

To: David Andrews (Chairman) Heather Johnson
Chris Kennedy (Vice Chairman) Graham McAndrew
Ken Ayling Gordon Nicholson
John Bevan Paul Osborn
David Gardner John Wyllie
Calvin Homer

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

THURSDAY, 23 NOVEMBER 2023 AT 12.00

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 19 October 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 **PLANNING CONSULTATION BY BROXBOURNE
BOROUGH COUNCIL
USE OF SITE AS SCRAPYARD FOR END OF LIFE
VEHCILES WITH ASSOICATED WAREHOUSE SITE
OFFICE WEYBRIDGE AND LINDEMANN PROCESSING
INFRASTRUCTURE REF: 07/23/0798/F
AT RYE WORKS, RYE ROAD, HODDESDON,
HERTFORDSHIRE, EN11 0EG**

Paper RP/76/23

Presented by the Head of Planning

- 6 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.
- 7 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)**

- 8 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 November 2023

Shaun Dawson
Chief Executive

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION & PLANNING COMMITTEE MINUTES
19 OCTOBER 2023**

Members Present: David Andrews (Chairman) Calvin Horner
Chris Kennedy (Vice Chairman) Graham McAndrew
John Bevan Gordon Nicholson
David Gardner Paul Osborn
David Holliday (Deputy for Ken Ayling) John Wyllie

Apologies Received From: Ken Ayling, Heather Johnson

In Attendance: Susan Barker

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

Part I

195 DECLARATIONS OF INTEREST

There were no declarations of interest.

196 MINUTES OF LAST MEETING

THAT the Minutes of the Regeneration & Planning Committee meeting held on 21 September 2023 be approved and signed.

197 PUBLIC SPEAKING

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

**198 PLANNING CONSULTATION BY EPPING FOREST
DISTRICT COUNCIL**

Paper RP/75/23

OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE EXISTING BUNGALOWS AND THE CONSTRUCTION OF A CARE HOME CONSISTING OF A TWO STOREY BUILDING WITH A TOTAL OF 56 BEDROOMS, WITH ASSOCIATED LANDSCAPING AND A TOTAL OF 12 SINGLE STOREY BUNGALOWS ALONG THE SOUTHERN BOUNDARY OF THE SITE.
AT 83 OLD NAZEING ROAD, NAZEING, EN10 6RN –
REF: EPF/1189/23

The Head of Planning introduced the report informing Members that the gardens for this site sit in the Green Belt and it is located in the northern part of the River Lee Country Park.

REGENERATION & PLANNING COMMITTEE MINUTES 19 OCTOBER 2023

Whilst private land, it does provide an important part for both the landscape and ecology of the River Lee Country Park.

Members commented on whether the applicant might be trying to get this application through planning prior to new legislation coming into effect in January for Biodiversity Net Gain.

A Member expressed concerns that no amenity space had been provided and wondered whether there might be an opportunity to request S106 money. He further cautioned that this application is only outline and therefore the layout of the site might change and that a suitable landscape buffer and ecological surveys should be completed before a decision is made.

The Chairman suggested that the fact that the application site is in the Green Belt should be mentioned in the recommendation.

A Member commented that there is a legal requirement for care homes to have 1 parking space per 3 beds, this is to accommodate both staff and residents. This application will not have sufficient parking spaces.

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

Chairman

Date

The meeting started at 12.05pm and ended at 12.16pm.

 Lee Valley
Regional Park Authority

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

20 11 2023 AT 12:00

Agenda Item No:

5

Report No:

RP/76/23

**PLANNING CONSULTATION BY BROXBOURNE BOROUGH
COUNCIL**

**USE OF SITE AS SCRAPYARD FOR END OF LIFE VEHICLES WITH
ASSOCIATED WAREHOUSE SITE OFFICE WEYBRIDGE AND
LINDEMANN PROCESSING INFRASTRUCTURE REF: 07/23/0798/F**

**AT RYE WORKS, ROAD RYE, HODDESDON,
HERTFORDSHIRE, EN11 0EG**

Presented by Head of Planning

SUMMARY

This application seeks permission for the use of land at the former Turnford Surfacing site at Rye Road, Hoddesdon as a scrapyard for the processing of end of life vehicles. The site is located in the Regional Park adjacent to the River Lee Navigation and opposite the Rye House Gatehouse Grade I listed building and Scheduled Monument and the Rye Meads RSPB Nature Reserve and Site of Special Scientific Interest (SSSI), part of the Lee Valley Special Protection Area and Ramsar site. Broxbourne Council's Local Plan allocates the site for residential and mixed uses under Policy HOD4 although it is understood the application site has lawful use for general industrial B2 purposes.

The proposed use involves the depollution and then shredding of vehicles. This requires the development of a scrap processing plant including a 'Lindemann shredder' with structures of varying height located on the northern part of the site and at the southern end the development of a warehouse, material storage areas and office and welfare building.

The proposed development is contrary to Park Development Framework (PDF) Area Proposals 8.A.1 and raises a number of concerns about the visual and noise impacts of the scrapyard and end of life vehicles (ELV) processes, the increase in HGV movements and potential for pollution of the nearby River Lee Navigation. It is considered that the proposed development will have a negative impact on the adjacent recreational, heritage and ecological assets and visitor enjoyment of the Regional Park and for these reasons it is recommended that an objection be made to

the current application.

RECOMMENDATIONS

- Members Approve:**
- (1) that Broxbourne Borough Council be informed that the Authority objects to the application for the use of land as a scrapyards for end of life vehicle processing on the grounds that:
 - a) the proposal is contrary to Park Development Framework Area Proposals as they relate to Area 8.A.1 Rye Meads and Stanstead Abbots and the former Turnford Surfacing site;
 - b) the proposed development would have a negative impact on the visual and recreational amenity of the Park and the enjoyment of visitors due to its visual and noise impacts, the increase in HGV movements and potential for pollution, including light pollution, of the nearby River Lee Navigation;
 - c) further information is required in respect of views to and out from the Rye House Gatehouse to fully ascertain the extent or degree of any harm on the heritage assets at Rye House Gatehouse Scheduled Monument;
 - d) the application site is within close proximity to the Rye Meads Site of Special Scientific Interest and Lee Valley Special Protection Area (SPA) and a Habitat Regulation Appraisal (HRA) screening should be undertaken to ascertain whether there are any likely impacts on the SPA; and
 - e) an ecological assessment of the site and potential impacts on neighbouring habitats and wildlife is required in particular the use of the adjacent River Lee Navigation as a foraging and commuting route by bats. This assessment of the site and adjacent habitats should also identify opportunities for improvements in accordance with Local Plan Policy NEB1.

SITE CONTEXT AND DESCRIPTION

- 1 The application site is a narrow and linear parcel of land of approx. 1.09ha located within the Regional Park on the north east edge of Hoddesdon. The

River Lee Navigation and associated towpath border the eastern boundary of the site and separate it from the Rye Meads RSPB Nature Reserve, Rye House Quay and the Rye House Gatehouse; a Grade I listed building and Scheduled Monument. To the north of the site is an area of 2m high banking covered by tree and scrub growth with an area of rough grassland behind. The site's western boundary lies adjacent to the Hertford East branch of the West Anglian main railway line, beyond which there is a narrow strip of grassed embankment up to the New River channel. Behind this is the Plumpton Road Business Park. The River Lee Navigation forms the boundary between Broxbourne and East Herts District Council.

- 2 Vehicle access onto the site is from the south, off from Rye Road which becomes single carriageway in order to cross the New River, (4m wide) pass over the Railway Bridge (3.7m wide) and cross the Lee Navigation. There is currently no pedestrian access to the site but a narrow footway runs alongside the southern side of Rye Road from the south west. Rye House railway station is located immediately south of the road. Rye Road itself continues to the north west through to the Thames Water Sewage Treatment Works and links with the B181. To the south of the site via Fisherman's Way and Normandy Way is the Pindar Road Industrial estate. Please refer to the Plans at Appendix A and B to this report.
- 3 The majority of the site is laid to hardstanding enclosed by a chain linked fence and a metal security gate to the site entrance on Rye Road. Scrub, brambles and tree species grow alongside the fences and on the eastern boundary overhang the towpath and the Lee Valley Walk. Towards the northern half of the application site along the eastern boundary, the more mature self-seeded willows mirror the characteristic riverside vegetation lining the waterway on its opposite bank. The area of scrub and woodland immediately to the north is unmanaged providing a green wooded backdrop to the application site. It is understood that the site lies within Flood Zone 2 with a narrow strip of land to the east within Flood Zone 3a. The site is currently being used as car parking with 120 spaces provided for the employees of the nearby Hoddesdon film studios.
- 4 The whole site is located within the Regional Park – the Park boundary follows the railway line just beyond the western edge of the site, and a variety of ecological, heritage and leisure assets lie within close proximity to the site. As well as the above mentioned historic attractions of the Rye House Gatehouse and Quay, the Rye Meads Site of Special Scientific Interest (SSSI) and Nature Reserve, which form part of the Lee Valley Special Protection Area and Ramsar site lie approx. 40m to the east of the site. The Rye House Kart Raceway is less than 100 m away to south east. The towpath as part of the Lee Valley Walk is very well used by walkers and cyclists – it accommodates National Cycle route 61 and the waterway itself is popular for narrow boats with visitor moorings provided by both the Authority and Canal & River Trust (CRT).
- 5 **Site History**
The site has a history of industrial uses, primarily as a tarmac processing plant thought to have ceased prior to 2008, then as a car part/scrap yard, and between 2016 to 2019 as a storage and distribution depot for Wren Kitchens although this use was enforced against by the Council. It is understood from Broxbourne Borough Council that the lawful use of the site is for general industrial B2 purposes.

- 6 However, in 2010 Broxbourne Council's Strategic Housing Land Availability Assessment identified the site for possible housing development with the frontage set aside for commuter car parking for Rye House Station. The Authority strongly objected to this proposed use within the Regional Park, but in 2011, the Council adopted a Development Brief promoting the sites development as a high quality residential scheme overlooking the River Lee, with a commuter car park at the front of the site and an attractive gateway into the Lee Valley Regional Park. The residential use was endorsed by Broxbourne's Local Plan 2018 - 2033 which includes Policy HOD4 'Turnford Surfacing Site' and allocates the site for "around 40 dwellings and a small car park to serve Rye Park station".
- 7 In 2020 the Authority considered an application for a residential redevelopment on the same site which proposed a mix of one and two bed apartments, providing a total of 104 residential units in four blocks positioned across the site and a small commercial unit close to the entrance. Junction improvements to Rye Road and towpath improvements were also proposed, (Paper RP/43/20). Whilst the principle of residential development on the site was recognised, the Authority objected to the proposal on the grounds that it represented an overdevelopment of the site in respect of the height, scale and design of Blocks A and D which would impact upon the visual and recreational amenity of the Rye House Quay and the heritage assets at Rye House Gatehouse as well as views along the towpath and the ecology of the waterway wildlife corridor. Broxbourne Borough Council (BBC) recommended that planning permission be granted subject to the applicant completing a Planning Obligation under S106 of the Town and Country Planning Act 1990 [as amended].
- 8 It is understood this S106 was never signed. The residential development has not progressed and is now considered undeliverable. This position is explained in some detail in the planning statement for the current application as the applicant for the residential proposal is the same applicant now proposing the current scrapyards scheme.
- 9 The applicant has been unable to establish ownership of the unadopted Rye Road at the site frontage. This means no one has a duty to maintain it and the applicant is unable to make up or covenant to maintain it because such actions would amount to trespass. This has implications for residential purchases as lenders providing mortgages would "require conveyancers to confirm that residential units on the Site are either connected to a highway maintained at public expense, covered by an agreement and bond that contains adequate covenants and security for making up the road to an adoptable standard, or served by a private estate road for which there are adequate maintenance covenants by local residents or a management company" (legal advice quoted in Planning Statement pg 15).
- 10 The applicant considers it is not therefore possible to implement any residential scheme on the site. As an operator of a pre-existing scrapyards in Normandy Way (a short distance from the current application site) the applicant has decided to move the ELV facility from that site and expand it on the application site.

POLICY BACKGROUND

- 11 Local Plan policy is supportive of the Lee Valley Regional Park, which is considered an asset to the Borough (Local Plan Vision for the Broxbourne) and

Policy LV1 states that the Council will support the Authority in the continuing improvement of the Regional Park. The application site lies outside the Green Belt, and Broxbourne Local Plan 2018 – 2033 Policies Map identifies the application site as a residential and mixed use site allocation HOD4. Under Policy HOD4: Turnford Surfacing Site it states:

“The Turnford Surfacing Site is allocated for around 40 dwellings and a small car park to serve Rye Park station. Development should be of a suitable design and layout to enhance this gateway to the Lee Valley Regional Park and conserve the historic environment. Development should conserve and enhance the setting of the listed assets associated with the Rye House Gatehouse and Rye House public house. Further detail will be added through an update to the existing Development Brief”

- 12 Policy ED3 ‘Loss of Employment Uses - Rest of the Borough’ is also relevant given the lawful use. This seeks to protect existing employment use stating that development which results in the loss of employment use will only be permitted where retention for employment purposes has been fully explored and there is no reasonable prospect of the site being viable for reuse or any alternative employment use in the medium term, and continued use of the site for employment generating purposes is incompatible with surrounding land uses.
- 13 Policy NEB1: ‘General Strategy for Biodiversity’ seeks to ensure development proposals result in net gains to biodiversity wherever possible. Landscaping and biodiversity in new developments must be well planned to take account of connections to biodiversity features and habitat networks outside of the site, particularly through the use of a strong landscape framework and green infrastructure to strengthen and widen wildlife corridor; the practicalities of future management and maintenance are also important Policy NEB4.
- 14 Other policies of relevance include those relating to the water environment Policy W1 where the Council will resist any development which has an adverse impact on river channel quality and the potential to significantly damage wildlife habitats. A landscaped buffer strip of an appropriate size should be maintained alongside all main rivers and ordinary watercourses. Policy EQ3 seeks to reduce lighting overspill and pollution including consideration of whether there would be an unacceptable adverse impact upon biodiversity. The Council will also encourage the remediation of contaminated land to enable land is brought back into effective use, Policy EQ5: Contaminated Land.
- 15 Policy HE1: General Strategy for the Historic Environment, states bullet point I. “The Council will seek to ensure that development not only avoids harm, but also improves the setting of Broxbourne’s historic environment, and better reveals the significance of heritage assets.” The Rye House Gatehouse is located within East Herts District – their Local Plan policies on heritage are similar in that policy aims to protect heritage assets from substantial harm and ensure development proposals preserve and where appropriate enhance the historic environment (policy HA1 Designated Heritage Assets).
- 16 **Park Development Framework**
Park Development Framework proposals under 8.A.1 ‘Rye Meads and Stanstead Abbots’ identify the former or ‘ex Turnford Surfacing site’ as an important entry point into the Park. A high quality sustainable design is sought for the site. Development proposals will need to respond to the site’s waterside location, adjacent Scheduled Monument and related heritage assets, its

ecological potential and especially its proximity to protected sites of national and international sites of ecological significance. Pedestrian accessibility should be improved with a widening of the towpath and enhanced links through to Rye House Station and the relationship with the RSPB Rye Meads reserve enhanced with new interpretation and signage along the Toll Road. The Authority will be seeking benefits, financial or otherwise, to be negotiated as planning obligations in order to secure a development that complements and enhances the Regional Park, (Area Proposal 8.A.1 Visitors).

- 17 Habitat connectivity along the Navigation adjoining the ex Turnford Surfacing site is to be improved to complement the adjacent Rye Meads Nature Reserve. A dark corridor along the edge of the Lee Navigation is also sought to provide safe movement and a foraging corridor for bats. (Area Proposal 8.A.1 Biodiversity). Landscape and Heritage proposals also seek to protect views out from and to Rye House Gatehouse and enhance and preserve the setting of the Rye House Gatehouse.
- 18 Park Development Framework Strategic Policies provide guidance for development and land use change within and adjacent to the Park. Policy E2 states that development proposed within the Park "which could adversely impact on its amenity will be resisted or planning obligations sought in line with other policies within this Plan." Policy V1 is also relevant and is aimed at increasing the attractiveness and use of parkland to support the health and wellbeing of visitors from all communities. It states "Bring land into Park related uses and resist development of non-Park related uses unless they can make a significant contribution to the Authority's statutory purpose."

DESCRIPTION OF DEVELOPMENT

- 19 The application is for the use of land for the processing of end of life vehicles (ELV). This is an industrial process involving the depollution and then shredding of the vehicles, namely cars. Vehicles would be brought in and left at the southern end of the site and drained of all oils and other liquids to be packaged and disposed off-site appropriately. The vehicles would then be moved to the northern part of the site to be put through a 'Lindemann shredder' a metal shredder designed to quickly reduce scrap metal into a manageable uniform size and shape which can be easily sorted and recycled.
- 20 **Site Layout**
The plans submitted with the application show a site welfare office located on the southern part of the site with ancillary staff car parking (10 car parking and 10 cycle spaces), as well as a warehouse and weighbridge. The central part of the site is shown as largely open with scrap storage and the scrap processing facilities located in the northern part of the site. Reference is made in the planning statement to new planting on the eastern side of the site but no substantive detail is provided, please refer to the Proposed Block Plan at Appendix C to this report.
- 21 The welfare and office building will have a slate roof and walls consisting of black vertical composite cladding and red facing bricks, the warehouse roof is proposed as steel profile cladding and the walls steel profile sheeting. The total height of the warehouse is shown at 7.2m, and the welfare/office building at approx. 7.3m. The scrap processing plant located on the northern part of the site is a structure of varying heights anchored to the ground, the tallest element being at just over 18m with other elements at 17m, 14m and a conveyor belt at

8m. Embedded mitigation has been considered in the scheme in the form of a 4.2 m tall acoustic screen about the shredder processing unit. Surface water is to be disposed of via a sustainable drainage system although no details are provided.

22 Noise

A noise impact assessment has been submitted alongside the application. This states that the range of noise impacts for the proposed metal scrap yard development have been deemed acceptable with respect to overarching requirements for planning and noise. Section 6.6 states "It is expected that the development sound would be largely unnoticeable, or just perceptible during the most noise sensitive periods of assessment. If it is possible for the sound to be audible, it is not expected to cause any change in behaviour or attitude. The development could marginally affect the acoustic character of the area but not to the extent that there is a perceived change in quality of life."

23 Access and Transport

Vehicle access to the site will continue to be from Rye Road and the access road will be circa 6.0m wide as it enters the site with a turning circle provided within the site. Access to the site by vehicles such as an articulated car transporter will be made from Fisherman's Way. A single point of pedestrian entry to the site at its southern border with Rye Road is proposed. A hatched area denoting a pedestrian area will run along the access road through the site. 10 car parking spaces are proposed together with 1 short and 5 long stay cycle parking spaces comprising covered Sheffield stands.

24 The application is accompanied by a Transport Statement and Travel Plan. The Transport Statement concludes that the proposed use could be expected to generate 42 and 10 vehicle movements in the respective AM and PM peak hours, demonstrating a significant decrease in peak hour vehicle movement when compared to the existing car park use. It highlights the proximity of Rye House Station and the 410 bus route which serves the local area.

25 The business will employ 25 staff with an additional 15 part time staff at busy periods. Operating hours are given as between 7:00 to 18:00 Mon to Friday and 7:00 to 12:00 on a Saturday.

PLANNING APPRAISAL

26 This application proposes an industrial use within the Park on the former Turnford Surfacing site. It is understood this proposal has been made based on the site's lawful B2 use. The Local Plan however allocates the site for a residential and mixed use under Policy HOD4 and this policy position would have been adopted with a full understanding of the sites previous B2 employment uses. The Local Plan has a statutory status as the starting point for decision making (National Planning Policy Framework (NPPF) paragraph 12) and where a planning application "conflicts with an up-to-date development plan permission should not usually be granted." The Council will need to decide if the lawful use is a material consideration sufficient to indicate that the plan should not be followed in this case.

27 Irrespective of the above policy position the application proposal would reintroduce an industrial use onto a site within the Regional Park which has for some time been used mainly for low key temporary storage and more recently as a temporary car park. The matters for consideration therefore relate to:

- The appropriateness of this use in terms of the PDF Proposals;
- the impacts of the proposed use on visitor amenity and enjoyment of the Park including the nearby heritage assets at Rye House; and
- Its impacts on the ecology of the area, protected sites and species.

28 Assessment Against PDF Proposals

The proposed use of the site is not considered a Park-related use and it does not accord with the PDF Proposals. The PDF sets out criteria to guide "any development proposals put forward for the ex Turnford Surfacing site" recognising that given the previous industrial uses, the lawful B2 position and the Council's housing proposals for the site, securing a leisure or recreational use for the site might prove difficult. These PDF Proposals seek to ensure the sites importance as an entry point to the Park is recognised as part of any future scheme and that any proposed development responds to the site's waterside location, adjacent Scheduled Monument and related heritage assets, and its ecological significance and potential. The current application does not respond to the Park setting or address any of these criteria. As the applicant has explained the objective is to relocate an existing ELV facility and industrial process, moving it from a nearby industrial estate/site and onto the former Turnford Surfacing site where it can be expanded.

29 Visitor Amenity and Heritage

The application site, with its areas of hardstanding, perimeter fencing and security gates currently contributes little to the waterside environment and the local landscape character of the Park, particularly when viewed from Rye House Gatehouse and Quay, and the adjoining towpath. The proposed additions to the site – the Lindemann shredder, the 4.2 m tall acoustic screen, ELV storage, warehouse and office/welfare building will do little to improve this position and the combined effect is likely to have a negative impact on the visual and recreational amenity of the Park and its enjoyment by visitors.

- 30 The location of the shredder and scrap processing plant in the northern part of the site does to some extent shield it from view. This is due to existing boundary vegetation and the buffer this creates. It can also be argued that the most disruptive industrial processes are then positioned furthest away from the Rye House Gatehouse Scheduled Monument. The applicant proposes that as some of the plant structures will not present as solid structures views through will be possible.
- 31 Views out from the moated platform of the Rye House Gatehouse are limited at ground level by the mature trees within the site and around its perimeter especially the mature yew tree hedge along its western boundary. However, whilst overall the trees create a sense of enclosure that contributes to the setting and experience of the heritage assets there are gaps, for example in the yew hedge at the southern corner which allows views through to a block of flats south of the station and in the north west corner where the yew hedge stops. A proper viewpoint analysis is required to ascertain the extent or degree of any harm to the heritage assets and to satisfy the requirements of local plan policies.
- 32 It is clear however that the taller elements of the processing plant, at over 18m and 17m will appear above the tree line, with more of the structure visible in the winter months particularly for visitors using the towpath, River Lee Navigation and visiting Rye House Quay. The interior of the site is also visible to visitors

entering the Park from the south, from Rye Road and the bridge over the railway and again in the south east from Rye House Quay. No detail is provided as to the nature and type of tree planting proposed alongside the towpath boundary so it is difficult to assess how significant this will be in screening the site from the towpath and Rye House area.

- 33 Whilst there is uncertainty as to the visual impact on the Rye House Gatehouse Monument and its setting, the buildings and scrapyards structures are likely to impact negatively on the visual and recreational amenity of the Park and the experience of visitors entering the Park, using the towpath and River Lee Navigation and Rye House Quay.
- 34 The operation of the scrapyards and ELV processes are largely outdoors, five and a half days a week starting at 7am. This will draw attention to the site and impact upon visitor amenity and enjoyment of the Park due to noise pollution and traffic movements. The noise assessment has considered noise impacts in terms of a number of receptor points around the site but not specifically in terms of visitors to the Regional Park such as those walking along the towpath, boating on the Navigation or visiting the Rye Meads Nature Reserve (no assessment was made from within the RSPB Nature Reserve).
- 35 Although this is not a particularly tranquil part of the Park with the adjacent railway line and nearby karting circuit it is of concern that the proposed development will bring a new source of noise pollution into the Park and onto a site in close proximity to the waterside. Given that the existing daytime and early evening noise climate is likely to be constantly changing the introduction of a new scrapyards, with the various operations required to process ELV will be audible to those using the towpath and visitors to the RSPB reserve opposite. It is also likely to be noticeable from within the Rye House Monument open space.
- 36 Traffic movements although deemed to be less than those generated by the current car parking operation would see an increase in HGV movements – such as large articulated car transporters, which given the narrowness of Rye Road and lack of pavements will impact pedestrians and cyclists entering the Park and moving between the towpath, the pub and Rye House Quay and Gatehouse. This is contrary to PDF Area proposals which seek improvements to pedestrian accessibility with a widening of the towpath in this area and enhanced links through to Rye House Station and the RSPB Rye Meads reserve.
- 37 **Ecology**
The application site is located within close proximity to the Rye Meads SSSI, part of the Lee Valley Special Protection Area (SPA), designated for its nationally important wintering water bird interest. As such a Habitats Regulations Assessment (HRA) screening of the proposal should be undertaken to see if there are any likely impacts on the SPA. The RSPB in their response have highlighted the possibility of potential impact pathways such as noise from the site operations as the protected area and reserve are c40m away, and the potential for pollution entering the navigation and impacting the protected area here and downstream.
- 38 No ecological information has been submitted for the site itself, and as a material consideration this should be included at the application stage. Whilst the current ecological value of the site is probably low there is potential for impacts on neighbouring wildlife in particular the use of the river as foraging and

commuting routes by bats. Ecological surveys of and information about the site and its adjacent habitats should also identify opportunities for improvements in accordance with Local Plan Policy NEB1.

- 39 Any lighting used on site could have a negative impact on adjacent bat use particularly given the height of the some elements will emerge above the tree line. PDF Area Proposals identify the importance of providing a dark corridor along the edge of the Lee Navigation to provide safe movement and a foraging corridor for bats. (8.A.1 Biodiversity). A lighting Strategy should be provided to provide detail on this matter.
- 40 The proximity to the river with regard to potential pollution incidents is also of concern given one of the main processes on site will be to drain the vehicles stored on site of all oils and other liquids and package these to be taken off site. Detail is required as to how waste fluids and materials will be stored safely before being removed off site and how pollution will be prevented from entering the Navigation.
- 41 **Conclusion**
The proposed development is contrary to PDF Area Proposals 8.A.1 and there are concerns about the visual and noise impacts of the scrapyards and ELV processes, the increase in HGV movements and potential for pollution of the nearby River Lee Navigation. The application site is also within close proximity to the Rye Meads SSSI and Lee Valley SPA and a HRA screening should be undertaken to see if there are any likely impacts. It is considered that the proposed development will have a negative impact on the adjacent recreational, heritage and ecological assets and visitor enjoyment of the Regional Park and for these reasons it is recommended that an objection be made to the current application.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

- 43 There are no financial 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

Application Papers 23.096

October 2023

PREVIOUS COMMITTEE REPORTS

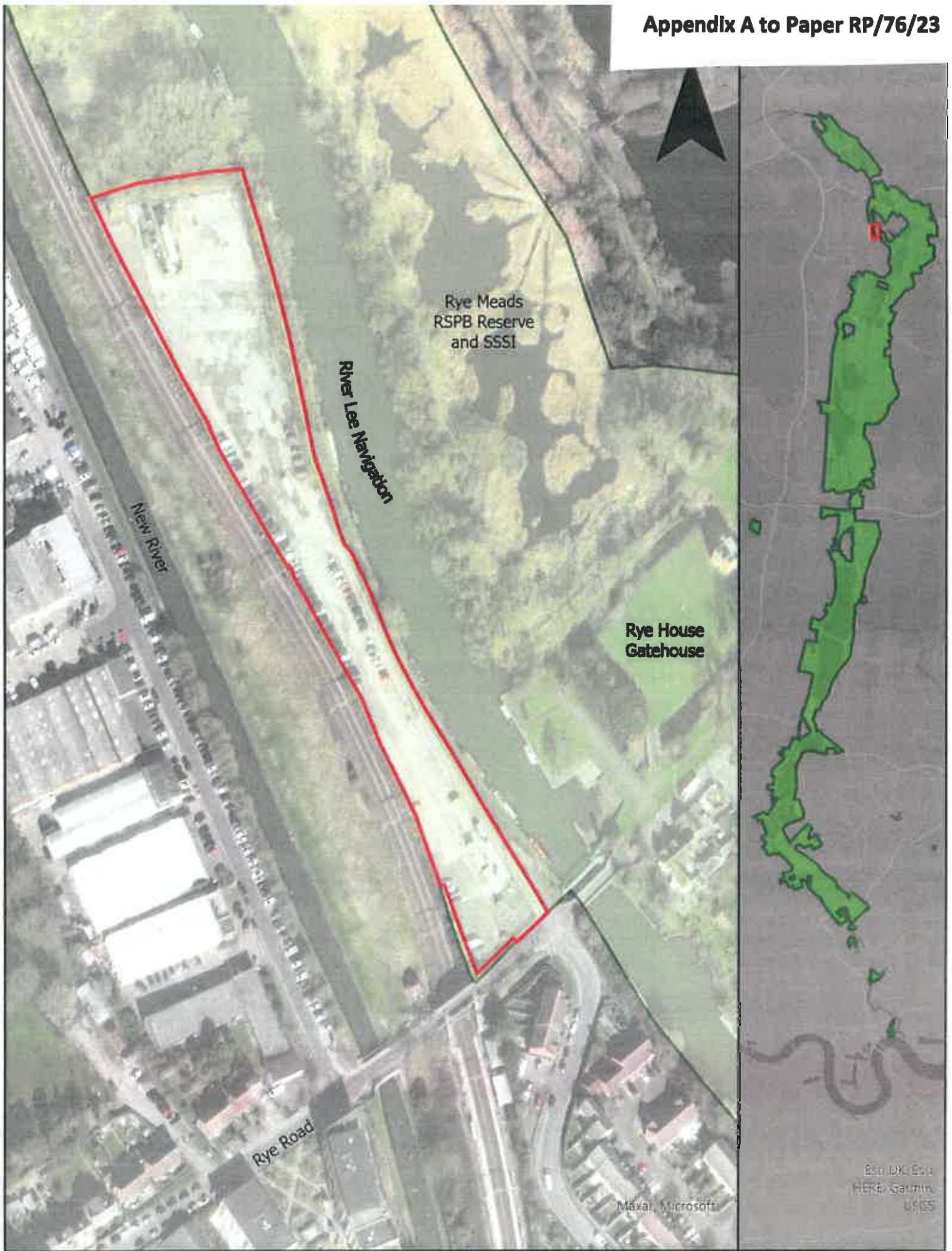
Regeneration & Planning Committee	Paper RP/43/20	Planning Consultation by Broxbourne Borough Council. Former Turnford Surfacing Site, Rye Works, Rye Road Hoddesdon EN11 0GR. Redevelopment of a Brownfield Site to Provide 104 Residential Units, Consisting of 29 One Bedroom Apartments, 62 Two Bedroom Apartments and 13 Three Bedroom Town Houses and One Small Commercial Unit for A1/ A2/ A3/ B1a/ D1 or D2 Use. Associated Junction Improvement Works to Rye Road/ Fishermans Way and Public Towpath Improvement Works.	24/09/20
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APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Context Plan
Appendix C	Proposed Block Plan showing site layout

LIST OF ABBREVIATIONS

SSSI	Site of Special Scientific Interest
PDF	Park Development Framework
ELV	End of Life Vehicles
HRA	Habitat Regulations Assessment
SPA	Special Protection Area
CRT	Canal & River Trust
BBC	Broxbourne Borough Council
NPPF	National Planning Policy Framework

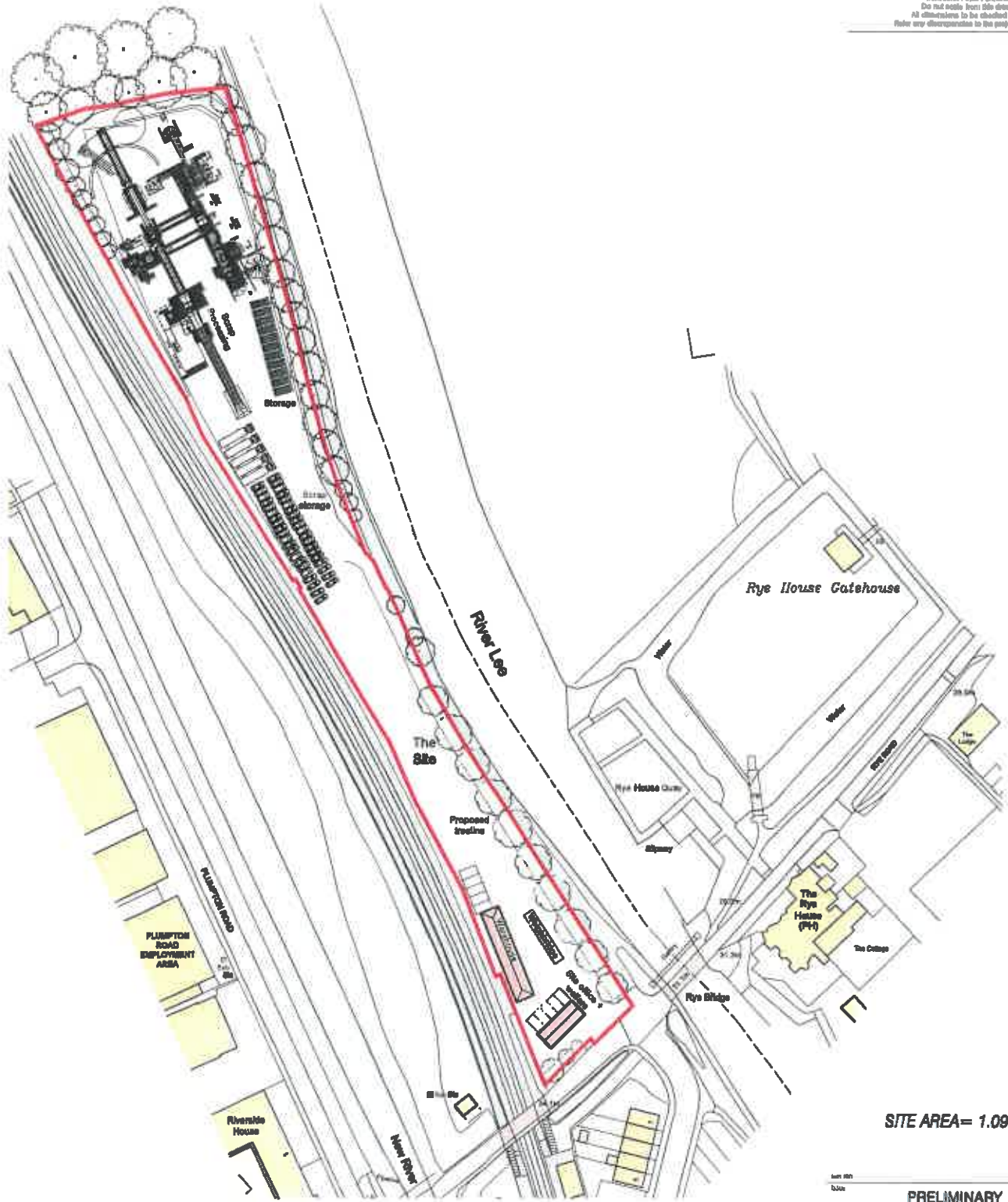




Maxar, Microsoft

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SITE AREA = 1.09ha

Scale
Date
PRELIMINARY

E & G Properties

Project
1 Fishermans Way, Hoddesdon, EN11 0GR

Title
Proposed Block Plan

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