

**PLANNING CONSULTATION BY
EPPING FOREST DISTRICT COUNCIL**

THE OLD WATERWORKS GREEN LANE, NAZEING, EN10 6RS

**PLANNING APPLICATION FOR USE OF EMPLOYMENT LAND AS A
CONSTRUCTION CONTRACTORS' COMPOUND WITH ASSOCIATED
STORAGE, AND PARKING INCLUDING ANCILLARY OFFICE
AND WELFARE ACCOMMODATION AND SINGLE AND
DOUBLE STACKED CONTAINERS**

Presented by Head of Planning

SUMMARY

This application proposes the use of designated employment land as a construction contractors' compound with associated storage and parking. The site forms part of the Old Waterworks site situated just off Green Lane and is located within the northern part of the River Lee Country Park and the Green Belt. It should be noted that the proposed use has been active for many years, most recently with the Environment Agency as a tenant. The site is now leased to a civil engineering contractor.

Whilst the proposed use is acceptable in principle given its location within an existing employment site, there is concern about the visual impact of the double stacked containers currently on site; the applicants offer to discuss possible alternative arrangements regarding their location within the site should be pursued by the Council to help mitigate any negative impact on the amenity of the Park and openness of the Green Belt. Conditions should also be attached to any permission granted to protect the ditch and associated habitats which lie alongside the site boundaries. These form part of a wider interconnected habitat that may be important for the movement of and use by protected species. Disturbance to these areas, including any pollution from water runoff or lighting should be prevented.

RECOMMENDATIONS

Members Approve: (1) that Epping Forest District Council be informed that the Authority has no objection in principle to the contractor's compound use within an existing

employment site but would wish to see the following conditions attached to any permission covering:

- a) the lowering or repositioning of the double stacked containers away from the southern boundary of the site in order to minimise the visual impact on the adjoining Regional Park areas;
 - b) a site management and safety plan and a drainage strategy to be agreed to avoid pollution and debris impacting the boundary ditch and its associated habitats;
 - c) a landscape condition to ensure the retention of the vegetation buffer along the boundary of the site with Green Lane;
 - d) a requirement that any existing lighting on site and any plans for future lighting of the site be designed so as to avoid light pollution and spill into surrounding areas and habitats and be submitted to the Council for approval in order to ensure adjacent habitats remain as dark as possible. In particular, a dark corridor to be maintained along Green Lane and the ditch habitat; and
- (2) the Authority should be consulted on the above details and plans in due course.

DESCRIPTION OF SITE, ITS PROPOSED AND CURRENT USE

- 1 The application site is situated on the eastern side of Green Lane south of the ribbon of residential properties that form part of Nazeing. It consists of an existing commercial compound which itself is part of a much larger well established commercial site known as the Old Waterworks site. It is located within the Regional Park and the Green Belt where it forms part of the River Lee Country Park. Please refer to the plan at Appendix A to this report.
- 2 The application site encompasses an area of 1635.00sqm and sits adjacent to the entry point into the wider site, sharing a boundary with Green Lane on its western side. Immediately to the south there is an open grassed paddock or field with areas of scrub and tree planting beyond and to the north and east lies the remainder of the Old Waterworks site, which contains a number of commercial sites and activities with a mix of buildings and structures. The site is predominantly laid to hardstanding with boundary vegetation along Green Lane offering some screening to the site. A thick belt of trees and scrub lie between the wider Old Waterworks site and the River Lee Flood Relief Channel to the east and this vegetated belt wraps round to the south beyond the open paddock.

- 3 Access to the application site is down Green Lane which forms a junction with Old Nazeing Rd to the north. Green Lane continues south past the site at which point it narrows to a rough track and also becomes a public right of way (PROW) providing access to the northern edge of Holyfield Lake and Kings Weir. It is well used by walkers and cyclists as an access route into the River Lee Country Park.
- 4 Opposite the application site is an access track leading to 2 angling lakes, Green Lane Pits. Further to the south, Holyfield Lake is also an important angling site within the River Lee Country Park (RLCP); all the lakes are used by a number of angling clubs and societies operating on a licenced basis from the bankside. Holyfield Lake is also used by the Fishers Green Sailing Club.
- 5 A Local Wildlife Site EP5 Lee Valley Central wraps around the Old Waterworks site in the east (known as Nazeing Meads) and to the south incorporating Nazeing Marsh. It comprises part of a regionally important chain of wetland habitats along the lower lee valley, including Holyfield Lake. As such this chain of sites are of importance for over-wintering wildfowl and other wetland birds, and wildlife in general which utilises the mosaic of terrestrial habitats as a wildlife corridor through an otherwise intensively used and built-up landscape. Holyfield Lake is an important wetland habitat and also acts as a refuge and alternative to the Turnford and Cheshunt Pits Site of Special Scientific Interest (SSSI) – part of the Lee Valley Special Protection Area (SPA), providing habitat for over wintering and breeding birds.
- 6 A drainage ditch runs along the eastern side of Green Lane and passes along the frontage of the application site. Access to the site bridges over the ditch which then continues south following the edge of the Lane before it connects into Holyfield Lake. In the other direction the ditch eventually connects with the southern end of Nazeing Meads South Lagoon. The Authority has records of Otter as well as previous records of Water Vole within the ditch at its southern end and it is likely the ditch is an important linking habitat between the Holyfield Lake and the South Lagoon.
- 7 The application site is situated within the Environmental Agency (EA) Flood Zone 3 and described as an area with a high probability of flooding that benefits from flood defences. The boundary ditch is also identified as a main river on the EA website.
- 8 **Description of Development and Current Use**
The application site is already in use as a commercial contactors' compound and has been for over 30 years, most recently, according to the Planning Statement, by the Environment Agency. The application form specifies the start date for the construction contractors' compound use as Jan 1990. Evidence is provided in the Planning Statement which indicates this long term use, although no case is currently being put forward for lawful use.
- 9 The site is currently leased to a civil engineering contractor, Construction Muzzy Limited and is being used as a compound to store civil engineering plant, materials and machinery. It contains a mix of open material storage, container storage, including some that are double stacked and an ancillary site office and welfare accommodation. These structures are all described as temporary buildings. The Planning Statement describes the proposed use as "no different to what has occurred on site for over 30 years albeit that the current tenant is using the site more intensely". 53 people are employed on site and hours of

operation are 6 and half days a week.

POLICY BACKGROUND

- 10 The current Local Plan (Combined Policies of Epping Forest District Local Plan 1998 and Alterations 2006) identifies the application site as part of the Green Belt, although in the emerging Local Plan Submission Version 2017, (draft Local Plan), it is designated as an Employment Site NAZE.E1. Policy E1 applies and it seeks to retain and enhance existing employment sites; proposals for the redevelopment, renewal and intensification of existing employment areas/uses will be encouraged.
- 11 Green Belt policy in both the current Local Plan and the draft Local Plan 2017 is clear that planning permission will not be granted for inappropriate development, except in very special circumstances.. This is in accordance with national policy which considers the construction of new buildings to be inappropriate development within the Green Belt. Exceptions to this policy include; the limited infilling or partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would: - not have a greater impact on the openness of the Green Belt than the existing development (NPPF Para 145 (g))
- 12 The Council's biodiversity policy seeks to preserve and enhance biodiversity and networks of natural habitats (CP2 Combined Policies), and in the draft Local Plan states that all development should seek to deliver net biodiversity gain, in addition to protecting existing habitat and species integrating biodiversity within the development, (draft policy DM1).
- 13 Development proposals which are likely to have a negative impact on a locally designated site such as a Local Wildlife Site will only be permitted where the benefits of the proposed development clearly outweigh the value of the ecological feature adversely affected and there are no appropriate alternatives. Policy DM1 (G) also states that *"where there are grounds to believe that a Protected Species, Priority Species, Priority Habitat or other valuable habitat may be affected by proposed development, applicants must provide a full survey and site assessment to establish the extent of potential impact. This evidence should inform appropriately designed plans and mitigation measures."* Ecological information must be supplied in accordance with BS 42020 2013 for all relevant planning applications.
- 14 Area 6.A.4 Proposals from the Park Development Framework for "the River Lee Country Park" apply in this case. These include proposals to improve visitor access particularly at entrance points to the RLCP along Green Lane and Paynes Lane for cyclists and pedestrians. Sport & Recreation proposals aim to continue to protect and improve the fisheries within the RLCP as regional leisure and sporting venues and to manage and promote sailing at Holyfield Lake. Biodiversity proposals seek to protect, enhance, and manage the mosaic of open water, scrapes, meadows floodplain grassland to improve ecological value and species diversity. Non designated waterbodies are to be managed in accordance with their role in supporting the wider SPA.
- 15 Landscape proposals seek to conserve and enhance the secluded rural character and high ecological value of the River Lee Country Park with positive conservation and management of diverse wetland habitat, balanced with the provision of recreation and enjoyment of the landscape.

PLANNING APPRAISAL

- 16** The applicant appears to be seeking permission to regularise a use that has been undertaken on this application site for potentially 30 years – albeit previously used in a less intensive way than currently. There are two main issues arising in respect of the current proposal; these relate to its impacts upon the visual amenity and the ecology of the Park.
- 17** In Green Belt terms the applicant is reusing part of an existing developed commercial site as a contractor's compound, which the Council has now designated in the draft Local Plan as an Employment site NAZE.E1 in recognition of its long term use for commercial purposes. In green belt terms the applicant's proposal to reuse a previously developed site would be acceptable and the fact that only temporary structures are proposed means these are by their very nature considered to have limited impact on the openness of the Green Belt as they can be removed at any time.
- 18** Nonetheless the double height containers as currently arranged on site do have a visual impact on the adjoining open areas of the Regional Park and green belt land particularly the open space to the south, even though there is screening provided by existing boundary vegetation along Green Lane and the wider wooded areas further to the east and south. As a well-established commercial site partial views of large containers, open storage and equipment when seen from Green Lane may not be too surprising for regular walkers and users of the Park, but they do appear at odds and as visually intrusive in relation to the wider semi-rural character of the Regional Park, its wooded tracks, scrub and wetland habitats.
- 19** The applicant recognises in the Planning Statement that the double stacked containers may be a concern and is willing to consider alternative positioning, or a reduction in the number of containers, or other mitigation if this is deemed appropriate given the site is a designated employment location. Officers have raised this matter with the case officer at Epping Forest District Council (EFDC) as discussion on this point would be useful, especially if the double stacked containers could be avoided or repositioned away from the site's southern boundary where there is minimal effective screening. Additional boundary screening might help to mitigate the impact but would take time to establish.
- 20** There are also ecological issues relating to the application site that need to be considered. These relate to the ditch and the associated habitat that lies on the boundary and immediately adjacent to the application site. This forms part of an interconnected wildlife corridor and records/evidence indicates that this is used by protected species at its southern extent, adjacent to and potentially in association with Holyfield Lake. The nearby Local Wildlife site may also be important in terms of wildlife connectivity.
- 21** Potential impacts from the current/proposed use in terms of wildlife and habitats in the vicinity, including use by protected species would include disturbance and any changes to or removal of vegetation alongside Green Lane; water pollution caused by contaminated runoff or debris falling into the ditch; and night time illumination which would disrupt the dark corridor effect of the Lane and associated areas where wildlife such as Bats might forage or commute through. No lighting information is supplied with the application.

- 22 It is also noted that officers at EFDC from Environmental Protection and Drainage have raised a holding objection on the grounds that the applicant needs to provide a flood risk assessment, and a drainage strategy for the proposal to ensure it is policy compliant.
- 23 Although the contractors compound is already on site and has been for many years, the current use is more intense and could change further in the future. It is therefore important to protect the existing habitats that are on and adjacent to the site boundary in order to prevent disturbance to wildlife. In conclusion therefore, although the principle of the contractors' compound use within an existing employment site is acceptable, conditions are required on any grant of consent to ensure the visual amenity and wildlife habitats within the Regional Park are protected.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 26 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 Park Act). The Park 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.
- 27 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Application Papers 20.114

November 2020

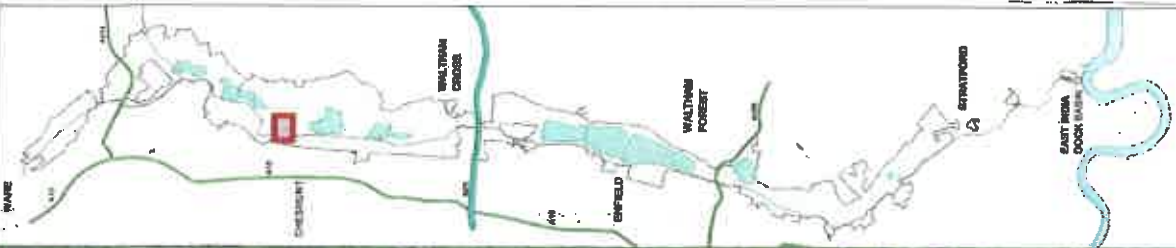
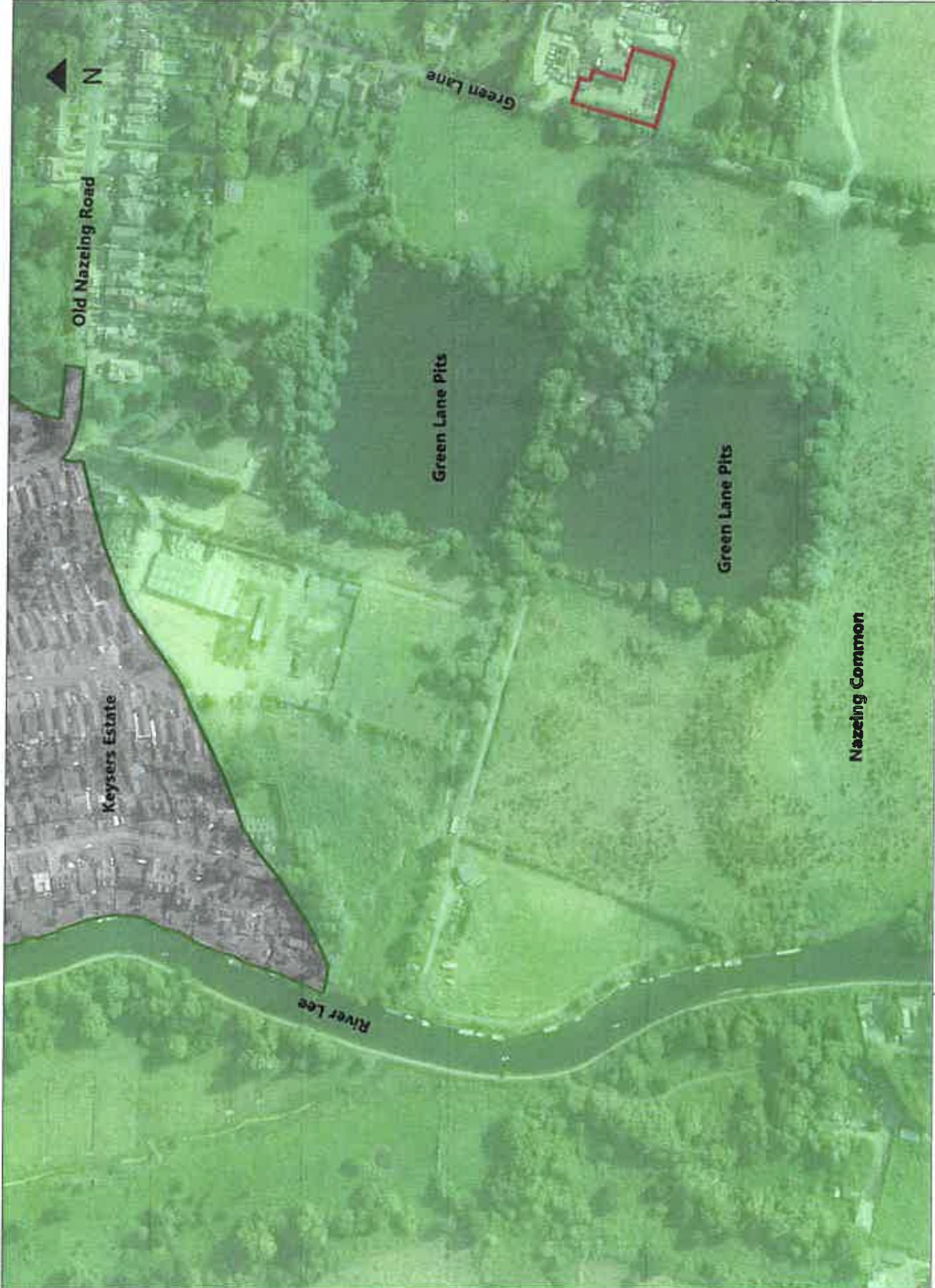
APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Site photos internal

LIST OF ABBREVIATIONS

PDF	Park Development Framework
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
RLCP	River Lee Country Park
PROW	Public Right of Way
EA	Environment Agency
EFDC	Epping Forest District Council
the Park Act	Lee Valley Regional Park Act 1966

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Park Boundary
 Application Site

Proposed contractors compound and associated structures. Old Waterworks, Green Lane, Nazeing

NTS @ A4
17.12.20

Produced by: Corporate GIS (AAB)
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Photographs supplied by the applicant - views from within the application site, first looking southwards and the second along the boundary with Green Lane.

