

**LEE VALLEY REGIONAL PARK AUTHORITY**

**REGENERATION AND PLANNING  
COMMITTEE**

**27 FEBRUARY 2020 AT 12:00noon**

**Agenda Item No:**

**5**

**Report No:**

**RP/37/20**

**BROXBOURNE LOCAL PLAN  
MAIN MODIFICATIONS CONSULTATION**

Presented by the Policy Officer

**SUMMARY**

Broxbourne Borough Council is consulting on main modifications to the draft Local Plan 2018 – 2033, identified as part of the examination process. These modifications are necessary to ensure that the Local Plan is 'sound'.

The Authority has responded to each consultation stage in the preparation of the Local Plan and officers from both the Borough Council and the Authority have met regularly to discuss key sites and issues of concern. Most of the issues have been resolved either prior to or during the examination process.

One objection remains however, in respect of the Borough's draft policy GT1 which seeks the allocation of a Gypsy and Traveller site on part of the Wharf Road site. The modifications proposed have not identified a solution compatible with the Authority's adopted proposals for this area of the Park, nor do they address the Authority's concerns about the deliverability of this proposal, or the ongoing problem of trespass and infringement that is associated with the existing uses. A further representation on this matter is proposed.

Modifications to policies LV3 Broxbourne Leisure Pool site and LV4 Spitalbrook whilst not the best outcome for the Authority are nonetheless in line with national Green Belt policy. Joint working between the Borough Council and the Authority has already been initiated with the aim to produce an Area Action Plan and review options for development and land use for this part of the Park including Broxbourne Station and its environs.

The letter attached at Appendix A to this report sets out the Authority's response to the Main Modifications. This is being sent as a draft officer level response to meet the Local Plan consultation deadline of 19 February.

**RECOMMENDATION**

Members Approve:                   (1)   the comments as set out in Appendix A to this report as the Authority's formal response to the consultation by Broxbourne Borough Council on the Main Modifications to the draft Local Plan.

## BACKGROUND

- 1 Broxbourne Borough Council is consulting on the Main Modifications to its submission draft Local Plan 2018 – 2033. This follows the examination hearings which took place during Autumn 2018 and June 2019. The Inspectors note published December 2019 considers that the Council's latest schedule of proposed main modifications, along with the Council's proposed changes to the Policies Map and updated sustainability appraisal and Habitats Regulations Assessment, should be published for consultation.
- 2 These modifications, identified as part of the examination process are necessary to ensure the Local Plan is 'sound', although the Inspectors final report on the Local Plan will only be made following consideration of all representations made about the main modifications, in addition to all of the evidence and representations that have been presented.
- 3 This consultation is only about the main modifications to the Local Plan and policies map. Other matters are outside the scope of the consultation. A schedule of minor modifications has also been issued but these will not materially affect the Plan's policies and proposals and will not be considered by the Inspector.
- 4 The Authority has responded in detail to the Regulation 18 and 19 iterations of the Local Plan (papers ULV/113/16 and RP/09/17 respectively) and officers from both the Borough Council and the Authority have met regularly under the Duty to Co-operate process to discuss key issues and consider how the Local Plan might best support the Authority's ambitions. Throughout these discussions one matter relating to the allocation of a Gypsy Traveller site at Wharf Road and within the Regional Park has remained unresolved. This was discussed at the Regeneration and Planning Committee on 22 February 2018 (paper RP/16/18).
- 5 During the Local Plan process the Authority finalised and adopted the Park Development Framework (PDF) Area Proposals for all of the Regional Park that lies within Broxbourne: Areas 6 'The River Lee Country Park'; 7 'The Wetland Park: Spitalbrook to Roydon'; and 8 'The Upper Valley: Rye Meads to Ware', together with Strategic Landscape Guidelines and a set of Strategic Planning Policies.
- 6 Over 10% (429ha) of the Park lies within the Borough of Broxbourne; this includes key sites and visitor attractions including Lee Valley White Water Centre, part of the River Lee Country Park, Turnford and Cheshunt Site of Special Scientific Interest (SSSI), Silvermeade, the former site of the Leisure Pool, Broxbourne Old Mill and Meadows and Spitalbrook. Please refer to the Plan at Appendix B to this report which shows the area of the Park within Broxbourne.
- 7 Following consideration of the Pre-Submission Regulation 19 version of the Local Plan the Authority's representations in relation to the examination process focused on the following matters set out below. Officers submitted written statements and attended the examination hearings in respect of these matters.

### **1) Policy LV3 Broxbourne Leisure Pool Site**

The Authority supported the amendments to Policy LV3 Broxbourne Leisure Pool Site. The revised text prior to examination clarified that the Council and the Authority "will update the Broxbourne Leisure Pool development brief to include the potential for residential development to the western end of the site to enable

*the wider development and improvement of the site and preservation of the existing parkland and natural areas”.*

It was noted that supporting text for Policy BX2 Broxbourne Station and Environs made reference to the Leisure Pool site and Spitalbrook. It was suggested that this text should also indicate how the relationship and timing of ‘the long term development plan for Broxbourne Station and environs’ (as supported by Policy BX2) will relate to work on updating the development brief for the Leisure Pool site.

## **2) Policy LV4 Spitalbrook**

The Authority also supported the amendments made to Policy LV4 Spitalbrook in response to its previous comments. This had been expanded to make reference to the need for environmental improvements and habitat restoration, improved public access and leisure and recreational facilities including a visitor hub. However, the Authority also sought additional policy reference to some enabling development to support these improvements.

## **3) Policy CH1 Cheshunt Lakeside (Delamare Road)**

Whilst supporting the changes made to the policy the Authority sought additional wording to strengthen both the policy and the delivery of mitigation. This matter was overtaken by events to some extent, with the approval of outline planning for the Cheshunt Lakeside development in August 2019, including provision of section 106 monies to help deliver improvements to visitor infrastructure within the River Lee Country Park and mitigating the effect of the development on the qualifying interests of the Lee Valley Special Protection Area (SPA).

## **4) Policy GT1 Gypsy and Traveller Sites and supporting text for Wharf Road**

The Authority raised significant concerns about the Council’s proposals to establish a permanent gypsy and traveller site at Wharf Road under Policy GT1 and considered the proposal to be ‘unsound’.

Whilst recognising that the Council’s suggested proposals represented a ‘planned’ way forward it was considered in practice, to be unworkable, given that the consolidation of the plots does not comply with the Authority’s statutory purpose. Further, implementation would depend on many individuals within the Traveller community, who are private landowners of the various plots of land, and whose commitment for understandable personal reasons may change. It would appear from the Council that only ‘limited resources’ would be available and the Authority has no resources budgeted for this. Finally, it could lead to additional pressures from the Cross Rail 2 proposals which could further erode the character of the Regional Park in this location.

Following further detailed discussion of this matter at the Regeneration and Planning Committee in February 2018 (paper RP/16/18), to take account of additional discussions between officers of the Borough Council and the Authority, Members agreed to continue with an objection to Broxbourne Borough Council on its inclusion of part of Wharf Road as a Gypsy and Traveller site in its Local Plan.

## **5) Policy H9 Residential Moorings**

The Authority endorsed the revised Policy H7 Residential Moorings and a short statement was submitted to support this position as part of the examination process. Now renumbered Policy H9 ‘Permanent Residential Moorings’ the policy states that applications for permanent residential moorings within the Lee

Valley Regional Park will be resisted.

## **HABITAT REGULATIONS ASSESSMENT**

- 8 A Habitats Regulations Assessment Addendum has been produced – this has reviewed the Main Modifications in terms of any Likely Significant Effects on the Lee Valley SPA and Ramsar in terms of public access and disturbance issues, and also at Epping Forest in terms of air quality and recreational disturbance issues.
- 9 Given the commitment to mitigation set out in revised Policies CH1 Cheshunt Lakeside and BE2 Wildlife Sites which has also been strengthened, it is not considered that there will be an adverse impact on the integrity of the Lee Valley SPA and Ramsar as a result of the Main Modifications either alone or in-combination. Policy BE2 Wildlife sites is reproduced at Appendix C to this report for information.

## **MAIN MODIFICATIONS AND OUTCOME OF EXAMINATION PROCESS**

- 10 There are two main areas of policy change for consideration following the outcome of the examination process and the issuing of the Main Modifications to the draft Local Plan. These concern the policy for the Broxbourne Leisure Pool Site and Spitalbrook, and the Gypsy and Traveller policy in relation to the Wharf Road site. It should be noted that representations can only be made in relation to the proposed Main Modifications.
- 11 **Broxbourne Leisure Pool and Spitalbrook**  
Prior to the examination process both Policy LV3 'Broxbourne Leisure Pool Site' and Policy LV4 'Spitalbrook' were supported by the Authority. The changes agreed with the Council clarified the position regarding enabling development and the need for environmental improvements.
- 12 The Inspector however, raised concerns about inappropriate development within the Green Belt and the proposals within the Plan, including Policies LV3 and LV4, that identified development on land within the Green Belt. The Inspector considered that these proposals would be likely to involve new buildings that would represent inappropriate development in the Green Belt. This would be contrary to national policies relating to Green Belts and the plan-led system, and would be unlikely to be effective, requiring the need to demonstrate very special circumstances at the planning application stage.
- 13 Both the Council and the Authority provided additional statements to address these points and justify the position taken for enabling development within the Green Belt but following discussions at the hearing session the Inspector directed the Council to prepare main modifications to policies LV3 ("Broxbourne Leisure Pool Site") and LV4 ("Spitalbrook") to "ensure that they are consistent with national policy relating to development in the Green Belt and effective" (Action point 8 and Main Modifications MM 13.2 and MM 13.4 respectively).
- 14 The revised policy and supporting text is included as Appendix C to this report. It is unlikely that a further challenge to the Inspector's position regarding development within the Green Belt would be successful, given the various arguments already explored during the examination process to justify the need for a policy reference to enabling development at the Leisure Pool site and Spitalbrook by both the Authority and the Council. As it stands any development proposals for the former Leisure Pool and Spitalbrook sites would have to be

justified under the 'very special circumstances' argument given the Green Belt location at the planning application stage. There may also be opportunities in the longer term in relation to Crossrail 2 and redevelopment of Broxbourne Station.

- 15 Given this situation officers of the Authority and the Borough Council are working on an area action plan encompassing both the Leisure Pool site and Spitalbrook to review options for development and land use. There is general agreement that Broxbourne and the Authority need to work together to develop a project plan for this site which would enable at least part of the area to be opened up to the public. Importantly the area action plan also includes the Broxbourne Station and its environs in line with Policy BX2 and brings into consideration Crossrail 2. Please see Appendix D to this report for the indicative plan area. Supporting text under this policy refers to enabling development to assist with bringing the Leisure Pool back into use for Park purposes.
- 16 The above joint working will assist in the delivery of PDF Area Proposals; first for the former Leisure Pool site, which under 6.A.4 sub section 5. 'Broxbourne Gateway and Visitor Hub River Lee Country Park North' seek to establish a major visitor hub as a primary gateway into the Park by:

*"joint working with Broxbourne Council to update the Leisure Pool Development Brief to include the potential for residential development to enable the wider development and improvement of the site".*

- 17 Secondly under 7.A.1 'Wetland Park West, Spitalbrook, Dobbs Weir and Admiral's Walk Lake', proposals recognise the need to open up Spitalbrook for a range of informal recreational activity and to:

*"Work with Broxbourne Council and other stakeholders to restore, manage and protect habitats at Spitalbrook as a site of special biodiversity interest with visitor access. This could be delivered through enabling development on the site linked with the opportunities which Crossrail2 could realise. Any enabling development to integrate with and secure investment in the parklands and respect the sites unique biodiversity."*

No further action is therefore proposed in relation to these modifications to the Local Plan.

**18 Policy GT1 Gypsy and Traveller sites and Wharf Road**

As part of the proposed Main Modifications the Council have retained a policy allocation for an authorised Gypsy and Traveller site at Wharf Road under Policy GT1 'Gypsy and Traveller sites'. All the allocated sites including Wharf Road have been removed from the Green Belt to enable the effective implementation of the GT1 policy and to be consistent with the national Planning Policy for Traveller Sites (Policy E: Traveller Sites in Green Belt).

- 19 This is a long standing issue between the Council and the Authority and a number of joint discussions between officers and Members have attempted to find a resolution but without success. The Authority objected to Policy GT1 (4) Wharf Road as the proposed use does not comply with the Authority's statutory purpose or adopted proposals and it remains unconvinced that the Council's proposal to consolidate the privately owned plots to create a single site which would be 'self-managed with the Council's assistance' is viable or deliverable. There is also concern that retention of the site in this location could result in

further disturbance in light of the impact of the Cross Rail 2 scheme which at some point could require a new road bridge.

20 The Council's case rests on the fact that the Wharf Road site is becoming increasingly lawful and that therefore the establishment of a permanent site is the only practicable way forward. In their statement at the examination hearing on this matter the Council stated that if the policy remains in the Plan, "the Council is confident that the Authority would work with the Council to establish a permanent site. Were that not to be the case, the Council has indicated that compulsory purchase powers would be pursued to implement this policy." They also indicated that the fall-back position, should the policy fail, would be "to meet the current and on-going needs of the Wharf Road gypsies through certificates of lawfulness, planning permissions and caravan site licences on an ad hoc basis." The Council are of the view that as the plots are substantial they can accommodate new household growth over the Plan period.

21 The examination of this matter has not to date led to a change in the Council's policy to allocate Wharf Road as an authorised Gypsy and Traveller site and there has been no advice or direction from the Inspector that might be seen to help address the Authority's concerns. It should be noted however that in his Note of 20 December regarding the proposed Main Modifications (Ref: EXAM36 to be found [here](#)) the Inspector stated the following:

*"Whilst I am reasonably satisfied at this stage that the proposed main modifications are necessary and would make the Plan sound, this is without prejudice to my final conclusions which will ultimately be made having regard to all representations made about the main modifications, in addition to all of the evidence and representations currently before me."*

22 This provides scope for the Authority to make a further representation on this matter, and to reiterate its concerns about the deliverability of the traveller site at Wharf Road, to raise again the incompatibility of this policy with the Authority's statutory purpose and in respect of the adopted PDF Area Proposals 6.A.4.1 Wharf.Road (adopted April 2019 post the examination process).

## **ENVIRONMENTAL IMPLICATIONS**

23 There are no environmental implications arising directly from the Main Modifications to the Local Plan for Broxbourne, but once adopted it will contain policies that guide and control 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**

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

## **HUMAN RESOURCE IMPLICATIONS**

25 There are no human resource 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**

The Broxbourne Local Plan Main Modifications	Dec 2019
Habitats Regulations Assessment Addendum for the Broxbourne Local Plan	Dec 2019

### **PREVIOUS COMMITTEE REPORTS**

Regeneration & Planning Committee	RP/16/18	Borough of Broxbourne Regulation 19 Local Plan Wharf Road	22 Feb 2018
Regeneration & Planning Committee	RP/09/17	Broxbourne Pre Submission Local Plan Regulation 19 Consultation Document	14 Dec 2017
Upper Lee Valley Regeneration & Planning Committee	ULV/113/16	Planning Consultation by the Borough of Broxbourne on Regulation 18 Draft Local Plan	22 Sept 2016
Upper Lee Valley Regeneration & Planning Committee	ULV/104/15	Planning Consultation by the Borough of Broxbourne on Duty to Cooperate Framework	17 Dec 2015
Upper Lee Valley Regeneration & Planning Committee	ULV/50/11	Consultation from Broxbourne Borough Council on a draft development brief for the site of Turnford Surfacing, Hoddesdon	24 Feb 2011

**APPENDICES ATTACHED**

- Appendix A The Authority's draft response to Broxbourne Borough Council including Appendix Wharf Road Area proposal 6.A.4.1
- Appendix B Plan showing the Park area within the borough of Broxbourne
- Appendix C Extracts from draft 'tracked changes' Local Plan showing main modifications
- Appendix D Extract from draft 'tracked changes' Local Plan showing plan area for former Leisure Pool site and Spitalbrook

**LIST OF ABBREVIATIONS**

PDF	Park Development Framework
SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
the Park Act	Lee Valley Regional Park Act 1966





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19th February 2020

Dear Douglas

**RE: CONSULTATION ON MAIN MODIFICATIONS TO THE DRAFT LOCAL PLAN DOCUMENT - LEE VALLEY REGIONAL PARK AUTHORITY REPRESENTATIONS**

Thank you for consulting the Regional Park Authority on the Main Modifications to Broxbourne Council's Draft Local Plan. A draft Officer level response was forwarded to meet the deadline for response on the 19<sup>th</sup> February.

A report on this matter was considered by the Authority's Members at the Lee Valley Regeneration and Planning Committee on the 27 February 2020 when the following comments were agreed. These are focused on the degree to which the main modifications to the Plan have addressed those areas of concern raised during the examination process and the rounds of previous consultation and whether the Plan can be considered 'sound'.

**Main Modifications MM13.2 and MM13.4**

The Authority does not wish to make any further comments on matters relating to Policies LV3 Broxbourne Leisure Pool Site (MM13.2) and LV4 Spitalbrook (MM13.4). The Inspector was of the view that the policies would be likely to involve proposals for new buildings that would represent inappropriate development in the Green Belt, contrary to national Green Belt policy.

Given the arguments already explored during the examination process to justify the need for a policy reference to enabling development at the Leisure Pool site and Spitalbrook by both the Authority and the Council, it is considered unlikely that a further challenge to the Inspector's position regarding development within the green belt would be successful. It is noted that the Inspector required the Council to prepare main modifications to policies LV3 ("Broxbourne Leisure Pool Site") and LV4 ("Spitalbrook") to "ensure that they are consistent with national policy relating to development in the Green Belt and effective" (Action point 8).

The Authority does however welcome the opportunity for joint working on an Area Action Plan for the wider area around Broxbourne Station including the former Leisure Pool Site, and Spitalbrook in accordance with Policy BX2 Broxbourne Station and Environs. This will assist in the delivery of the Park Development Framework Area Proposals 6.A.4 'Broxbourne Gateway and Visitor Hub River Lee Country Park North' which include the former leisure pool site and Proposal 7.A.1 'Wetland Park West, Spitalbrook, Dobbs Weir and Admiral's Walk Lake', where proposals recognise the need to: *"Work with Broxbourne Council and other stakeholders to restore; manage and protect habitats at Spitalbrook as a site of special biodiversity interest with visitor access. This could be delivered through enabling development on the site linked with the opportunities which Crossrail2 could realise. Any enabling development to integrate with and secure investment in the parklands and respect the sites unique biodiversity."*

### **Gypsy and Traveller Sites Wharf Road**

The Proposed Modifications to Policy GT2 Gypsy and Traveller Sites (MM 16.5 to 16.7) do not address the Authority's concerns in respect of the deliverability of the traveller site at Wharf Road. Although the Council proposes to remove the site from the Green Belt it remains within the Regional Park and as such, is incompatible with the Authority's statutory purpose and the adopted PDF Area Proposals 6.A.4.1 Wharf Road (adopted April 2019 post the examination process, and appended as Appendix A to this letter), which seek to undertake a series of environmental interventions and new pedestrian access routes to integrate the area into the River Lee Country Park (based on the Wharf Rd Environmental Strategy 2013).

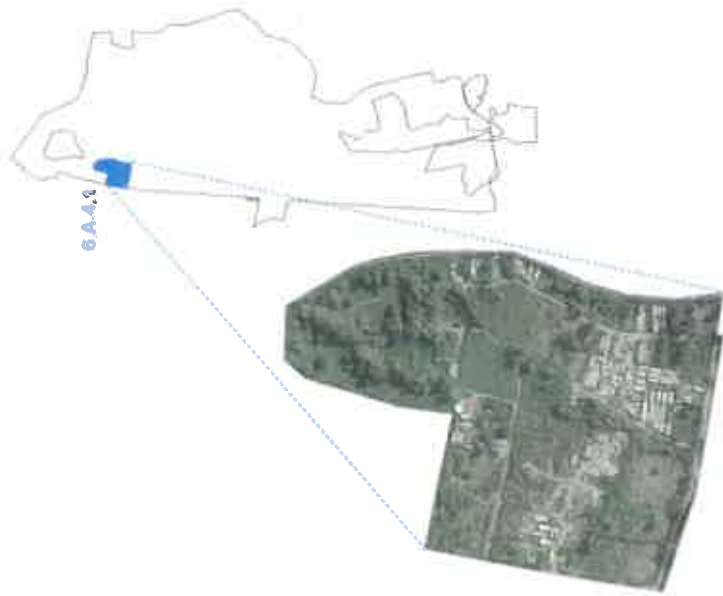
It also lies within Flood Zone 3a; in their examination hearing statement the Environment Agency clarified that this type of development, i.e. "use of caravans, mobile homes and park homes intended for permanent residential use" is classified as 'highly vulnerable' and that as stated in the NPPG (the flood risk vulnerability Table 3) "highly vulnerable development should not be permitted in flood zone 3a".

Whilst it has been acknowledged that the Council's draft policy represents a possible 'planned' way forward, that could also help to address flood risk issues, the Authority remains to be convinced that this is practical in terms of consolidating the plots within the one area, the ability of the Council to manage this process and the future maintenance of the site over the long term given the limited resources available and the fact that this process will depend on the co-operation commitment of many individuals within the Traveller community who are private landowners of the various plots of land and whose commitment for understandable personal reasons may change For these reasons the proposals remain 'unsound'.

Yours sincerely

Claire Martin  
Policy Officer  
Lee Valley Regional Park Authority

## 6.A.4.1 Wharf Road Inset



### Visitors

Create a new pedestrian spine parallel with the Broxbourne Ditch corridor to provide a different pedestrian environment and relieve pressure on the Navigation towpath. Extend the existing path network by providing further new tracks and paths to form extra links and circuits including an additional path along the southern edge of Silvermeade Wildlife site.

Upgrade Wharf Road as an entrance and gateway point into the River Lee Country Park. Work with Broxbourne Council, Hertfordshire County and Network Rail to sign the Regional Park from the High Road and improve the environmental quality of the route along residential roads and Wharf Road into the Park at this point. Assess existing entrance signage and ensure appropriate site signage is provided that promotes both the River Lee Country Park and safe crossing of the railway.

Maintain and enhance the small car park and provide an illustrated information board along with additional signage for information, interpretation and orientation throughout the area.

### Sport and Recreation

Protect and maintain the area as a tranquil space for informal recreation, walking and cycling forming part of the wider River Lee Country Park. Work with Broxbourne Council and landowners to increase the amount of space available for informal recreation, particularly in the southern half of the site.

Improve and extend the existing network of tracks and paths to create circular routes with links through to adjoining areas of the River Lee Country Park for walkers and cyclists.

### Biodiversity

Extend the ecological qualities of Silvermeade to the north eastern part of the site and along the Broxbourne Ditch to encourage species such as Water Vole. Areas in the north west to be managed as grassland and scrub grassland matrix. To the south areas of species rich grassland to be planted and managed as meadows.

This will be achieved through the following initiatives:

- Investigate provision of new scrapes, shallow pools and marsh habitat creation to the north and south of Nut Tree Nursery to extend existing habitats in Silvermeade and provide visually accessible habitats adjacent to new paths. Arislings to be disposed of in selected locations on site to avoid any reduction in flood plain capacity. Contamination surveys and Phase 1 and Phase 2 Ecological surveys are also required.
- Along Broxbourne Ditch removal of selected trees and pollarding of ditchside willows to reduce excessive shading; removal of litter, desilting and possible easing of bank gradients in limited numbers of selected locations to create habitat suitable for Water Vole.
- Introduction of a scrub control programme for areas south-west of Silvermeade, and north of Wharf Road, to conserve potentially interesting grassland and reedbed habitat.
- Removal and control of Great Willowherb in the north west of the site and Himalayan Balsam in the north east.
- Undertake cyclical management of hedgerows on Wharf Road and on the Navigation, removal of inappropriate species and localised gapping up.

- Introduce meadow management on land west of Silvermeade and investigate feasibility of using cattle for grazing.

Promote the site as an access to nature area with opportunities to view species such as the Water Vole.

### Landscape and Heritage

**Landscape**  
Protect, enhance and manage the landscape as set out in the Landscape Strategy Guidelines for Character Area: A4 Kings Weir to Waltham Town Lock.

Extend the positive landscape character of surrounding areas to the south and north into the site and strengthen existing landscape features including the Broxbourne ditch and the river edge.

Plant locally native wet woodland to extend and consolidate existing scattered tree clumps to provide enhanced screening to visually intrusive uses. Species should be mainly willow, alder and birch with some oak, with a focus on the creation of alder carr.

Thin and remove existing vegetation to improve inter-visibility of areas such as the Navigation and to remove the legacy of chalet plot development. The focus will be on the removal of inappropriate species (mainly surviving garden species from previous chalet development) and poor quality trees.

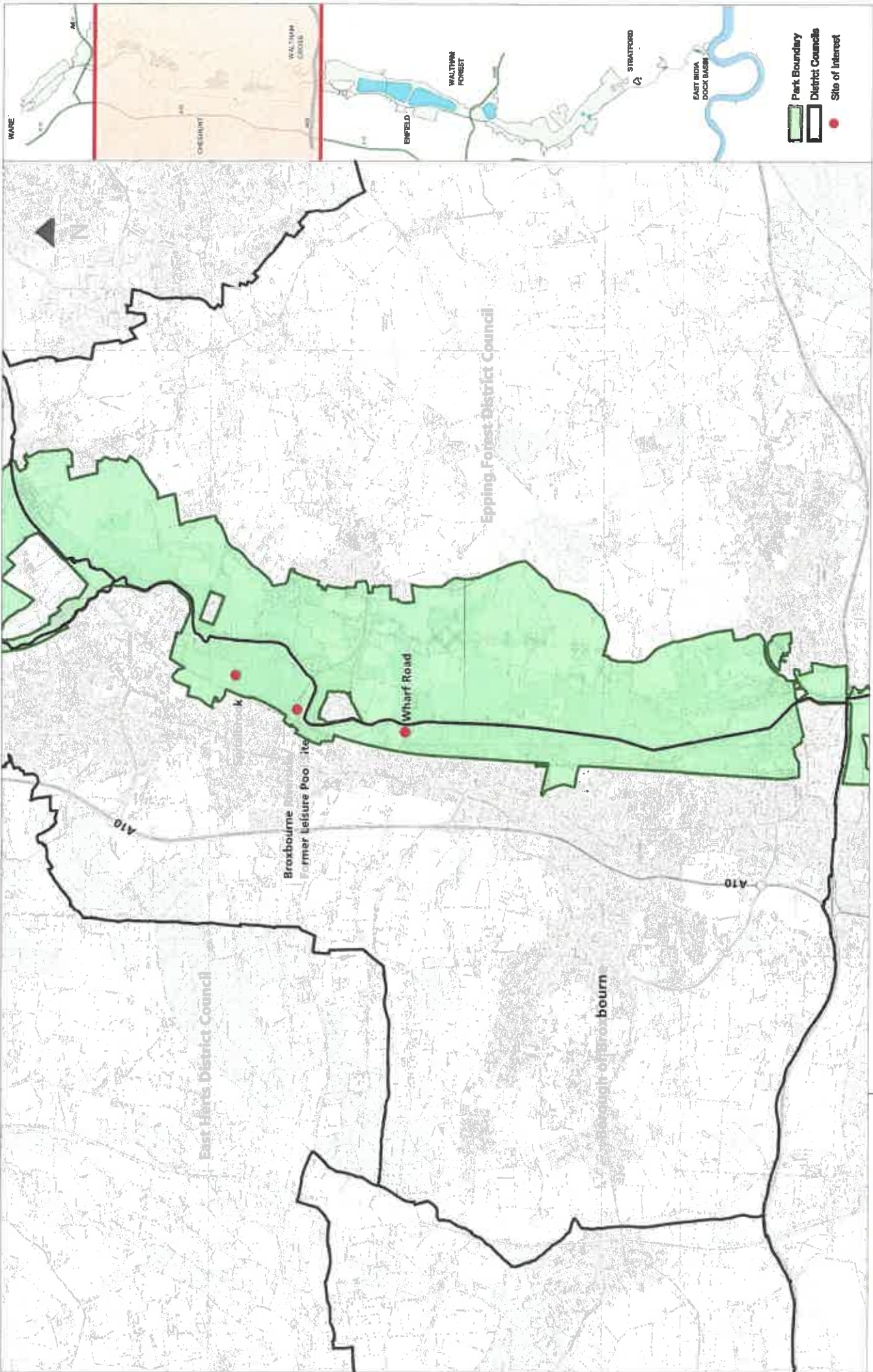
### Environment

Work with Broxbourne Council and other stakeholders to develop a long term strategy of removing illegal, non-conforming and non Park compatible uses within the area, including through the use of planning enforcement action, and compulsory purchase if necessary.

Larger areas of non-conforming use may present issues of contamination and unsafe ground conditions unsuitable for public access. Given that remediation is likely to have significant costs it is suggested that these areas are assumed to be fenced to prevent public access, and to serve as a refuge area for wildlife.

Investigate demand for the medium term lease of land that presents issues of contamination or unsafe ground unsuitable for public access to be planted, managed and cropped for short rotation coppice. This could include areas of hazel coppice and/or the cultivation of cricket bat willows.

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**Lee Valley Regional Park within Borough of Broxbourne**

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Extract from draft 'tracked changes' Local Plan showing main modifications in red font and red strikethrough

### Broxbourne Leisure Pool Site and Spitalbrook

**13.7** To the east of Broxbourne station on either side of the B194 Nazeing Road are two sites considered to have significant potential for improved leisure and recreation. To the south lies the site of the former Leisure Pool, which is now largely parkland but which contains the structures of the former leisure pool. To the north lies the largely inaccessible area of the Spitalbrook. The location of both sites is shown in the indicative plan below.

**13.8** The Council and the Park Authority have previously collaborated to produce a development brief to enable the development of the former leisure pool site for recreational activities. ~~Since that time, very limited interest has been shown in taking forward development of the site. The brief had previously ruled out housing as an element of a new development. However, it is now consider that some residential development could be justified if it enabled the overall improvement of the Park in this location.~~

#### Policy LV3: Broxbourne Leisure Pool Site

The Council and the Park Authority will up-date the Broxbourne Leisure Pool Development Brief in the context of policy GB1 and national policy relating to development in the Green Belt. ~~to include the potential for residential development to the western end of the site to enable the wider development and improvement of the site and preservation of the existing parkland and natural areas.~~

**13.9** The Spitalbrook area to the north of Nazeing Road in Broxbourne had been identified as the original site for the Lee Valley White Water Centre. However, this was abandoned because of contamination from historic landfill. The site now sits as a largely inaccessible area of un-reclaimed dereliction and scrubland. Spitalbrook has clear potential for regeneration and the creation of new wildlife habitat with limited expenditure on land reclamation.

#### Policy LV4: Spitalbrook

The Council will work with the Park Authority and the site owners to put in place a reclamation scheme for the Spitalbrook area to include the following:

- Environmental improvements including habitat restoration;
- Improved public access and connectivity including a network of foot and cycle paths; and
- Leisure and recreation facilities including a visitor hub.

~~The scale and nature of any development that would enable these objectives will inform the appropriate planning approach to the delivery of the proposed development plan.~~

## Broxbourne Station and Environs

**6.3** Broxbourne Station (**Grade II listed**) is currently proposed to be the northern terminus of Crossrail 2. The Council will be working with Transport for London and Network Rail to plan out the infrastructure necessary to support this. It will also work with the Lee Valley Regional Park Authority to consider the development potential of the lands on the east side of the station within the Lee Valley Regional Park.

**6.4** The Council and the Park Authority have previously collaborated to produce a development brief to enable the development of the former leisure pool site for recreational activities. Since that time, very limited interest has been shown in taking forward development of the site. The brief had previously ruled out housing as an element of a new development. However, it is now considered that some residential development could be justified if it enabled the overall improvement of the Park in this location.

**6.5** The Spitalbrook area to the north of Nazeing Road had been identified as the original site for the Lee Valley White Water Centre. However, this was abandoned because of contamination from historic landfill. The site now sits as a largely inaccessible area of un-reclaimed dereliction and scrubland. Spitalbrook has clear potential for regeneration and the creation of new wildlife habitat with limited expenditure on land reclamation. The station, the former Leisure Pool site, and Spitalbrook, are all located together at an important Park Gateway (see section 13 policy LV5).

### Policy BX2: Broxbourne Station and Environs

- I. The Council will support a long term development plan for produce an Area Action Plan to review options for the development and use of land at Broxbourne Station and environs in the context of Crossrail 2.
- II. Development proposals within this area should consider the potential to enhance the setting of the listed station building and conserve the adjoining Conservation Area as well as providing net biodiversity gains in accordance with policy NEB1.

## Wildlife, Wildlife Sites and Biodiversity

### Policy NEB2: Wildlife Sites

#### Internationally Designated Wildlife Sites

I Development at Cheshunt Lakeside should ensure that adverse impacts on the Lee Valley SPA, either alone or in-combination, are avoided and mitigated through the implementation of the mitigation strategy, in accordance with Policy CH1;

II. Where necessary, financial contributions towards the measures set out in any Epping Forest mitigation strategy for recreational impacts will be sought from residential developments within the Epping Forest ZOI in order to mitigate and avoid in-combination effects on the SAC;



III. Development proposals which may have an adverse impact on any internationally designated wildlife site, either alone or in-combination, must satisfy the requirements of the Conservation of Habitats and Species Regulations, determining site specific impacts and avoiding or mitigating against impacts identified.

*Internationally and Nationally Designated Wildlife sites*

~~+~~ IV. Development which would harm the nature conservation or geological interest

of an ~~an internationally or~~ nationally important wildlife site, as shown on the Policies Map, will not be permitted unless:

a) it is required in connection with the management or conservation of the site; or

(b) the development provides appropriate avoidance or mitigation measures and as a last resort compensation to offset any adverse impacts on the interest features of the site.

~~b) there are imperative reasons of overriding public interest for the development; and~~

c) there is no alternative to the development.

~~Compensation for the harm will be required.~~

*Locally designated sites of wildlife value*

~~+~~ V. Development on, or which negatively affects, a Local Wildlife Site or Local Nature Reserve, as shown on the Policies Map, will not be permitted unless:

(a) local development needs significantly outweigh the nature conservation value of the site; and

(b) the development provides appropriate avoidance or mitigation, and as a last resort compensation measures, to offset any detriment to the nature conservation interest on the site.

## Wharf Road

13.9 Most of the identified need for 22 pitches (see above) relates to the previously unauthorised Wharf Road site. The extent of the allocation of this site addresses the needs of all the resident gypsy and traveller families over the Plan period – both within existing pitches and through the creation of new pitches. The accommodation needs of the more long standing Wharf Road travelling community are recognised by the Council. However, the situation at Wharf Road has become very complex with substantial sub-letting of caravans to individuals with no long term connection to the Borough. The Council is therefore seeking to work with the established community and the Lee Valley Regional Park Authority to create an authorised site at Wharf Road for that community. This will entail the relocation of the straggle of plots along the River Lee onto land currently owned by the Authority in the central area where most of the unauthorised plots are currently located. This will create a central integrated site that can then be authorised, licenced and properly serviced with roads, water, electricity and drainage. It will also entail the discontinuance of sub-letting.

**13.10** These four sites have all been removed from the Green Belt in order to enable the effective implementation of Policy GT1 as set out below.

### **Policy GT1: Gypsy and Traveller Sites**

The Council will work with the travelling communities to allocate sites as follows as shown on the Policies Map:

1. Expansion of Hertford Road ~~by 3 pitches where additional appropriate needs cannot be accommodated within the existing site boundaries;~~
2. Accommodation of **2** new pitches within the existing St James' Road site;
- ~~3. Relocation of Halfhide Lane to accommodate c. 20 pitches in total;~~
4. **3**. Authorised site at Wharf Road to accommodate ~~c. 20 pitches in total~~ the appropriate needs of the Wharf Road Community.

These sites are allocated for the specific needs of the resident travelling communities to which they relate and the future expansion of those communities through new household formation within those communities. They are not to meet the needs of extended family members not currently resident within the Borough of Broxbourne. The means for ensuring that these sites meet the immediate needs of those communities in perpetuity will be set out within planning permissions.

If demonstrated to be necessary in accordance with policy BR4, the Halfhide Lane Gypsy site will be relocated within Brookfield Garden Village to accommodate the appropriate needs of the Halfhide Lane gypsy community.

Main modifications in red. Minor/additional modifications in green.

**Figure 14 Figure 15 Former Leisure Pool Site and Spitalbrook indicative concept Plan [REPLACEMENT]**



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