNP process and this has informed the detail and content of policies which are comprehensive in covering designated and non-designated heritage assets, archaeology and protected views. Rye House Gatehouse Scheduled Monument falls within the SASMNP area and is identified as a heritage asset. This is to be supported as is the objective to raise awareness and provide accessible information about the significance of heritage assets in the area. Policy SASM HA1 could include 'awareness raising' as an additional process for development to embrace as part of proposals to assist in enhancing heritage assets. Consideration should also be given to the areas waterway heritage, a key feature of the Lea Valley and the Regional Park.

36 Natural Environment

The protection of the natural environment particularly the landscape character of the natural floodplain of the Lea Valley and the countryside setting of Stanstead Abbots & St Margarets is to be endorsed. This is also the landscape and natural environment that underpins the Regional Park where the biodiversity value of the landscape has been recognised through national and international designations as well as locally important designations. Policy to protect these designated sites is to be welcomed especially where this complements the Local Plan Policy.

37 Policy on Nature Conservation is to be supported although the measures to deliver Biodiversity Net Gain (BNG) as listed in the Policy should take account of the Authority's Biodiversity Action Plan and the work of the Authority at Stanstead Innings. Likewise the Policy included on valued hedgerows and trees SASM NE3 is to be welcomed and supported. This is complementary to the Lee Valley Regional Park Landscape Strategy which has identified the importance of, in this area of the Park, retaining existing or replanting hedgerows along historic field boundaries using locally indigenous species. The aim is to retain the function of this area as a rural backdrop and wooded skyline for the Park and wider Lea Valley. Measures to protect and prevent the degradation of the flood plain set out in Policy SASM NE4 are also to be supported.

38 Leisure, Tourism and Access

The policy support for leisure and tourism related uses that will help deliver the PDF Area 8 Proposals as set out under policy SASM B4 can be supported. This policy demonstrates how the SASMNP can support the Authority in the delivery of PDF Area Proposals. The need for tourist accommodation within the area and the lack of facilities (with the nearest hotel accommodation being at Roydon marina) is to be noted and this is clearly a matter the SASMNP Steering Group wish to address. There may be scope to explore this matter further in the future particularly if the Steering Group is prepared to consider locations outside the core village settlement.

39 Supporting text in the Leisure and Community Facilities section notes the many walks available and the linking routes through into the valley from sites outside the Neighbourhood Plan boundary. PDF Proposals identify opportunities to improve footpath and cycleway links into the Park, and also reference links to PRoW outside the Park boundary and from St Margarets station. It is considered appropriate to suggest this matter is covered by policy, potentially Policy SASM B4, this would assist in the delivery of PDF Area proposals and improved connections into and through the Park.

40 Implementation

The process for delivering the Neighbourhood Plan is noted. The Plan Policies will provide both the framework to guide development proposals and the criteria against which planning applications are assessed. The spending priorities identified in Appendix J to the SASMNP are mainly focused on transport, community and heritage related actions and the cost implications of the priorities are largely unknown or awaiting confirmation. It would therefore be useful to consider whether any of the PDF proposals support or could inform local spending priorities to secure improvements to the natural environment, and the accessibility of the Regional Park. This could enable closer alignment between the Authority's requests for S106 contributions for mitigation required as a result of development impacts, and projects identified through the Action Plan.

ENVIRONMENTAL IMPLICATIONS

41 There are no environmental implications arising directly from the recommendations in this report but the draft SASMNP once adopted will form part of the 'development plan' for East Herts District which guides and controls development and the use of land within the borough that could have an impact on the protection, enhancement, and development of the Regional Park.

FINANCIAL IMPLICATIONS

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

HUMAN RESOURCE IMPLICATIONS

43 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

44 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.

45 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

46 There are no risk management implications arising directly from the

recommendations in this report.

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Stanstead Abbotts and St Margarets Neighbourhood Plan Consultation February 2023

APPENDICES ATTACHED

- | | |
|------------|--|
| Appendix A | The Authority's draft response to the SASMNP consultation |
| Appendix B | Plan showing the Neighbourhood Plan area Fig 1 and Park boundary |
| Appendix C | SASMNP Policies Map with the Regional Park boundary overlaid |

LIST OF ABBREVIATIONS

SASMNP	Stanstead Abbotts and St Margaret's Neighbourhood Plan
PDF	Park Development Framework
SSSI	Site of Special Scientific Interest
SEA	Strategic Environmental Assessment
HRA	Habitat Regulations Assessment
EHDP	East Herts District Plan
NPPF	National Planning Policy Framework
PRoW	Public Right of Way
NP	Neighbourhood Plan
BNG	Biodiversity Net Gain



Julia Davies
Chairman
Stanstead Abbots & St Margarets
Neighbourhood Plan Steering Group,
Stanstead St Margaret's Parish Council

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Via email to stansteadstmargaretspcclerk@gmail.com

23 March 2023

Dear Julia

**RE: CONSULTATION ON THE STANSTEAD ABBOTTS & ST MARGARETS
DRAFT NEIGHBOURHOOD PLAN - LEE VALLEY REGIONAL PARK
AUTHORITY COMMENTS**

Thank you for consulting the Regional Park Authority on the draft Stanstead Abbots and St Margarets Neighbourhood Plan (SASMNP). A report on this matter was considered by the Authority's Members, at the Lee Valley Regeneration and Planning Committee on the 23rd March 2023, when the following comments were agreed.

Draft Neighbourhood Plan

Vision and Objectives

The Authority supports the vision and objectives for the Stanstead Abbots and St Margarets Neighbourhood and welcomes the emphasis placed on enhancing the natural environment, protecting local heritage and the neighbourhood's countryside setting whilst also seeking to improve existing community facilities for recreation and leisure and meet needs in terms of housing and employment opportunities.

Stanstead Abbots and St Margarets are attractive villages located within and adjacent to the Regional Park and there is an important relationship to foster between the Park and the local communities. The proximity of the Regional Park, its landscape, open spaces, wildlife and range of walking/cycling routes offer a variety of leisure and recreational opportunities both locally and further afield which bring benefits to the health and well-being of the communities and the economy of the local area. Stanstead Abbots and St Margarets provides important facilities and services both for those visiting the Park, and for regular users.

The Neighbourhood Plan is an important mechanism through which to identify joint objectives that will meet the requirements of both the SASMNP Steering Group and the Authority in terms of protecting the Regional Park, its green spaces, landscape character and wildlife whilst also supporting the delivery of PDF Area proposals.

Lee Valley Regional Park and the Park Development Framework

It would be helpful therefore if the SASMNP included more detail about the Regional Park and made reference to the remit of the Authority and the Park Development Framework as it relates to the Neighbourhood Area, (the Area 8 Proposals 'The Upper Valley Rye Meads to Ware'). This detail could be included as part of the context to the designated Neighbourhood Plan area and in the supporting text to relevant policy topics such as the Natural Environment, Nature Conservation, Leisure and Tourism. Site Allocations in particular H3 'Land to the east of Netherfield Lane' should also include reference to the Regional Park and PDF where they are located within or adjacent to the Park. The Regional Park is a statutory designation of relevance within East Herts District and part of the policy context when considering the future of these sites. Officers would be willing to engage further with members of the Steering Group on this matter in due course if this would be helpful.

Housing

Site Allocation H3

The Authority notes the detailed evidence gathering undertaken, local engagement and assessment of options that underpins the housing allocations within the SASMNP. There is concern however that the site allocation H3 'Land to the East of Netherfield Lane' proposes a substantial residential development within the Regional Park and the Green Belt and that to accommodate this the SASMNP policy proposes removing site H3 from the Green Belt.

It is understood that the SASMNP is seeking to identify sufficient allocations for housing development to meet the 10% increase identified for Group 1 Villages by the EHDP. There is an added requirement to source sites of sufficient size to ensure provision for affordable housing to provide for local needs. Hence the allocation of H3 which combines an existing permitted development on a brownfield site with the open fields adjoining in order to provide an area of sufficient size for a range of housing provision including 40% affordable units.

However it is not clear whether the SASMNP has taken into account the Regional Park designation in applying this allocation, or the implications of the development in terms of the Regional Park, its landscape character and recreational role, and the PDF Proposals. The only reference sits within supporting text and this mentions the need to mitigate adverse impacts from development on the surrounding Lee Valley Park by preserving "as much of the existing hedgerow and treeline as possible".

It should be noted that East Herts District Plan policy is supportive of the Lee Valley Regional Park and the Park Development Framework (PDF), Policy CFLR51. In particular, the District Council seeks to support and work with the Park Authority and other stakeholders to deliver the PDF Area Proposals where these improve leisure and sporting opportunities for local communities, enhance access to open space and nature, and help expand educational, volunteering and health related activities. PDF Area proposals 8. A.1 seek the protection, restoration and enhancement of existing habitat potential throughout the area and promote joint working with other landowners to improve ecological connectivity, along the waterways and between key sites such as Stanstead Innings and land to the east, for example the Ryegate Farm area. Proposals also seek to maintain and improve pedestrian and cycle access between Rye Meads and Stanstead Innings and ensure provision for horse riders are maintained; this would be along Netherfield Lane. Landscape Strategy Proposals aim to strengthen the strong rural character of this landscape character area (G1 River Terraces with Farmland) by retaining existing and encouraging the replanting of

hedgerows, managing and extending the existing small wooded areas for their diversity so as to retain the wooded skyline to the valley floor.

Policy SASM H3 would result in built development intruding further into the largely rural valley sides which form an important part of the Park's landscape character and contribute to people's enjoyment of the rural valley landscape. As land rises to the east from Netherfield Lane, development is likely to feature prominently in views out towards the north and east. The woodland and vegetated boundaries along the field edges also have direct connectivity with the woodland and scrub habitat edge to Stanstead Innings and therefore have value in terms of the wider ecology of the area. Development even if screened and well-designed will impact upon the wider Park area by reducing the connectivity of habitats, introducing light and noise pollution and increasing vehicular movements along Netherfield Lane, a route that is well used by pedestrians and cyclists and is a designated bridleway. Development is also likely to create an increase in visitor pressure on Stanstead Innings which would also be a concern as this area is functionally linked to the nearby Lee Valley SPA (Rye Meads) and provides habitat for Bittern, Gadwall and Shoveler noted in the SPA citation. **The Authority would ask the SASMNP Steering Group to reconsider this designation in the light of the above concerns.**

Site Allocation H4 is noted, this is also land within the Regional Park (and owned by the Authority), although in this case it lies outside the Green Belt forming part of a developed site currently part of the Lee Valley Marina, Stanstead Abbots. The Authority acknowledges that the site also sits within the village settlement area and although within flood zone 2 may have potential for a small residential development. There are a number of constraints in relation to a residential redevelopment of this site however and these have been identified on the site allocation pro-forma. In the past officers have identified the potential of this site for development, including residential, when considering the Marina operations and the Neighbourhood Plan reflects this process. However at this time the site allocation consists of land and buildings required for Marina operations and release of the site for redevelopment will be a matter for future consideration.

Riverside and Heritage

The inclusion of policy for the riverside and water related environment is welcome. Policy SASM R1 'Riverside Development' highlights the many and competing demands placed upon the riverside especially when development is proposed alongside or adjacent to the river. It is difficult to achieve a balance between these competing demands and the pressures they bring. Policy R1 should consider the ecological significance of the river and waterside environment and how impacts from development and associated uses can be avoided or minimised. The riverside environment often acts as a wildlife corridor and connecting habitat between other waterbodies and habitats - it is a key habitat along the length of the Regional Park for example. Key factors that impact here are light pollution from waterside development, increased noise and disturbance across extended time periods, and increased traffic movements.

As well as the river, waterbodies within the Regional Park area have importance for biodiversity both in relation to designated and local sites of importance for nature conservation and in terms of their role as a visitor attraction – the water bodies and associated open space at Stanstead Innings for example, provide a popular site where people can get close to nature and enjoy wildlife throughout the year and accommodate a local sailing club.

Policy SASM R2 sets out guidance for moorings and floating structures to ensure these do not detract from the character and openness or views of the river and to ensure they do not interfere with recreational and commercial use of the river. Recreational moorings are supported in the Park and contribute to the visitor experience. Policy R2 criteria are endorsed; they provide a similar framework to that set out within the PDF Area Proposals. Proposal 8.A.2 'Visitors' identifies "opportunities for recreational visitor moorings and boating focal points to be developed at Ware and Stanstead Abbots. Recreational moorings and support facilities to be improved where the location, scale, design and landscaping does not adversely affect the amenity of the area. The development of linear residential moorings to be avoided." Permanent residential moorings are more appropriately located off line and outside the Park where provision for parking and other services can be included without detriment to the waterside environment its accessibility and visitor enjoyment of the wider Park.

Heritage

The detail and scope of the SASMNP section on Heritage Assets is welcomed. Rye House Gatehouse Scheduled Monument falls within the Neighbourhood Plan area and is identified as a heritage asset and this is supported. Area Proposals within the PDF seek to promote joint working with Historic England and other stakeholders to preserve and enhance the heritage value and interest of the Rye House Gatehouse its setting and moat.

The objective to raise awareness and provide accessible information about the significance of heritage assets in the area (Objective F) should be carried through into policy. For example Policy SASM HA1 could include awareness raising as an additional process for development to embrace as part of proposals to assist in protecting and enhancing heritage assets. Consideration should also be given to the importance of the industrial heritage of the Navigation and the wider Lea Valley, a key feature of the Regional Park.

The importance attributed in the SASMNP to views and vistas and their contribution to landscape character and the setting of heritage assets is to be welcomed. A number of those included are views across the Regional Park and along its boundaries. Two are identified looking along the River Lee Navigation upstream and downstream from the bridge over the Navigation in the High Street. The Authority would seek the inclusion of an additional view both out to and from the rural valley sides to the east. The Lee Valley Regional Park Landscape Strategy notes as a key characteristic for Landscape Character Area G1 'Ryegate Farm/Terbets Hill' the importance of "Long views from the valley slopes across open bodies of water and wetlands within the Lee Valley floor.." and also the importance of this area (which includes the landscape east of Netherfield Lane) as a rural backdrop and skyline in views from the floodplain.

Natural Environment

The Authority endorses the SASMNP objectives which aim to protect the natural environment particularly the landscape character of the natural floodplain of the Lea Valley and the countryside setting of Stanstead Abbots & St Margarets. This is the same landscape and natural environment that underpins the Regional Park where the biodiversity value of the landscape has been recognised through national and international designations as well as locally important designations. Policy to protect these designated sites is to be welcomed especially where this complements the Local Plan Policy.

It is suggested that the SASMNP includes a plan mapping the various nature conservation sites given the significance of these designations and the value of Local Wildlife Sites such as Stanstead Innings.

Policy on Nature Conservation SASM NE2 is supported. Measures to deliver BNG as outlined in the Policy should however also be informed by the Authority's BAP and the work of the Authority at Stanstead Innings. This is a good example of habitat creation and enhancement that serves both wildlife and people. The SASMNP should also consider how other areas of open space and water act as buffers or supporting habitat for the Lee Valley SPA/Ramsar site, and the interconnectivity of the landscape. This will help to inform BNG should off site provision be required and contributions sought for their future management. The PDF Area Proposals also identify a number of actions and projects in relation to biodiversity and habitat enhancement as well as measures to improve access to nature. These should be considered by the SASMNP Steering Group and supported where appropriate.

Policy on valued hedgerows and trees is noted and supported (SASM NE3). The Lee Valley Regional Park Landscape Strategy has identified the importance of retaining existing hedgerows and encouraging the replanting of hedges along historic field boundaries using locally indigenous species. This is considered important in order to retain the function of areas of the Park to the east, which also form the eastern boundary of the Neighbourhood Plan area, as a rural backdrop and wooded skyline for the Park and wider Lea Valley. Landscape Proposals also suggest that the parkland history of land to the east of Netherfield Lane should be considered together with "opportunities to perpetuate the parkland character with specimen trees in new planting".

Measures to protect and prevent the degradation of the flood plain are supported. Policy SASM NE4 mentions the need for development to include an undeveloped buffer of 5 metres from the top of waterways banks, this should be at least 8 metres in order to meet EA requirements and provide ecological benefits.

Leisure and Tourism Policy

The Authority welcomes the policy support set out under Policy SASM B4 for the development of leisure and tourism related uses that will help deliver the PDF Area 8 Proposals. The specific reference to the Stanstead Marina and its role in supporting recreational use of the waterways is also welcomed.

The need for tourist accommodation within the area identified by the Neighbourhood Plan evidence gathering process is noted. Policy SASM CL4 New Facilities suggests the location of new tourism accommodation should be in the village and SASM B4 II refers to support for overnight stay accommodation in association with leisure uses and social and educational functions. Visitor accommodation is a matter that falls within the remit of the PDF and there may be scope in the future for visitor accommodation in the Regional Park within the wider area of the Neighbourhood Plan. The Regional Park currently includes a range of overnight accommodation from camp sites and lodges, a youth hostel and, as referenced in the SASMNP, hotel provision at Roydon Marina. Policy in the SASMNP should consider the benefits of widening the locational scope for the provision of new visitor accommodation. There could be scope for the Authority and the SASMNP Steering Group to explore this further with other relevant stakeholders in the future.

The many walking and cycling routes within the northern section of the Regional Park offer opportunities for the SASMNP area and supporting text in the Leisure and

Community Facilities section references that a number of walks are available with links through into the valley. PDF Proposals identify opportunities to improve footpath and cycleway links into the Park, for example along Marsh Lane and from St Margarets station and to promote circular routes linking to PRow outside the Park boundary. It would be appropriate for Policy SASM B4 to support proposals for improvements to footpaths and cycleways within the Regional Park, particularly at key entrance points into the Park at Marsh Lane and Netherfield Lane and to promote connections through onto the Lea Valley Walk and Lee Valley Pathway from St Margarets Station.

Transport

The Authority supports the policy emphasis on protecting the village from unacceptable increases in traffic volume and traffic movements through the village and the need to maintain the safety of pedestrians and cyclists. The safety of visitors to the Park should also be considered; they are likely to be moving on foot or bicycle along the High Street as well as crossing between the station and the Park's entrance points. It is important to ensure safe crossing points across the High Street particularly at key interfaces, for example where the riverside towpath connects with the High Street. Policy SASM T1 which seeks to protect PRow is supported.

Implementation

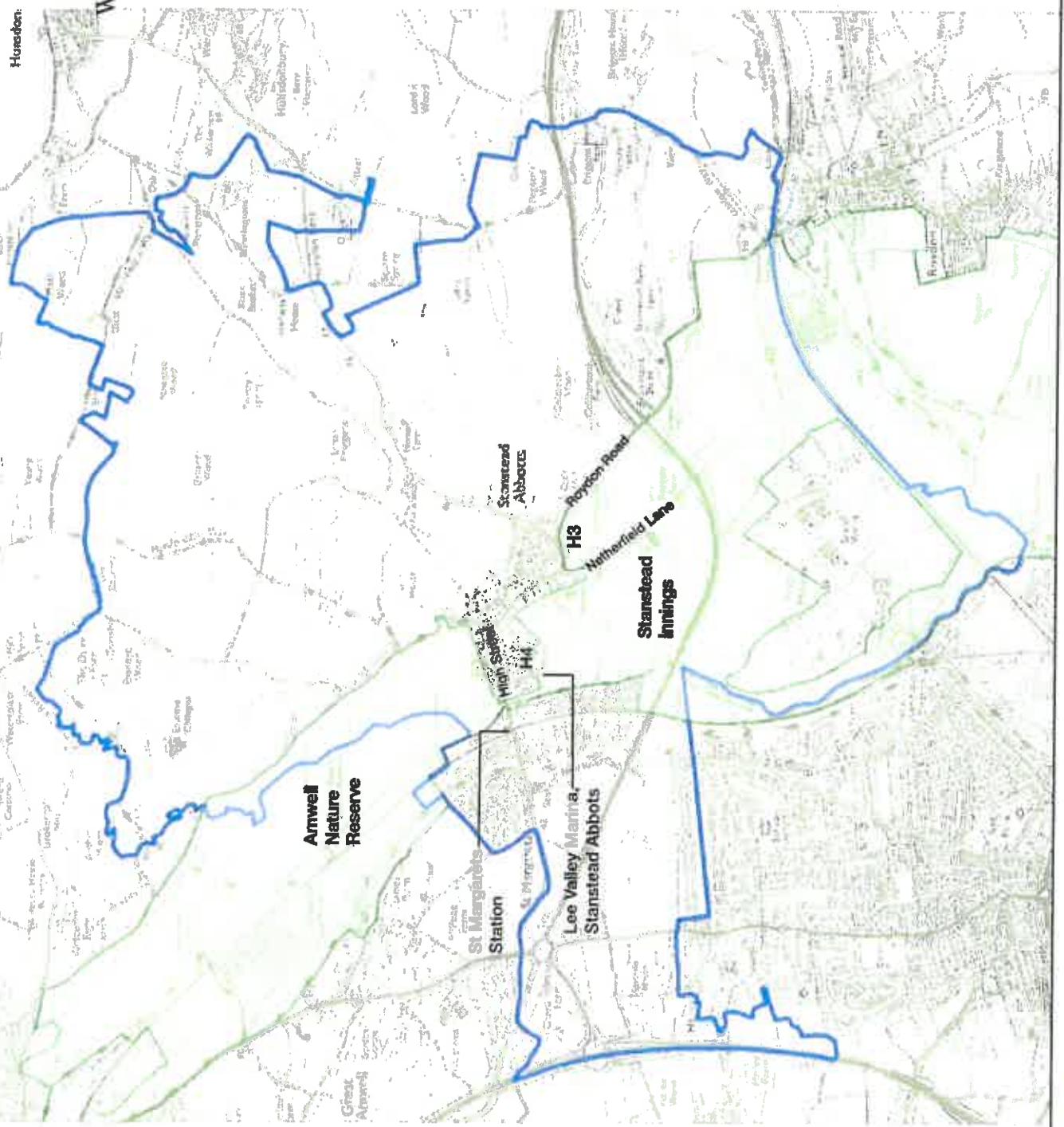
The Authority notes that the Neighbourhood Plan will be primarily implemented through the determination of planning applications by the Council and that Plan policies provide criteria against which planning applications are assessed. Appendix J to the SASMNP includes a draft Action Plan which outlines some of the initial spending priorities identified by the community as a result of the Neighbourhood Plan process. The resource/cost implications of the priorities included in the Action Plan are largely unknown or awaiting further detail and the priorities are mainly focused on transport, community and heritage related actions.

There is scope to include other priorities, for example relating to the natural environment, particularly where there are concerns that development proposals are likely to impact on designated sites or locally important habitats and green/water spaces. Should future development impact negatively upon the Regional Park, the Authority is likely to request S106 contributions for any mitigation works required, in line with the PDF Area Proposals. It will therefore be useful to consider whether any of the PDF proposals support or could inform local spending priorities to secure improvements to the natural environment and accessibility of the Stanstead Abbots & St Margarets Neighbourhood area and Regional Park. This could be another matter for future discussion between the Authority and the SASM Neighbourhood Steering Group.

The Authority looks forward to engaging further with members of the SASM Steering Group on the matters raised above prior to the next stage of the Neighbourhood Plan process.

Yours sincerely

Claire Martin
Head of Planning



Location:



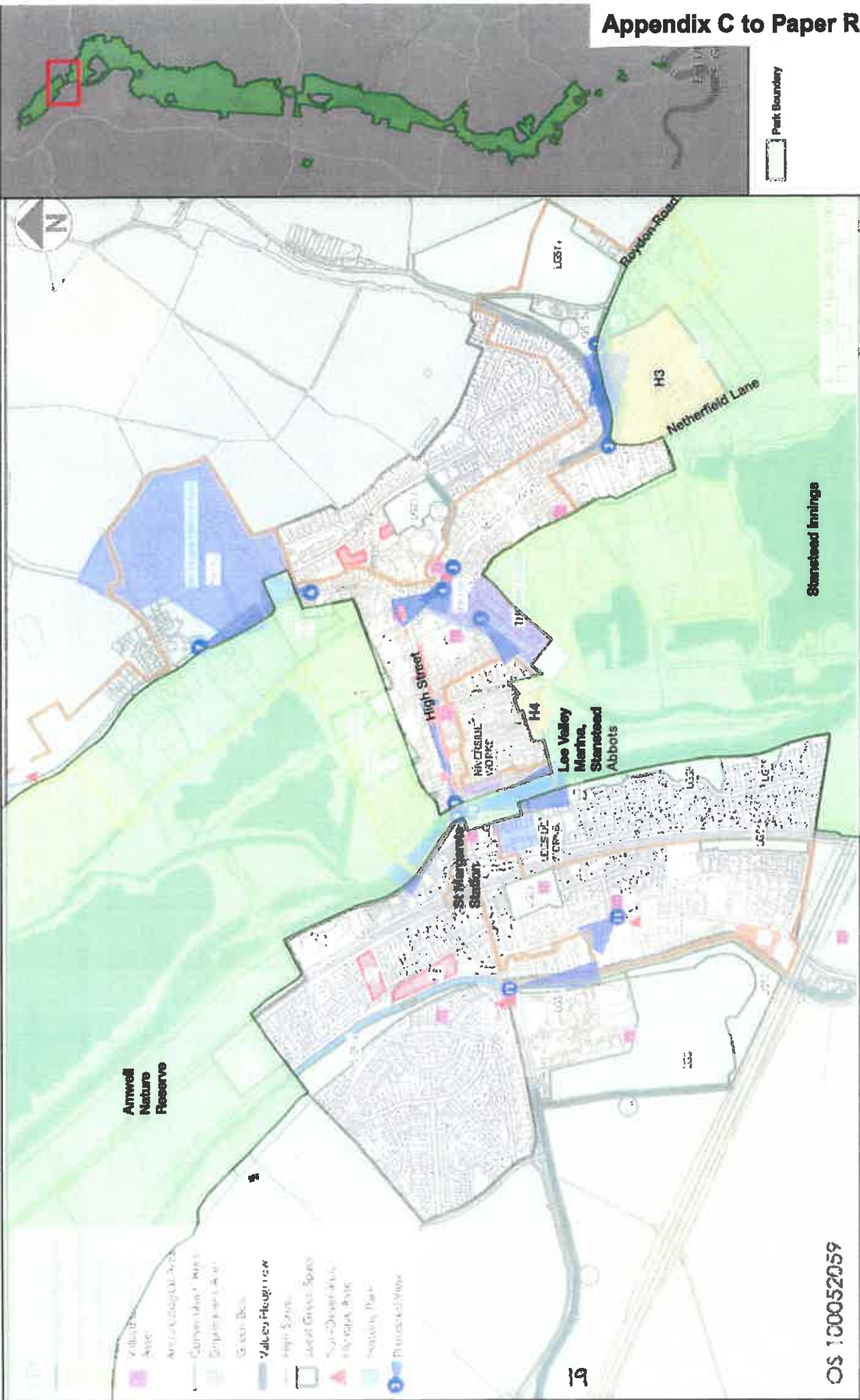
Stanstead Abbots and St Margarets Neighbourhood Area

Scale: 1:30,000

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Part: MCEST System Management NEW10 Workspaces Maps and Projects\10a User Specific Maps\Committee Maps\Committee Project\LN22.016A





Stanstead Abbots and St Margarets draft Neighbourhood Plan

Scale: 1:8,800

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PLANNING CONSULTATION BY EAST HERTS DISTRICT COUNCIL

HYBRID PLANNING APPLICATION, COMPRISING:

A) OUTLINE APPROVAL FOR A RESIDENTIAL-LED MIXED-USE DEVELOPMENT FOR UP TO 1,800 NEW MARKET & AFFORDABLE HOMES, INCLUDING SELF-BUILD/CUSTOM BUILD HOMES & AROUND 3HA OF NEW EMPLOYMENT PROVISION, MIXED-USE LOCAL NEIGHBOURHOOD CENTRES, NEW RETAIL, BUSINESS, COMMERCIAL & COMMUNITY USES, NEW & EXPANDED PRIMARY SCHOOLS, NEW PUBLIC OPEN SPACE & OUTDOOR SPORTS FACILITIES, INCLUDING AN ALL WEATHER 3G SPORTS PITCH, THE PROVISION OF PLOTS FOR TRAVELLING SHOW PEOPLE, NEW ECOLOGICAL AREAS, ALLOTMENTS, WOODLANDS & OTHER PUBLIC AREAS, NEW PEDESTRIAN, CYCLE & VEHICULAR ACCESSSES AND MOVEMENT NETWORKS WITHIN THE SITE, ASSOCIATED DRAINAGE AND SUD'S INFRASTRUCTURE, UTILITIES, ENERGY AND WASTE FACILITIES ALL MATTERS RESERVED FOR LATER APPROVAL, APART FROM WORKS IN CONNECTION WITH THE ASSOCIATED PRIMARY AND SECONDARY ACCESS JUNCTIONS AT THE A10/A117/MOLES FARM INTERCHANGE AND THE ACCESS JUNCTION AT THE B1004 AT WIDBURY HILL AND AT FANHAMS HALL ROAD.

B) FULL PLANNING APPROVAL FOR INTERNAL HIGHWAYS WORKS RELATING TO THE CONSTRUCTION OF STAGES 1A AND 1B OF THE SUSTAINABLE TRANSPORT CORRIDOR, LINKING THE A10/A1170 TO THE B1004, VIA THE NEW ACCESS JUNCTIONS, AS DEFINED ON THE MOVEMENT AND ACCESS PARAMETER PLAN AND THE DETAILED ACCESS PLANS. REF: 3/22/2406/FUL.

LAND NORTH AND EAST OF WARE (WARE2) WARE HERTFORDSHIRE.

Presented by Head of Planning

SUMMARY

This is a hybrid application for a residential-led mixed use development of up to 1,800 new market and affordable homes and around 3ha of new employment provision, new retail, business, commercial and community uses, new and expanded primary schools, a new secondary school and new public open space on land North and East of Ware. The application site does however falls within the parameters of the mixed-use site allocation identified within the East Herts District Plan (October

2018) under Policy Ware2 for Land North and East of Ware.

The application site is located outside the Regional Park but close to existing Public Right of Way (PRoW) that connect into the Regional Park at Amwell, and along the Navigation towpath at Ware. There are concerns that the proposed development will result in significant impacts on the Lee Valley SPA/Ramsar site and Amwell Nature Reserve and Site of Special Scientific Interest (SSSI) in terms of additional recreational pressure and air quality degradation and that construction traffic will impact public access into the Park along the PRoW due to the location of a proposed new junction off B1004/Widbury Hill into the development site.

A holding objection is proposed to enable further information to be provided by the applicant in order to determine the significance of these impacts and the scope for mitigation.

RECOMMENDATIONS

- Members Approve:
- (1) that East Herts Council be informed that whilst the Authority recognises the principle of a residential led development in accordance with Policy WARE2 on the application site, it places a holding objection on the application on the grounds that:
 - (a) the proposed development could have significant impacts on the Lee Valley SPA/Ramsar site and Amwell Nature Reserve and SSSI in terms of additional recreational pressure and air quality degradation and that further information is required in order to determine the significance of these impacts, the scope for mitigation and the mechanisms for delivery and maintenance of the mitigation;
 - (b) consideration should be given to routing all construction and enabling traffic via the A10/Mole Farm access in the north to safeguard access into the Regional Park from Widbury Hill;
 - (c) improvements to the pedestrian and cycle safety should be incorporated into the design of the new signalised junction from Widbury Hill so that people can use the PRoW safely including crossing between the application site and the Regional Park;
 - (2) should the Council be minded to grant permission the Authority would wish to see the following conditions attached requiring:
 - (a) the allocation of Section 106 monies to the Lee Valley SPA/Ramsar site at Amwell Nature Reserve and SSSI, in order fund habitat enhancements and visitor infrastructure improvements to mitigate for the increased

recreational and air quality impacts. The Authority would wish to liaise with the Council, Natural England and the HMWT on the package of mitigations measure required, the overall cost of implementation and the timing of delivery so that mitigation is delivered early in the development process;

- (b) all construction traffic to be routed via the A10/Mole Farm site access in the north to ensure the safety of visitors to and regular users of the Regional Park accessing the Park from the B1004/Widbury Hill;
 - (c) further detail to be provided for pedestrian and cycle access as part of the new signalised junction from Widbury Hill to enable safe use of the existing PRow including the crossing between the application site and the Regional Park; and
- (3) that East Herts Council be informed that the Authority would wish to be consulted on the above matters in due course.

BACKGROUND

1 Location

The application site covers an area of 141 hectares and is located outside the Regional Park to the north and east of the town of Ware. It comprises primarily agricultural land with areas of woodland and hedgerows, Public Rights of Way (PRow), and bridleways. The site also includes the Bourne watercourse and the Fanhams Tributaries in the north east. The existing primary access to the site is via the junction of the A10/A1170/Moles Farm interchange to the west. In the south east access is also proposed from the B1004 Widbury Hill. Please refer to the Plan at Appendix A to this report.

- 2 The northern section of the Regional Park is located adjacent and to the south of Ware and the Lee Navigation towpath provides direct access into the town itself. The Park boundary is defined in the north by the B1004 Widbury Hill. This intersects with Hollycross Road, a few meters away from the eastern extent of the application site and proposed access. Hollycross Rd then continues south to Stanstead Abbots and defines the north east boundary of the Park.

- 3 The area of the Regional Park which lies closest to the application site, i.e. land to the north east of the Lee Navigation is characterised by open farmland, woodland, extensive waterbodies (such as Tumbling Bay and the River Lea) and the Amwell Nature Reserve and SSSI. The Herts and Middlesex Wildlife Trust (HMWT) own and manage the Amwell Nature Reserve, although the Authority owns and is responsible for the Amwell Walkway which offers an attractive route into the site off from Hollycross Rd via a joining access track. Amwell Nature Reserve and SSSI forms part of the Lee Valley SPA/Ramsar site.

- 4 Public Rights of Way connect through into the Park and the Amwell Nature Reserve from the farmland within the application site (a distance of approximately 1km) and the Navigation towpath is a popular public access route linking the Park with Ware and the station. Please refer to the Plan at Plan B Using existing PRow it take approximately 10 to 15 minutes or so to walk from the south eastern part of the proposed development into the Regional Park.
- 5 It should be noted that the application site boundary falls wholly within the parameters of the mixed-use site allocation identified within the East Herts District Plan (October 2018) under Policy Ware2 Land North and East of Ware.

DESCRIPTION OF THE APPLICATION PROPOSALS

- 6 The hybrid application proposes the construction of a new urban extension which wraps around the northern and eastern sides of Ware. The proposals comprises primarily residential uses (up to 1,800 units), specialist housing for older and vulnerable people, retail, business and commercial land uses, new community uses, new primary and secondary school provision, land allocated for Travelling Showpeople, new public open space and sports pitch provision. New ecological areas, allotments and public realm are also proposed together with the construction of a Sustainable Transport Corridor (STC). The development is to be delivered as four distinct neighbourhoods, Moles Farm Neighbourhood in the north west, Lower Fanhams and Priors Wood Neighbourhoods in the north and north east, and in the south east and situated closest to the Park, the Widbury Neighbourhood. Please refer to the Illustrative Masterplan attached at Appendix C.
- 7 Maximum areas for the proposed land uses are set out as follows; approx. 60ha for residential, 4.62ha mixed use, 13ha for education, 1.79ha for Travelling Showpeople and 48ha of new public open space plus approx. 12ha of existing open space. Infrastructure including the Sustainable Transport Corridor (STC) requires 7.47ha. The residential component will contain a mixture of one to five bed properties and a mix of market and affordable units. The proposals provide for 40% affordable housing, 20% as first homes, 60% affordable rent and 20% shared ownership. Building heights proposed for the development range from two storeys to up to four storeys.
- 8 The proposal for up to 1,800 new homes represents a 20% uplift in the number of new homes relative to the position set out in the WARE2 policy. This specifies a minimum of 1,000 new homes plus a further 500, subject to suitable highway mitigation measures. The applicant has made a case that Policy WARE2 does not impose any ceiling on housing numbers and so does not preclude higher numbers of new homes in principle. The applicant considers that the updated transport modelling and the implementation of a new STC enable the increased number of new homes to be delivered on the Site. A Transport Assessment (TA), a Sustainable Transport Strategy and a Framework Travel Plan have been produced in support of this approach.
- 9 The aim is to promote sustainable methods of travel and as such public transport, cycling and walking are prioritised over car use. A new bus service will be implemented to serve the site and will operate a circular route running along the Main Street/STC through the centre of the site and include stops at Ware station, Ware Town Centre and other key destinations. Other proposals include implementation of a Ware wide cycle hire scheme providing pedal and e-bikes at key locations across the development and town centre, and a car club

scheme, for use by existing and future residents.

10 Access and Transport

The application seeks outline approval of the parameters of the development described above with the exception of the means of access which is sought in detail. The detailed element of the application comprises:

- the primary access routes into and out of the site. In the north-west this will be via an upgraded access route at the existing roundabout from the A10/A1170 Wadesmill Road/Moles Farm Interchange and in the south via an upgraded primary access from the B1004 Widbury Hill including a new signalised junction;
- the new sustainable transport corridor will run through the site. The sections between the A1170 Wadesmill Road, (close to A10 in the north west) to just east of Fanhams Hall Road, Stage 1A, and in the south Stage 1B from the B1004 Widbury Hill to the existing PRow (Ware Town Footpath 12) are submitted in detail; and
- secondary access to serve the Travelling Showpeople plots located to the north of the A1170 Wadesmill Road, close to the A10.

11 An Access and Movement Parameter Plan is included as part of the application. It shows how the development will incorporate and enhance the existing Public Rights of Ways (PRow), pedestrian and cycle connections which cross the site, with indicative routes shown for new footpaths and cycleways through the site. The TA confirms the intention to retain the current alignment of the PRow routes within and surrounding the site and to improve them where appropriate. Proposals for each PRow will come forward at the reserved matters stages and the allocation of funding for wayfinding initiatives and improvements has been agreed in principle.

12 The Planning Statement considers the TA to have demonstrated that the anticipated trip generation from the proposed development will not result in a material impact in journey times on the highway network from 2029, following completion of the new Main Street/STC, when reasonable assumptions for mode shift are applied. Reference is also made to the supporting package of design mitigation measures included in the planning submission, with an emphasis on improving the existing situation for general traffic, by providing an alternative route to the A10 and improving access and provision of bus, cycle, and pedestrian networks.

13 The applicant confirms via the TA that the impact of the development will be monitored over time, through traffic and passenger surveys as well as via feedback from the Travel Plan Coordinators. Additional funding will also be made available to deliver an enhanced package of mitigation measures throughout the life of the development should the anticipated modal shift or assumed distribution patterns not be achieved.

14 Landscape

The application is accompanied by a Green Infrastructure Parameter Plan which maps a variety of landscape features. These include but are not limited to:

- Open Space/Infrastructure (including public amenity space, informal open space, wildlife habitats, wetland areas, meadow land, woodlands, planted areas, retained trees, water bodies, drainage features, footpaths and cycleways and wildflower meadows;

- Pasture Areas (existing amenity to be retained and managed as wildflower meadows);
 - Formal Sports and Play Areas;
 - Allotments and community growing areas; and
 - Structural Planting.
- 15 The Proposed Development is interconnected through a network of green spaces which extend across the various phases of the site, providing public and private open space for residents and visitors to the site and connecting the different land uses to the areas of open space provided. The proposals also provide play space for children, which include 11 Local Equipped Area of Play, two Neighbourhood Equipped Area of Play and two Multi Use Games Areas. A Landscape and Ecological Management Plan will support the detailed design proposals for public open space as they come forward for consideration under the reserved matters process.
- 16 **Ecology**
The application is accompanied by an ecology and biodiversity assessment as part of the Environmental Statement (ES) which has considered the potential effects of the proposed development on statutory designated sites; in this case only the Amwell SSSI and Nature Reserve which forms part of the Lee Valley SPA and Ramsar site. In addition the potential effects on habitats and species present on-site were also considered and informed by a range of ecological surveys, including bat, bird, reptile and newts, badger, water vole, dormouse, invertebrates and hedgerow surveys.
- 17 This assessment found that during the construction phase there is potential for habitat loss within the extent of the construction activities on the site and disturbance to protected species as a result of increased noise, dust generation, lighting and increased human activity which may result in temporary disturbances to areas of deciduous woodland along the site boundary, the retained ponds and the traditional orchard. The applicant proposes to include a range of mitigation measures set out within the Construction Environmental Management Plan to minimise impacts as far as possible; for example vegetation clearance will be timed to avoid the main bird nesting season, all site operatives will be made aware of current legislation protecting bats and their roosts and site hoarding will be erected to protect areas where habitats are to be retained. The ES concludes that following the implementation of the above measures, potential impacts of the proposed development on ecological receptors during the enabling and construction phase are anticipated to be adverse but the effects are not considered significant.
- 18 In terms of the completed development the Ecology and Biodiversity Assessment considered impacts upon the Amwell Nature Reserve and SSSI/ Lee Valley SPA and Ramsar site, noting that these areas are *"vulnerable to recreational pressure as a result of increases in population nearby"*. However the assessment finds that the distance between the site and the SSSI/SPA and Ramsar site, combined with presence of roads, areas of woodland and residential dwellings, act as a barrier to movement. It also states that *"Furthermore, the Wildlife Trust and RSPB manage the site and control visitor numbers, to minimise potential recreational impacts."* Taking this into consideration in combination with the large areas of open space to be delivered as part of the development, the assessment concludes that significant effects are unlikely to occur.

- 19 A Biodiversity Net Gain Assessment (BNG) has been completed for the proposed development and this states that the development will deliver the minimum 10% net-gain in biodiversity required taking into account the proposed ecological and landscape measures set out in the Green Infrastructure Parameter Plan.
- 20 **Construction Phase and Enabling Activity**
The application proposes a phased delivery for the development over a period of 11 years. First occupation is assumed to be in 2025 and completion in 2035. Four main phases are envisaged each with sub phases and development proposed within each identified phase will take place simultaneously across a number of locations within the site. The STC will be delivered in Stages which will overlap with the development phases.
- 21 The ES Non-Technical Summary states that the enabling and construction activities associated with the proposed development, will result in an increase in the number of vehicles on surrounding roads. The peak construction traffic is anticipated to be in Year 5 (2029) when the construction of the sustainable transport corridor and proposed development are all occurring at the same time. It is anticipated there will be a maximum of 216 Heavy Goods Vehicles (HGV) movements a day during this period. It states that the majority of the construction HGV traffic movements will occur outside the highway network peak periods and will be required to follow a specific construction traffic vehicle routing to minimise any impact.
- 22 It is proposed that a Construction Logistics Plan/Construction Traffic Management Plan will be prepared and implemented during the enabling and construction phase of the development, in agreement with East Herts District Council and/or Hertfordshire County Council. This will include measures to minimise the effects from enabling and construction traffic. The ES concludes that with these Plans in place the potential effect related to severance as a result of construction traffic is likely to remain negligible to adverse, but is not considered significant.
- 23 **Air Quality**
The ES notes that the development proposal will lead to changes in traffic flows on roads which pass within 200m of a designated nature conservation site – the Lee Valley SPA/Ramsar site and Amwell SSSI. Road traffic can emit nitrogen oxides (NOx) and ammonia, the deposition of which can alter the nutrient and acidity balance of some ecosystems, causing changes to their composition and health. It states that the proposed development will lead to increases in concentrations of NOx and ammonia, and nutrient nitrogen and acid deposition by more than 1% of the critical levels and loads in part of the SPA. The ES notes that the area affected represents 0.3% of the SPA unit and comprises the wooded verge at the edge of the road which is of limited importance to the overall integrity of the SPA. It therefore concludes that the effects of the proposed development on biodiversity can be screened out.

POLICY CONTECT

- 24 **Local Plan**
East Herts District Plan includes Policy WARE2 which allocates land to the North and East of Ware as a mixed-use development site, to accommodate at least 1,000 new homes by 2033. It also allows for an additional 500 dwellings to be delivered in this location in the event “*that suitable mitigation measures to*

identified constraints on both the local and wider strategic road networks can be identified and agreed by Hertfordshire County Council as Transport Authority". The development is also expected to address a number of other issues including "sustainable transport measures, both through improvements to the existing walking, cycling and bridleway networks in the locality and through new provision, which should also provide links with the adjoining area and the town centre" (Policy WARE2 V.(1)).

- 25 Policy NE1 International, National and Locally Designated Nature Conservation Sites states that development proposals, which are likely to have a detrimental impact which adversely affects the integrity of a designated site, will not be permitted unless it can be demonstrated that there are material considerations which clearly outweigh the need to safeguard the nature conservation value of the site. Policy NE1 bullet IV seeks to ensure proposals avoid impacts on sites of nature conservation value and *"where adverse impacts are unavoidable, measures to mitigate the impact will be sought, commensurate to the importance of the site in terms of its status in the hierarchy and the contribution it makes to the wider ecological networks."* Green Infrastructure Policy NE4 bullet IV identifies that proposals which affect the district's river environments, *"should take into account and contribute towards achieving, the aims of any statutory or non-statutory plans, such as the Lee Valley Regional Park Authority Park Development Framework"*.
- 26 Policy CFLR5 The Lee Valley Regional Park sets out the District Council's policy in support of the Lee Valley Regional Park Development Framework, which will be treated as a material consideration in the determination of planning applications in this area.
- 27 PDF Area Proposals 'Amwell and into Ware' under 8.A.2 Biodiversity state that the Authority will work in partnership with HMWT to protect Amwell SSSI (part of the Lee Valley Special Protection Area 2000) as an internationally important wetland with priority given to the key habitats, of standing open water, reedbed and wetland scrape. Future management of the site to be focused on maintaining the 'favourable' status of the site as required by Natural England with reference to the Lee Valley SPA Site Improvement Plan and to supporting the nationally important numbers of wintering wildfowl, along with outstanding assemblages of breeding birds, and of dragonflies and damselflies. Access to Nature proposals aim to support the *"enhancement and ongoing maintenance of visitor facilities at Amwell Nature Reserve, including the path network, bird hides and interpretation"*.
- 28 Visitor Proposals identify the potential to establish a primary gateway for the Park at Ware, including through the provision of new signage and public realm enhancements to celebrate the start and end of the Park adjacent to the Lee Navigation and Amwell End and to promote Ware Station as the northern gateway to the Park. Sport and Recreation Proposals seek to maintain and improve pedestrian and cycle routes for informal recreation and promote circular routes, linking to public rights of way outside the Park boundary.

PLANNING APPRAISAL OF PROPOSED APPLICATION/DEVELOPMENT

- 29 The principle of a mixed use residential led development on land to the north and east of Ware has been established by the District Plan policy WARE2 and the accompanying allocation on the Policies Map. Although the policy position is clear and the application site located outside the Regional Park, the following

issues are relevant in terms of the Park:

- impacts on the Lee Valley SPA/Ramsar at Amwell Nature Reserve and SSSI (and associated habitats at Tumbling Bay), resulting from increased recreational pressure and whether suitable mitigation is included as part of the application.
- Transport associated impacts particularly during the construction phases and from additional traffic using the new proposed junction and access into the site from B1004/Widbury Hill which lies in close proximity to public access points into the Park.
- Improvements to connectivity with and access into the Park for pedestrians and cyclists,
- Air quality concerns in relation to the SPA/Ramsar arising from increased traffic.

Visual impacts on the Regional Park will be minimal given that the proposed development is located to the north and east of Ware and is generally of a scale that matches the existing residential areas.

30 Ecology

The ES (and Shadow HRA) in assessing the impacts of the completed development, recognises the Amwell Nature Reserve and SSSI / Lea Valley SPA and Ramsar site, as *“vulnerable to recreational pressure as a result of increases in population nearby”*. The ES has however ruled out any significant effects on the Park, the designated habitats and species citing the distance between the application site and the SSSI/SPA/Ramsar site combined with the presence of roads, areas of woodland and residential dwellings as a barrier to movement. It also states that as the SSSI is managed by the HMWT and RSPB visitor numbers can be controlled to minimise potential recreational impacts. No mitigation is proposed to address potential impacts within the Regional Park.

31 These findings are based on incorrect information. The Amwell Nature Reserve and SSSI which forms part of the Lee Valley SPA and Ramsar site, lie within a short 10 to 15 mins walking distance from the eastern portion of the application site. Natural England in their response to the application note that the footpath between the application site and the SSSI is about 1km *“and therefore within walking distance”* and that at its furthest point Amwell *“lies approximately 3.5 km away from the site of development”*. These are well established and well used PRoW and include circular walking route options. It is unlikely that the presence of roads will deter use. The Lee Navigation towpath also provides direct access for both pedestrians and cyclists into the Park at Amwell from Ware town and again is a short walking distance from the proposed development.

32 The Amwell Nature Reserve and associated areas of the Park are therefore likely to be popular and regular destinations for new residents and a focus for recreational activity including walking, dog exercising, cycling and enjoying nature. The increase in footfall and activity within the Regional Park is likely to be significant given the proposal for 1,800 new dwellings (a conservative estimate of numbers based on unit size indicates between 4000 and 5000 new residents) and together with the regularity of use will have an impact upon the existing habitats and visitor infrastructure. Officers are particularly concerned about the increased use of the Nature Reserve for dog walking as this matter is difficult to manage and unleashed dogs can cause considerable disturbance to wildlife using the lakes at the nature reserve as well as the site's infrastructure. There is also the potential for increased anti-social behaviour – dog fouling,

vandalism, littering which would require additional management.

33 Officers have liaised with Natural England (NE), the Environment Agency (EA) and HMWT on this matter. The HMWT do manage the Nature Reserve but have confirmed that they are not able to 'control' visitor numbers as the site is open to the public and free to enter. Likewise the Authority does not restrict access along Amwell Walkway and whilst there are some 'control structures' in place such as fences, signage, and viewing areas, given the likely increase in visitors/users mitigation would need to be put in place to maintain and enhance managed access to Amwell.

34 Natural England in their response to the current consultation have stated that the application as submitted could have significant effects on Lee Valley SPA/Ramsar and Amwell Quarry Site of Special Scientific Interest (SSSI) and that further information is required in order to determine the significance of these impacts and the scope for mitigation. Specifically they have stated that:

"The notified features of the SSSI are sensitive to recreational pressure hence the effects of increased pressure associated with the proposed development should be considered further."

Officers endorse these comments. The applicant needs to give further consideration to the recreational impacts of the completed development on the SPA/Ramsar and Amwell Nature Reserve/SSSI and propose appropriate mitigation measures. Officers would be willing to liaise with the Council, NE, HMWT and the applicant to determine appropriate measures to adequately address additional visitor pressure.

35 Robust visitor infrastructure within and adjacent to the SPA will be needed to mitigate the potential impacts of disturbance. Amwell Nature Reserve is a key site for protection but the importance of the buffering effect of adjacent waterbodies and land such as Tumbling Bay and Amwell Meadows should not be overlooked. Enhanced infrastructure such as fencing to restrict access to sensitive features, upgraded footpaths, boardwalks and hides to facilitate managed access to the area should all be considered. Awareness raising is also a key issue as potential impacts could also be successfully mitigated through behavioral modifications of visitors, this could be achieved by provision of homeowner information or increased direct engagement through events or activities in the area. Undertaking habitat enhancement work will also contribute towards the robustness of the site and provide enhanced refuge areas in the event of disturbance to one part of the site.

36 In anticipation of future discussions regarding visitor pressures and impacts the HMWT have produced a schedule of projects for the nature reserve that would help to mitigate for recreational pressure and improve the robustness of habitats and enhance visitor infrastructure at a cost of circa £145,000. However until the applicant supplies further information as requested by NE the scope of the impacts and mitigation is unclear. Similarly the extent of mitigation required within the Authority's landholding has yet to be decided or costed but would need to cover improvements to visitor infrastructure, including enhanced signage along Amwell Walkway, replacement fencing and improvements to the Amwell picnic area (to draw people away from the SPA).

37 The Authority should seek financial contributions to enable a package of mitigation measures to adequately address additional visitor pressure, to be delivered through a Section 106 agreement, should the Council be minded to

grant consent. As suggested above these measures would need to be based on further discussions with the Council, NE and HMWT and other stakeholders. Vital to the success of the mitigation is having measures in place early in the development timeframe and therefore the release of funds should be required at construction stages rather than occupation triggers.

38 Pedestrian/Cycle Access and Transport Associated Impacts

The ES includes traffic flow calculations based on the completed or operational stage of the proposed development. These show that Widbury Hill and Hollycross Rd experience a 10% and 14% increase in traffic flow respectively once the development is completed, (ES Main Report page 113) a change of <30%, which is considered to be a negligible change and not significant. The development also proposes a signalised junction on B1004/ Widbury Hill to provide access into the application site as part of the Widbury Gateway. This is located in close proximity to existing PRow which provide access through to the Regional Park. It is difficult to assess how these two changes to the highway network will impact the Park and the entrance points into the Amwell area, but there is an opportunity here for development to deliver improvements to pedestrian and cycle movement between the application site and the Regional Park and ensure safe access and pedestrian/cycle movement.

39 At the 'Widbury Gateway' in the south east of the site existing PRow alignment is shown in the TA assessment as clashing with the proposed new road junction into the site. The new signalised junction should take into account the needs of people using the PRow at this point and put in place the required infrastructure to ensure safe crossing points. Ideally this should be included as part of the detailed element of the application. If however the Council consider this is a matter to be resolved at the reserved matters stage, then a condition should be attached on any grant of consent to ensure the provision of a safe route from the development and across the main road (B1004/Widbury Hill) through into the Regional Park, utilising the existing PRow network. Improvements to local wayfinding should include signage for the Regional Park at this point and in relation to the other two access points; further south along Widbury Hill (PRow 021) and from Ware town onto the Navigation towpath.

40 The enabling and construction phase of the development does give rise to serious concerns, as the impacts are likely to be spread across a number of years. Peak construction traffic is anticipated in Year 5 (2029) when both the STC and proposed development are underway simultaneously. The ES anticipates a maximum of 216 Heavy Goods Vehicle movements per day during this period. The ES Non-Technical Summary also states that:
"prior to the implementation of a Construction Logistics Plan and/or Construction Traffic Management Plan, the impact of construction vehicle movements in terms of severance would be significant and adverse".

41 The TA states that the full details of the construction methodology is unknown at this stage but also includes a proposed construction schedule with proposed construction access routes aligned to the various phases of the development. The majority of the development phases show that construction traffic will be routed through from the A10 in the north. Only Phases 1C and 3A part of the Widbury Neighbourhood will be accessed via Widbury Hill and the High Street. Further calculations are included to provide an example of HGV trips, plus employee trips each day for each phase according to the number of units under construction. In 2025 it is anticipated that 25 units will be constructed as part of Phase 1C and that this will equate to a total of 44 (2-way) trips per day from the

Widbury Hill entrance.

- 42 Given the proximity of the Regional Park to the proposed Widbury Hill site entrance and the existence of PRoW and access points into the Park at this point, all construction and enabling traffic should be routed via the A10/Mole Farm entrance in the north to ensure the safety of visitors to and regular users of the Regional Park. The removal of additional construction and employee traffic would also assist with issues relating to air quality which are discussed below.
- 43 **Air Quality**
The Authority is not an expert in air quality matters and impacts. However a Site Improvement Plan (SIP) has been drawn up for the Lee Valley SPA (as is the case for all Natura 2000 sites). The SIP provides a high level overview of both current and predicted issues affecting the condition of the SPA. Air pollution, notably the risk of atmospheric nitrogen deposition had been identified as a threat to Bittern. Public access/disturbance is also noted as a threat to all the key species (bittern, Gadwall and Shoveler).
- 44 The ES has concluded that the air quality effects of the proposed development on biodiversity can be screened out. NE take a different view in their response to the application. They advise that the wooded verge at the edge of the road (B1004 Widbury Hill) is still part of the SSSI and that this impact should be fully assessed. NE have also requested further detail on traffic-related increases in ammonia levels associated with the proposed development in order to fully consider the effects on Lee Valley Ramsar/SPA and Amwell Quarry. This is due to the sensitivity of the wetland habitats to ammonia levels. The request for further detail on air quality impacts and traffic related increases in ammonia levels is supported. The Authority should be consulted on this additional information in due course and will liaise with NE as to any adverse effects and mitigation required, particularly in relation to the SIP.
- 45 **Conclusion**
The principle of residential led development in accordance with policy designation is accepted for land to the north and east of Ware. However the development proposals as currently presented propose a significant uplift in the number of units compared to the current District Plan allocation and raise a number of issues in terms of how the development of 1,800 new dwellings might impact upon the Park. Of particular concern are the recreational and air quality impacts on the Regional Park's designated sites the Lee Valley SPA/Ramsar site and the Amwell Nature Reserve and SSSI. Achieving safe public access from the development and into the Park is also a matter requiring further consideration by the applicant. For these reasons a holding objection should be made to the current application until further information is supplied on the above points for consideration by the Authority, NE and HMWT.

ENVIRONMENTAL IMPLICATIONS

- 46 These are addressed in the body of the report.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 48 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.
- 49 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Consultation by East Herts District Council

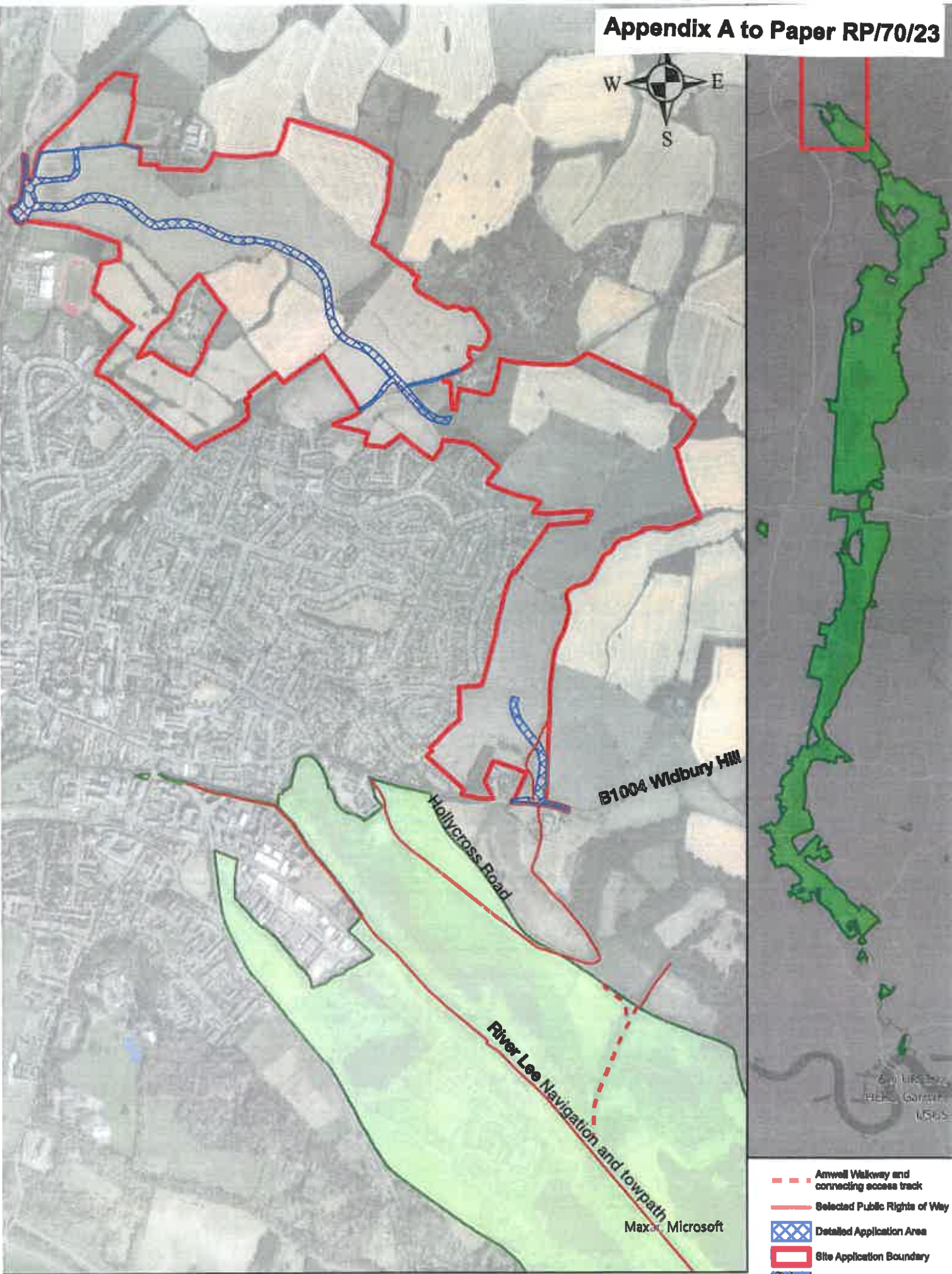
Jan 2023

APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Regional Park area close to eastern extent of application site
Appendix C	Illustrative Masterplan

LIST OF ABBREVIATIONS

PRoW	Public Right of Way
SSSI	Site of Special Scientific Interest
HMWT	Herts and Middlesex Wildlife Trust
STC	Sustainable Transport Corridor
TA	Transport Assessment
ES	Environmental Statement
SPA	Special Protection Area
BNG	Biodiversity Net Gain
HGV	Heavy Goods Vehicle
NOX	Nitrogen Oxides
EA	Environment Agency
SIP	Site Improvement Plan
NE	Natural England

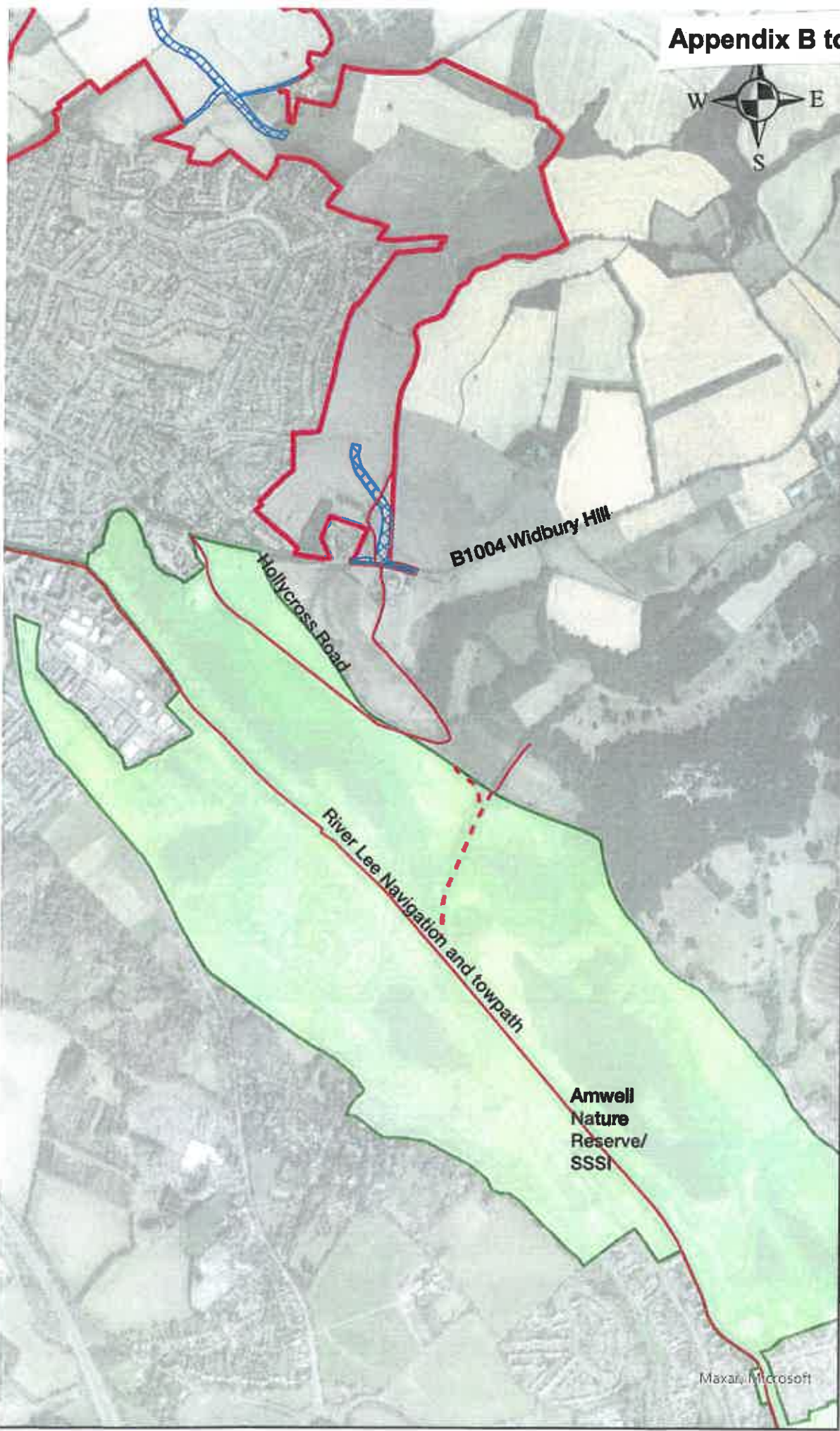


- - - Amwell Walkway and connecting access track
- Selected Public Rights of Way
- ▨ Detailed Application Area
- Site Application Boundary
- Park Boundary

**Planning Consultation by East Herts District Council
Land North and East of Ware**



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- - - Amwell Walkway and connecting access track
- Selected Public Rights of Way
- Detailed Application Area
- Site Application Boundary
- Park Boundary

**Planning Consultation by East Herts District Council
Land North and East of Ware (South Eastern portion)**

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Illustrative Masterplan