



Lee Valley
Regional Park Authority

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

22 09 2022 AT 11:30

Agenda Item No:

6

Report No:

RP/60/22

PLANNING CONSULTATION BY BROXBOURNE BOROUGH COUNCIL

REDEVELOPMENT OF LAND AT DELAMARE ROAD TO PROVIDE A RESIDENTIAL-LED MIXED-USE DEVELOPMENT COMPRISING 471 RESIDENTIAL UNITS AND ANCILLARY RESIDENTIAL FLOORSPACE; UP TO 2436 SQM OF NON-RESIDENTIAL FLOORSPACE INCLUDING OFFICE (CLASS E(G)(I) LIGHT INDUSTRIAL (CLASS E(G)(III) LEISURE (CLASSES E(D) AND SUI GENERIS), COMMUNITY (CLASS E(E)-(F) AND CLASS F1)) FLOORSPACE AND RETAIL (CLASS E(A)(B)(C)) A NEW LOCAL CENTRE, PLAZA, LANDSCAPING, CAR PARKING, CYCLE PARKING, PEDESTRIAN CYCLE AND VEHICULAR ROUTES AND ASSOCIATED WORKS. REF: 07/22/0597/F PARCELS 12 & 13 LAND AT DELAMARE ROAD CHESHUNT EN8 9AP

Presented by Head of Planning

SUMMARY

This is a detailed application for a residential-led mixed use redevelopment of parcels 12 and 13 of the wider Cheshunt Lakeside masterplan area which lies outside the Park adjacent to the River Lee Country Park, just north of Windmill Lane. This new standalone application is required because the applicant is seeking to make a number of changes to the outline scheme as currently consented in for Parcels 12 and 13; including an uplift of 97 residential units and an increase in building heights. If granted this application would sit alongside the current outline consent and the associated S106 would be honoured.

The scale and design of certain elements of the proposed development, located close to the Regional Park boundary, are considered to have a negative impact on the Park, its landscape and ecology and the recreational amenity of visitors. They introduce a step change in the scale of built development adjacent to the Regional Park and potentially set an uncomfortable precedent for future phases of Cheshunt Lakeside. An objection is therefore proposed to the application and a reduction in height sought to the proposed 14 storey building in Phase 12.

RECOMMENDATIONS

Members Approve:

- (1) the Authority objects to the current application on the grounds that:**
 - (a) the height of the landmark building within Block 8, at 14 storeys will have a negative impact on the visual and recreational amenity of visitors to the River Lee Country Park and undermine the secluded and attractive landscape character of the area. The landmark building should be reduced to more closely align with the heights consented under the outline consent and to take account of its location in relation to the Regional Park;**
 - (b) further consideration needs to be given to the design of buildings within Block 8, in particular the bolt on balconies which face onto the Regional Park boundary, to reassure the Authority that disturbance from light pollution will not adversely impact upon the ecology of the Park, the biodiversity buffer, or the green biodiverse roofs proposed as part of the development;**
- (2) that should the Council be minded to approve the above application, then the Authority would wish to see conditions included to ensure that:**
 - (a) a lighting strategy is provided and designed in accordance with the 'Institute of Lighting Professionals (2018), Bats, and Artificial Lighting in the UK Guidance Note 08/18';**
 - (b) a Construction Environmental Management Plan is produced;**
 - (c) a Landscape Environmental Management Plan is provided with provision for on-site habitat and species monitoring based on agreed baseline targets and provision for enhancements if these are not met; and**
 - (d) Section 106 monies area allocated to the River Lee Country Park proportionate to the uplift in residential units, in order fund further visitor infrastructure improvements, and habitat enhancements to mitigate for the increased recreational impacts.**

BACKGROUND

1 Planning History

Outline planning permission was granted in August 2019 for the Cheshunt Lakeside residential-led mixed use development (ref: 07/18/0461/0). This seeks to provide 1,725 apartments, up to 19,051sqm of commercial space with associated community and leisure uses, a two form entry primary school and the creation of a new plaza and link access from Windmill Lane, plus associated landscaping, parking, pedestrian and cycle routes. The masterplan approved under this outline consent divides the site into phases in which the development of Cheshunt Lakeside will be brought forward, with each phase split into development parcels. The outline consent includes 47 planning conditions several of which set out development parameters for future reserved matters applications, and obligations under a Section 106 Agreement.

2 The Authority responded to the original outline application in June 2018 and placed a holding objection pending the submission of further information to resolve areas of concern; namely the 'prematurity' of the application given the likely impacts of the Crossrail 2 scheme, inadequate and inaccurate ecological information and a lack of planning obligations to adequately mitigate for the increase in visitors to the Park from the development, Ref: RP/20/18. Revisions to the original application were considered at Regeneration and Planning Committee in November 2018 (RP/24/18) when the Authority objected to the application. Although satisfied about the detail and scope of additional information included in the revised scheme on the environmental mitigation strategy, there were still concerns as to the amount of moneys to be made available for 'visitor infrastructure' and no changes were included on the identification of 'safeguarding land' for a new bridge following the proposed closure of Windmill Lane.

3 The outline permission granted in August 2019 is accompanied by a Section 106 Agreement which includes under Schedule 7 a Lee Valley contribution of £750,000 towards visitor facility improvements and habitat mitigation measures within the River Lee Country Park, to be paid in instalments as the phases of the development are occupied. Officers are currently liaising with the Council to bring forward the first set of visitor and habitat works in line with the occupation of Phase 1A Parcel 11.

4 Parcels 12 and 13 represent the next stage in bringing forward the Cheshunt Lakeside development and include the delivery of a new local centre. The applicant is seeking to make a number of changes to the scheme as currently consented in outline, including an uplift of 97 residential units and an increase in building heights across the three proposed blocks including one building of 14 storeys – the parameter plans set a maximum building height of 7 storeys. Following pre-application discussions with officers at Broxbourne Borough Council it was agreed that a new standalone detailed application for Parcels 12 and 13 should be submitted to seek consent for these changes. This application if consented would then sit alongside the current outline consent; the associated S106 would also be honoured.

5 Location

The application site relates to two parcels of land within the wider Cheshunt Lakeside development and is located to the south of the masterplan area. It occupies approximately 1.89 hectares comprising the site of the former Tesco headquarters which has now been demolished. To the west the site is bounded

by Delamare Road, with Windmill Lane and Parcel 14 of the outline consent to the south, Parcel 11 to the north and along the eastern boundary, the rail line and Network Rail Depot.

- 6 Immediately on the other side of the rail line lies the River Lee Country Park (RLCP) a major visitor attraction and access to nature site within the Regional Park. It includes a mosaic of varied habitat including the Turnford and Cheshunt Pits Site of Special Scientific Interest (SSSI) which also forms part of the Lee Valley Special Protection Area (SPA) and Ramsar site. Cheshunt Station and Windmill Lane provide a main gateway to the RLCP and its network of foot and cycle paths. Despite the application site's location outside the Regional Park it lies only 50m from the boundary of the SSSI. Please refer to the Plan at Appendix A to this report which shows the location of the application site and its position in the wider masterplan area.

DESCRIPTION OF THE PROPOSED APPLICATION

7 Layout and Scale

Parcels 12 and 13 are described as a gateway into Cheshunt from the station with the proposed development designed to provide "an inviting entrance to the wider Cheshunt Lakeside development". The scheme consists of 3 separate blocks of buildings ranging between 5, 9 and 14 storeys broadly positioned around a new public plaza and green link through to the Parcel 11 in the north. In total these buildings will provide 471 residential units and 2,436sqm commercial floorspace, to accommodate office, retail, light industrial and/or community and leisure uses. This is an uplift of 97 residential units over the outline consented scheme for these parcels.

- 8 Blocks 7 and 8 are located within Parcel 12 and these will provide for 234 and 184 residential units respectively with a mix of studio, 1, 2, and 3 bed flats. Block 8 is situated close to the railway on the eastern side of Parcel 12 and incorporates a range of building heights from 6 and 8 storeys alongside the railway boundary, up to a 14 storey block which faces onto the new plaza and associated public realm/green link. Buildings within Block 7 range in height from 4 to 9 storeys with taller components facing onto Delamare Road to the west and a 9 storey building overlooking the public plaza. Podium gardens are proposed as focal elements within both blocks serving as communal amenity space for residents with one level of car parking beneath. All dwellings include private amenity space in the form of balconies (at min of 5sqm) or private gardens.

- 9 Block 5, is located within Parcel 13, immediately south of Block 7. This will include 53 residential units and accommodate the remaining parking provision within a 6.5 level multi-storey car park. It also includes a 5 storey non-residential building. Commercial space will be provided within all three blocks located on primary frontages overlooking the proposed new public plaza. Please refer to Appendices B and C.

10 Design and Materials

The proposed development incorporates a number of building typologies and a material strategy that responds to the proposed street character and principles already established through the masterplan. The 14 storey building within Block 8 (Parcel 12) is designed as a 'landmark' building to act as a marker for the public plaza on the approach from the station. The double height base of the building aims to elevate it from the adjoining 'civic' buildings, and it has a light

colour cast stone frame, grouped windows and buff brick banding to reduce visual impact. The 'wayfinder' buildings sit at the intersection of key routes and include an 8 storey building on the eastern side of Parcel 12. These have a buff brick banding, bronze colour window frames and inset balconies on corners. The 'linked' buildings are subservient in nature to the corner buildings with darker brick and window frame palette. Both bolt on and inset balconies are used throughout the scheme. The eastern façade of Block 8 Parcel 12 overlooking the buffer planting and railway includes bolt on balconies as does the eastern side of the landmark building.

- 11 Commercial buildings have full height windows with strong vertical grouping, single storey base and clearly defined separation between the adjacent residential buildings. The multi storey car park (Parcel 13) incorporates bronze colour mesh panels above a red brick base.
- 12 **Access and Parking**
Access into this phase of development is taken from Windmill Lane almost opposite Cheshunt Station, via a bus loop road which connects through to Delamare Road in the west. The Design and Access Statement (DAS) indicates this will be designed as a pedestrian focused street acting as an extension to the public realm, facilitating two way bus access and discouraging private car use through the site. Access to the multi storey car park in Block 5 will be from Delamare Rd and for podium parking in Blocks 7 and 8 access is shown via a new road to the north, 'Neighbourhood Street' which is to be provided as part of Parcel 11.
- 13 Parking for 545 cars is to be provided (471 residential, 24 visitor, 28 commercial and 22 spaces for Parcel 14 as per the Outline consent), with 471 cycle parking spaces for residents (plus 50 for visitors). This is in line with parking conditions attached to the outline consent. Provision is included for electric vehicle charging within the permanent car parking; 20% is to be active charging points and 20% passive with suitable ductwork provided for the remaining 60% to facilitate future vehicle charging upgrades.
- 14 **Landscape, Public Realm and Biodiversity**
The new building layout has allowed for new public realm, play areas, seating and open space at the southern end of the green link incorporated within the new plaza, and an opportunity for soft landscaping, street trees, and SUDs features such as rain gardens associated with the loop road. The green link remains a dedicated off road route for pedestrians and cyclists albeit slightly realigned compared to the outline consent. It incorporates areas of lawn, seating and species rich shrub planting. Please refer to Appendix D.
- 15 A 'biodiversity' buffer along the southern edge of Parcel 13 and the eastern edge of Parcel 12, adjacent to the railway is identified as an area to be planted with wildflower meadows and native tree planting. The podium gardens have been designed as a protected garden environment catering for multiple activities such as play, seating, outdoor dining with raised planters, shrub and herbaceous planting. Provision for green biodiverse roofs covered with substrate and wildflower mats is indicated across the majority of flat roofs within Parcel 12 and the residential/commercial elements within Parcel 13.
- 16 A Preliminary Ecological Appraisal (PEA) and Bat Roost Assessment together with a Biodiversity Net Gain (BNG) Assessment accompanies the application. This has found habitats of negligible importance on site that require no

mitigation. The BNG calculation shows a net gain in habitat units of 1604.29% and a net gain in hedgerow units of 100%.

- 17 A range of lighting is proposed, with low bollard lights for the podium gardens around the footpaths, and higher pole lights on the loop road. The aim is to keep light pollution at a minimum.
- 18 **Section 106 Agreement**
The Planning Statement submitted with this application explains that the applicant will honour the existing contributions sought under the S106 attached to the Outline Consent. This included Schedule 7 which allocated £750,000 to the Regional Park Authority for visitor facilities improvements and habitat mitigation works. It is understood that planning obligations will be secured to mitigate for the uplift of 97 units on Parcels 12 and 13, potentially including contributions towards a range of items from sustainable transport, to education, and including the Lee Valley Regional Park.

POLICY CONTEXT

- 19 **Local Plan**
Cheshunt Lakeside is identified in the Broxbourne Local Plan 2018 – 2033 as the location for a new urban village centred on the Tesco lands and consisting of a major residential-led mixed use apartment style development. Policy CH1 states that Cheshunt Lakeside will accommodate c.1,750 new homes, with 40% affordable, and buildings limited to a maximum of 8 storeys. A new neighbourhood centre, 20,000sqm of business space, a two form entry primary school and landscaped open space should also be provided. Cheshunt Lakeside is to be developed in accordance with a comprehensive masterplan.
- 20 The policy also recognises the need for partnership working with Natural England, the Lee Valley Regional Park Authority and the developers to agree a mitigation strategy containing a range of onsite and off-site measures to mitigate the effect of the development on the qualifying interests of the Lee Valley Special Protection Area. This is also in line with the requirements of Policy NEB2: Wildlife Sites. The mitigation strategy is to be in place by the time of grant of any planning permission for the development.
- 21 **Park Development Framework**
Park Development Framework (PDF) Area Proposals (6.A.4) seek to protect and enhance the RLCP for informal recreation and countryside activities based on the quality of the Regional Park's landscape and its natural resources and heritage interest. Improvements are to be sought to establish a primary gateway into the Park for all visitors from Windmill Lane and Cheshunt Station. Biodiversity proposals seek to improve ecological value and species diversity, whilst protecting important designated sites such as the Turnford and Cheshunt Pits SSSI. The Lee Valley Regional Park Landscape Strategy identifies the RLCP as part of landscape character type A – 'Rural valley floor mosaic with wetlands and marshes' an area of mostly undeveloped landscape character with a sense of naturalness and tranquillity that should be protected.

PLANNING APPRAISAL

- 22 **Principle of Development**
The principle of a residential led, mixed use development on the application site is already established via the outline consented application and masterplan and

is consistent with Local Plan policy. The current application is however proposing material changes to the consented masterplan to bring forward a form and scale of development different from that originally envisaged for Parcels 12 and 13. For the Authority the main concerns relate to the extent to which the heights of the proposed blocks, and the associated uplift in residential units will impact upon the recreational use and amenity of Park, the quality of its landscape, and its ecology.

23 Design, Scale and Materials

The overall design, scale and choice of materials for the development within Phases 12 and 13 has a coherence and legibility based on creating a gateway and main access through into the development from Cheshunt Station, with the new public square at its heart and the 'green route' linking through to the north providing the main pedestrian and cycle link into Cheshunt Lakeside. The design and location of the 14 storey building within Block 8 (Parcel 12) adjacent to the public square does establish a 'landmark', very clearly providing a 'marker' for the public plaza for those approaching from the station.

- 24 However at twice the height of the majority of the other buildings within Phase 12 and 13 it will also dominate the skyline, particularly in views from within the Regional Park. Although the boundaries to the RLCP to the east of the site and adjacent to the railway are well wooded the landmark building will be visible from within the Park, above the tree line, most notably from the entrance to the Park on Windmill Lane, at Cheshunt car park and from the raised towpath further into the RLCP. It is also likely that the 8 storey wayfinder building, also part of Block 8 will be visible from the Park above and through the tree line. It should be noted that existing consented parameter plans set a height limit of 7 storeys and Broxbourne's Local Plan policy CH1 specifies a maximum of 8 storeys.
- 25 The Planning Statement references the visual assessment provided as part of the Townscape and Visual Impact Assessment (TVIA). This has identified a 'Negligible to Minor Adverse effect' to some visual receptors experiencing views west from within the Lee Valley Regional Park. It states that where visible the development would be glimpsed in filtered views through the tree canopy and recognised in the context of existing development to the west of the railway that demarks the green belt boundary. It notes that the effect is considered adverse "due to the increased perception of built form within the secluded area".
- 26 The secluded character of the Park in this location is recognised by the Regional Park's landscape strategy which identifies the RLCP as having a coherent and mostly undeveloped landscape character with a sense of naturalness that should be protected. The sense of relative remoteness and seclusion is due to the trees and scrub reducing the perceived influence of surrounding development, general absence of built features within the LVRP boundary and the mature landscape framework and wooded edge to the west which filters and screens the influence of Cheshunt. The current proposals will breach this wooded screen and impact upon the recreational amenity of visitors to the Park. This is a step change in the scale of built development adjacent to the Regional Park and potentially sets an uncomfortable precedent for future phases of Cheshunt Lakeside.
- 27 It is also likely that the height and design of both the 14 and 8 storey buildings close to and overlooking the buffer planting, railway and wooded Park could impact upon biodiversity in terms of light pollution and general disturbance. Bolt

on balconies form part of the design of the 8 storey wayfinder building adjacent to this edge and are shown on the eastern façade of the 14 storey landmark building, although this is set back beyond the podium garden. The woodland edge to the RLCP creates an important dark corridor used by wildlife for commuting and foraging. This is likely to be compromised to some extent by the building design although information on this matter is not clear from the details submitted. It would also be helpful to understand whether or not the green biodiverse roofs proposed for Block 8 would be impacted by light pollution from the taller elements of the design.

28 Landscape, Public Realm and Ecology

The proposed development provides a variety of public realm, play areas and open spaces framed by soft landscaping and street trees which is welcomed. The two podium gardens are however the main spaces provided for residents and these are designed to cater for multiple activities such as play, gathering and outdoor dining. The Planning Statement notes para 6.33 *"The proximity of the Lee Valley Regional Park provides easy access to green infrastructure and open spaces for exercise and leisure to improve health and wellbeing."*

29 It is clear that the development will benefit from its proximity to the Regional Park. The adjacent RLCP will be the main focus for new residents in terms of recreation, leisure and activities such as dog walking, cycling, and family outings. This was accepted at the previous outline application and masterplan stage and funding was secured via planning obligations to provide suitable mitigation to help enhance visitor facilities and protect habitats. This mitigation was considered of particular importance given the application site is located only 50m from the boundary of the Turnford and Cheshunt Pits SSSI which also forms part of the Lee Valley Special Protection Area (SPA) and Ramsar site.

30 The current proposal seeks an uplift of 97 units across the two parcels which will result in an increase in footfall through the RLCP. The Planning Statement (paragraph 7.5) notes that planning obligations will be secured to mitigate this uplift and the Regional Park is included in a list of potential recipients. It is considered appropriate for the Authority to seek further S106 contributions given the uplift in units and increase in footfall within the Regional Park. These monies would enable the Authority to expand its current list of habitat and visitor access improvements within the RLCP, in accordance with the designated status of the area.

31 Ecology

Aspects of the development that might impact upon the ecology of the area and in particular the Park have been raised already in the discussions above. The landscape and planting scheme for the 'biodiversity' buffer along the eastern edge of Parcel 12, adjacent to the railway will need careful consideration. Further detail is required to demonstrate that this area will contribute to biodiversity both on site and in relation to the adjacent area of the RLCP given the proximity and height of buildings within Block 8, the overhanging balconies and potential for light pollution.

32 The green roofs across most of the blocks are welcomed, it is understood these will not be accessible to the residents or general public and this should protect their biodiversity value. Habitats proposed as part of the BNG provision are also supported.

33 The planting schemes for the various parts of the site contain a substantial

amount of non-native plants; it would be preferable if the scheme consisted of native species. This is of particular importance in the biodiversity roof mixes, wildflower meadows and possibly the tree species.

34 The PEA lists measures and conditions which should be included in any grant of planning consent namely:

- The production of a Construction Environmental Management Plan
- The production and implementation of a sensitive lighting strategy
- Production of a Landscape Environmental Management Plan
- On-site habitat and species monitoring with agreed baseline targets and provision for enhancements if these are not met

35 **Conclusion**

It is recommended that an objection be raised to the current application. The height of the 14 storey landmark building within Block 8 will have a detrimental impact on the Regional Park, in particular the visual and recreational amenity of visitors to the River Lee Country Park. It will also undermine the secluded and attractive landscape character of the Park area. Further consideration should also be given to the design elements of this building and the wayfinder building close to the Park boundary. The balcony design and issues of light pollution raise concerns about the impacts on the biodiversity buffer and green roofs within the scheme and on the woodland edge to the RLCP.

ENVIRONMENTAL IMPLICATIONS

36 These are addressed in the body of the report.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

38 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.

39 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

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

EQUALITY IMPLICATIONS

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

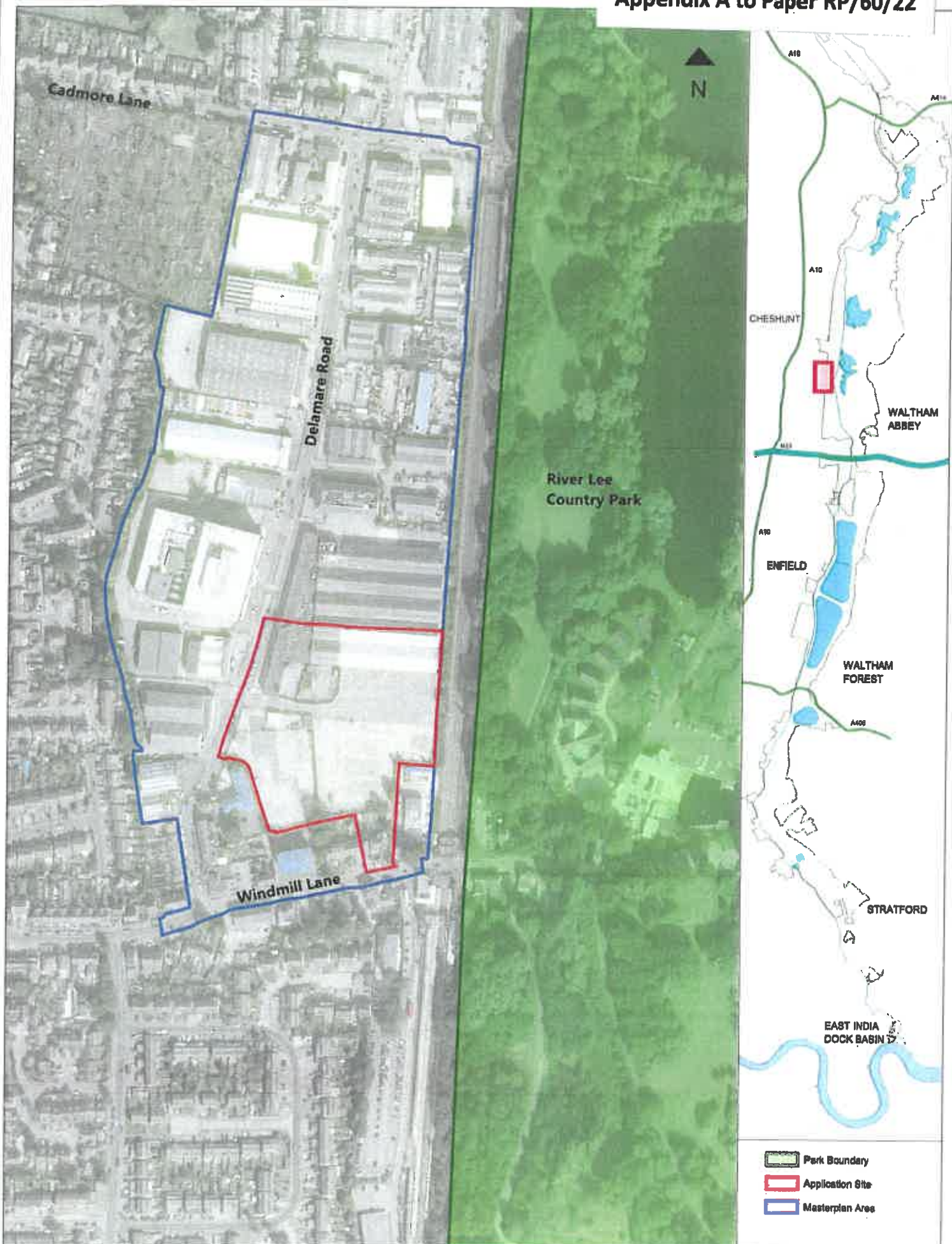
Author: Claire Martin, 01992 709 882, cmartin@leevalleypark.org.uk

APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Heights and Perspective image extract from DAS
Appendix C	Extract from DAS showing aerial view looking south towards station
Appendix D	Landscape masterplan image

LIST OF ABBREVIATIONS

RLCP	River Lee Country Park
SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
DAS	Design & Access Statement
SUDS	Sustainable Drainage Systems
BNG	Biodiversity Net Gain
HRA	Habitats Regulations Assessment
TVIA	Townscape and Visual Impact Assessment
PEA	Preliminary Ecological Appraisal



Proposed development of Plots 12 and 13, Cheshunt Lakeside, Delamere Road, Cheshunt.

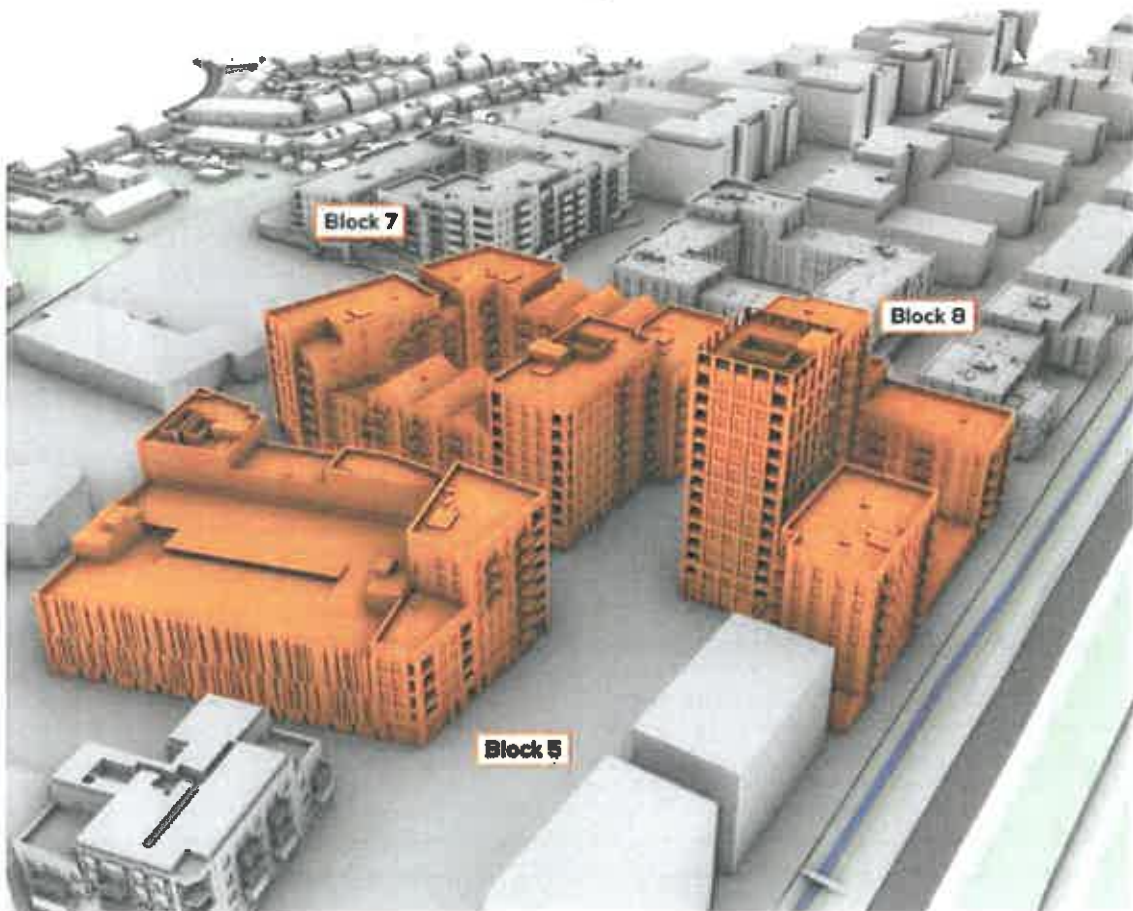


Fig 02 Perspective view

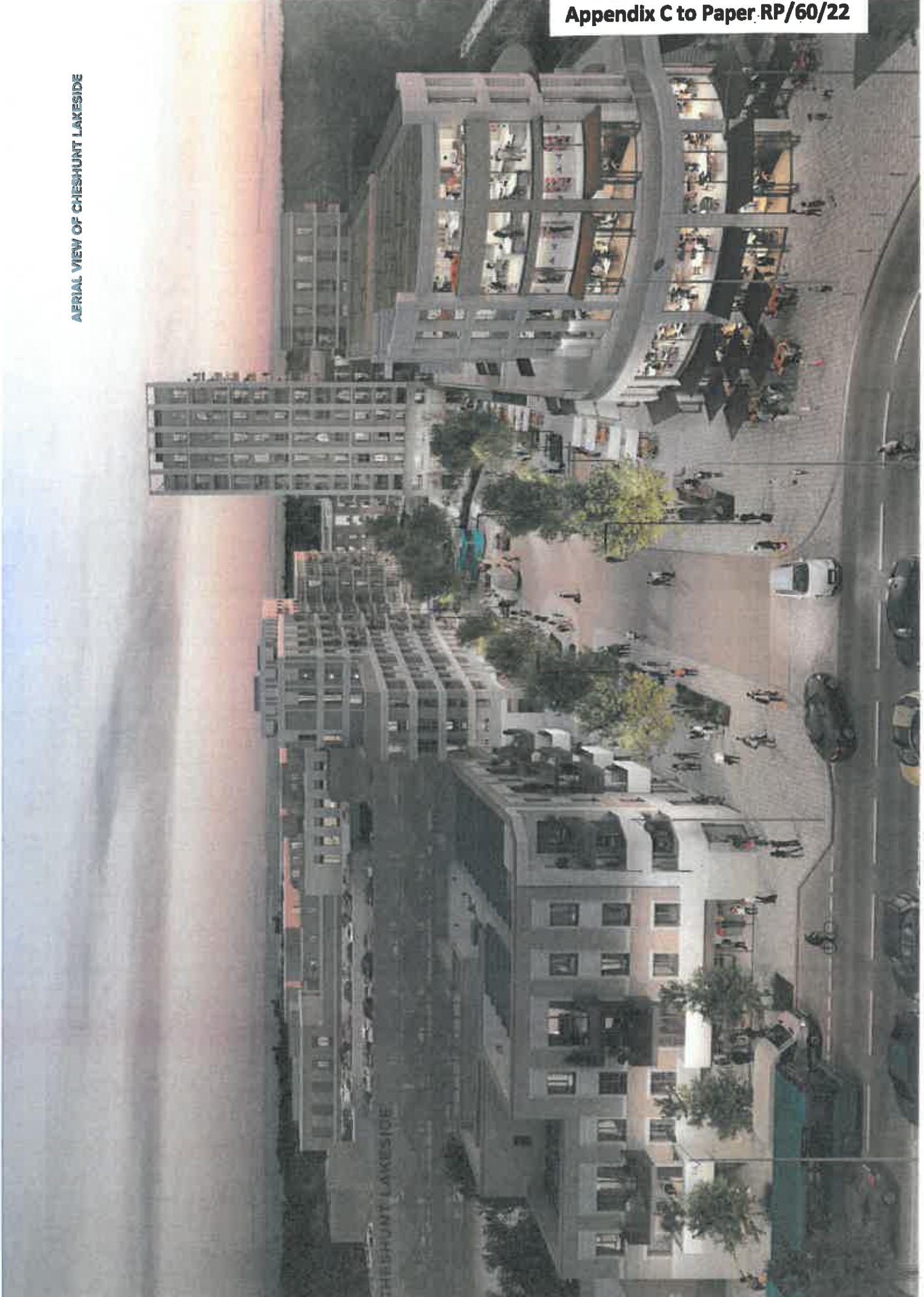
Image showing perspective view of Parcels 12 and 13 looking broadly north, with railway to right of image.

HEIGHTS & MASSING



Image from Design and Access Statement showing building heights

AERIAL VIEW OF CHESHUNT LAKESIDE





LEGEND

- ① Civic Heart - Civic Square
- ② Green Link
- ③ Public Realm - Loop Road
- ④ Public Realm - Delamare Road
- ⑤ Podium Gardens
- ⑥ Biodiversity Roofs
- ⑦ Natural Habitat