

To: David Andrews (Chairman) Valerie Metcalfe
 Chris Kennedy (Vice Chairman) Gordon Nicholson
 John Bevan Paul Osborn
 Christine Hamilton Mary Sartin
 Denise Jones Syd Stavrou
 Heather Johnson

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

THURSDAY 23 JANUARY 2020 AT 12.15

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 September 2019 (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 EPPING FOREST DISTRICT COUNCIL – FORMER HAULAGE YARD, SEWARDSTONE ROAD, WALTHAM ABBEY, ESSEX. OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS, FOR THE DEMOLITION OF EXISTING BUILDINGS (EXCLUDING SEWARDSTONE HALL) AND THE ERECTION OF UP TO 40 DWELLINGS** Paper RP/35/20

Presented by Claire Martin, Policy Officer

- 6 **PLANNING CONSULTATION BY LONDON LEGACY DEVELOPMENT CORPORATION – IMPERIAL PHASE 3, LAND AT IMPERIAL STREET, BROMLEY BY BOW, LONDON, E3 33D FULL APPLICATION FOR CONSTRUCTION OF A RESIDENTIAL LED MIXED USE DEVELOPMENT COMPRISING A SERIES OF BUILDINGS FROM THREE TO FOURTEEN STOREYS PROVIDING 321 RESIDENTIAL UNITS, APPROX 306sqm OF FLEXIBLE COMMERCIAL AND RETAIL FLOORSPEACE, AND ALL ASSOCIATED INFRASTRUCTURE, ACCESS, HARD AND SOFT LANDSCAPING (INCLUDING REPLACEMENT OF ADJACENT RIVER WALL)** Paper RP/36/20

Presented by Claire Martin, Policy Officer

- 7 **Such other business as in the opinion of the Chairman of the meeting is of sufficient urgency by reason of special circumstances to warrant consideration.**
- 8 **Consider passing a resolution based on the principles of Section 100A(4) of the Local Government Act 1972, excluding the public and press from the meeting for the items of business listed on Part II of the Agenda, on the grounds that they involve the likely disclosure of exempt information as defined in those sections of Part I of Schedule 12A of the Act specified beneath each item. (There are no items currently listed for consideration in Part II.)**

15 January 2020

Shaun Dawson
Chief Executive

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION & PLANNING COMMITTEE MINUTES
19 SEPTEMBER 2019**

Members Present: Chris Kennedy (Vice Chairman) Gordon Nicholson
John Bevan Paul Osborn
Christine Hamilton Syd Stavrou
Heather Johnson Steven Heather (Deputy for Mary Sartin)

Apologies Received From: David Andrews, Denise Jones, Valerie Metcalfe, Mary Sartin

Officers Present: Shaun Dawson - Chief Executive
Beryl Foster - Director of Corporate Services
Jon Carney - Head of Parklands
Claire Martin - Policy Officer
Sandra Bertschin - Committee & Members' Services Manager

Part I

In the absence of the Chairman, the Vice Chairman took the Chair.

74 DECLARATIONS OF INTEREST

Name	Agenda Item No.	Nature of Interest	
Syd Stavrou & Steven Heather	5	Members of Epping Forest District Council Area Planning Sub Committee West	<i>Non-pecuniary</i>
Christine Hamilton	6	Member of Enfield Council	<i>Non-pecuniary</i>

75 MINUTES OF LAST MEETING

THAT the Minutes of the Regeneration & Planning Committee meeting held on 14 February 2019 be approved and signed.

76 PUBLIC SPEAKING

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

77 PLANNING CONSULTATION FROM EPPING FOREST DISTRICT COUNCIL ON AN APPLICATION FOR THE CHANGE OF USE AND CONVERSION OF EXISTING AGRICULTURAL BUILDINGS TO CREATE 5 NEW DWELLINGS, TEMPLE FARM, HIGH STREET, ROYDON, CM19 5LW Paper RP/34/19

The report was introduced by the Policy Officer.

A Member suggested that an application for S106 monies be submitted.

- (1) In the event that planning permission is granted planning conditions be included in any final decision letter requiring:
 - (a) the protection and retention of the existing tree and scrub belt along the southern boundary of the site;
 - (b) a planting scheme to be provided, in consultation with the Authority, for the western boundary of the site incorporating native tree and shrub species;
 - (c) the incorporation of swallow nests and sparrow terraces as recommended in the ecology appraisal; and
 - (d) S106 contribution towards habitat and access works within the Park was approved.

78 PLANNING CONSULTATION BY THE BOROUGH OF ENFIELD ON TWO APPLICATIONS, A FULL APPLICATION FOR STRATEGIC INFRASTRUCTURE WORKS AND AN OUTLINE APPLICATION FOR A MIXED USE RESIDENTIAL LED DEVELOPMENT BOTH RELATING TO MERIDIAN WATER Paper RP/33/19

The report was introduced by the Policy Officer.

Members suggested that greater emphasis be included on protected species, water voles and otters, and that the words "a few" should be removed from recommendation 2(c). It was also suggested that consideration of materials and design were required so that structures were complementary to those within the Park already.

- (1) the Authority welcomes the application for Meridian Water Strategic Infrastructure Works (MWSIW) and supports the creation of Edmonton Marshes within the Regional Park. Reassurances are sought that:
 - (a) the Lee Valley Biodiversity Action Plan will be taken into account in the detailed design and the choice and creation of habitats within Edmonton Marshes;
 - (b) options to improve access connections between Edmonton Marshes and land within the Park to the north of the North Circular, are included at this stage as part of the Design & Access Statement even if delivery forms part of a later phase of development; and
 - (c) the Authority is involved in further detailed planning and delivery of the proposed link between the southern end of Brooks Park and Tottenham Marshes to ensure an appropriate and attractive treatment of the access between the two areas;
- (2) the Authority would wish to be involved with and consulted on:
 - (a) any bespoke lighting solution for the River Lee Navigation and River Lee Navigation Bridge to ensure the design and use of lighting takes account

of the need to mitigate impacts on habitats, protected species and the foraging and commuting routes used by wildlife, in particular along the Lee Navigation corridor;

- (b) details for the provision of access along the waterways within the Park, particularly where this is on both sides of the watercourse;**
 - (c) provision for Water Voles and Otter along the waterways within the development site, for example development of protected otter holts, consideration to Otter movement given during the construction of any new river crossings and linking marginal vegetation for Water Voles. Further discussion between the Authority and the Council would be welcome on these matters;**
 - (d) clarification is also sought as to the management of the waterways within the new park Edmonton Marshes and the wider Meridian Water development so as to ensure water quality is maintained and enhanced;**
 - (e) further detail on the Lee Navigation bridge design and use of materials particularly in terms of the relationship to the canal and waterway heritage; and**
- (3) in respect of the Meridian Water Phase 2 outline application the Authority wishes to be consulted on the Reserved Matters Applications for:**
- (a) the development plots that lie adjacent or close to the Park boundary on the western side of the River Lee Navigation including provision of a 'riverside' path; and**
 - (b) development plots to the north of Tottenham Marshes in order to safeguard the amenity, ecology and enjoyment of the Park was approved.**

Informative: Offices would welcome further discussion on the matters raised above.

The report was introduced by the Policy Officer.

Members suggested that greater emphasis be included on the need for further discussions with the London Borough of Waltham Forest including amendment of Policy 6 to reflect the strategic importance of the area by having Olympic legacy venues within it, the requirements for their long term viability and to be consistent with the London Legacy Development Corporation Local Plan. Also that these venues hosted international and national events should be highlighted and the consequent need for visitor accommodation.

The Chairman advised that some members of the public had queried paragraph 32 of the report in relation to de-designation from Metropolitan Open Land of two sites within the Lea Bridge Road and Members agreed that the wording was appropriate.

- (1) subject to strengthening of the comments as suggested by Members above, the comments as set out in Appendix A to Paper RP/32/19 as the Authority's formal response to the consultation by the London Borough of Waltham Forest on the draft Local Plan 2020-2035 was approved.**

Chairman

Date

The meeting started at 12.31pm and ended at 1.23pm

**PLANNING CONSULTATION BY
EPPING FOREST DISTRICT COUNCIL**

**FORMER HAULAGE YARD, SEWARDSTONE ROAD,
WALTHAM ABBEY, ESSEX**

**OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS,
FOR THE DEMOLITION OF EXISTING BUILDINGS (EXCLUDING
SEWARDSTONE HALL) AND THE ERECTION OF UP TO 40 DWELLINGS**

Presented by the Policy Officer

SUMMARY

The application is a further attempt to secure outline permission to redevelop the southern portion of the former Haulage Yard located just off Sewardstone Road for up to 40 residential dwellings; previous applications relating to the same site have been refused.

The whole site is within the Regional Park and designated Green Belt. Members have previously considered similar applications, most recently in October 2018 (paper RP/22/18) and it has been established that as the proposals for development broadly cover the existing developed portion of the site, this form of development is acceptable.

The current application is however still missing updated and adequate ecological surveys which are required before the impacts of development can be assessed. In the event that these surveys are adequately undertaken and do not identify any adverse impacts which cannot be mitigated then conditions are suggested to cover the need for detailed landscaping including lighting proposals, both within the site and along the perimeter to help limit the impact of new development on the 'openness' of the Regional Park and the need for directional signage as part of the new junction design to promote access into the Park.

The applicant has submitted a Unilateral Undertaking as part of the application. This includes a £50,000 contribution for improvements to nearby parts of the Park, although it specifies this should also cover footpath improvements, including lighting, of the east-west path outside but along the southern boundary of the site. The Authority does not own this pathway, would not wish to see it lit given the sensitivity of the surrounding sites and has previously agreed its own list of projects that require

funding; currently estimated to be in the region of £88,000. An uplift in the current developer contribution is requested.

RECOMMENDATIONS

- Members Approve:
- (1) that Epping Forest District Council be informed that whilst the Authority does not object to this outline application, up to date ecological surveys are still outstanding and required in advance of further consideration by the local planning authority;
 - (2) the Council should consult the Authority on the revised ecological surveys;
 - (3) in the event that the surveys are adequately undertaken and do not identify any adverse impacts which cannot be mitigated then conditions should be included in any decision granted to address the following:
 - (a) a detailed landscape scheme for the proposed open space and boundaries of the 'developed' areas to help limit the impact of new development on the 'openness' of the Regional Park;
 - (b) details of proposed lighting for the development and access routes to ensure the impact on wildlife from light pollution is minimised; and
 - (c) directional signage to the Regional Park is included in the new junction design to promote access into the Park.

The Authority would wish to be consulted on these matters in due course.

- (4) If the Council is minded to approve the planning application, the planning obligation should allow £88,000 for improvements to nearby parts of the Park to account for the additional usage which would occur from the additional residents living at the site. An indicative list of measures is included at Appendix C to this report.

For information it should be noted that officers would welcome the opportunity to discuss with the Council detail of the proposed improvements to the Regional Park. The Authority has no proposals to light the east west access path.

DESCRIPTION OF APPLICATION SITE AND PLANNING HISTORY

- 1 The application site is located on Sewardstone Road just south of its junction with Hawes Lane. Residential properties lie along Butlers Drive to the south,

agricultural fields lie immediately to the west and a ribbon of housing and commercial development to the east. To the north and further to the west lies Gunpowder Park. The site comprises 3.6ha with the southern half largely developed for storage and workshops, although just 0.45ha is open and partially used for open storage. This part of the site includes two residential properties one of which, known as Sewardstone Hall is locally listed. Many of the buildings are visible from Gunpowder Park to the west. The northern part of the site comprises an open field and former orchard. Other site boundaries are vegetated, with large trees along the Sewardstone Road frontage which are protected.

- 2 The site lies within the Regional Park and forms part of the Metropolitan Green Belt. There is a permissive pedestrian and cycle pathway just beyond the southern site boundary that leads into the Park to Knights Pits and provides access to Enfield Island Village. There are other publicly accessible routes to the north of the site within Gunpowder Park. The Authority owns and manages Gunpowder Park and Knights Pits as publicly accessible open space and has invested in improved pathway routes and ecological enhancements.
- 3 In early 2014 an application for 72 dwellings was refused by the local planning authority on the grounds that although it is 'previously developed land' within the Green Belt the density of development would adversely impact on 'openness'; and would be 'unsustainable' in transport terms given its remote location. An appeal against this decision was dismissed.
- 4 In October 2018 an outline application was made for the erection of 40 dwellings with all matters reserved except for access. This was also refused on 1 February 2019 under delegated powers for the following reasons: in summary that the proposal would
 - result in an unsustainable form of development, which is not well served by public transport or local services and result in an increase in vehicle commuting;
 - create a substantial urban form in stark contrast to the character of the area;
 - result in the loss of employment space; and
 - did not include a S106 planning obligation to mitigate against:
 - i. the identified impact on the local primary school;
 - ii. the adverse impact on Epping Forest Special Area of Conservation; and
 - iii. to secure the requirement for affordable housing.

A further appeal against the decision was dismissed.

- 5 The Authority did not object to either application recognising the site as 'previously developed'. Instead improvements were sought through landscape conditions and a planning obligation contribution of £75,000 for a range of enhancement works to nearby parts of the Park, to account for the additional usage which would occur from the additional residents living at this site.
- 6 The Park Development Framework adopted Area 5 Proposals 'The Waterlands: King George V Reservoir to Rammey Marsh' locate the application site within Proposal 5.A.3 Gunpowder Park and Sewardstone. This identifies the area as having an attractive landscape requiring landscape features which make a positive contribution, such as hedgerows and areas of woodland to be retained and strengthened. Proposals recognise the sensitivity of this area to large scale development and seek to improve boundary treatment to assimilate 'developed

sites' into the Regional Park. Visitor proposals seek improvements to signage and the promotion of pedestrian links into Gunpowder Park, and encourage local bus operators to improve bus services to Gunpowder Park.

DESCRIPTION OF DEVELOPMENT

7 This application is similar to that submitted in 2018. It seeks outline permission to redevelop the site through demolition of the existing buildings, except the locally listed Sewardstone Hall, and the erection of up to 40 dwellings, with associated parking, gardens, landscaping and infrastructure. All matters are reserved except access. The applicant seeks to establish the broad layout of development and indicative mix of dwelling types with details provided in the Design and Access Statement (DAS), an accompanying illustrative masterplan and proposed indicative landscape plan. The Planning Statement has been revised but the other documents are dated July 2018, with reference in some case to 2013 survey work carried out for the earlier application.

8 Proposed Layout

The outline scheme is proposed on the southern portion of the site. All buildings are kept to the existing developed area and the large open green space to the north is shown retained as an open landscaped area, incorporating a children's play area. The existing green space to the front of the site is also to be retained and Sewardstone Hall incorporated into the development.

9 The existing vehicular access from Sewardstone Road would be retained and a revised layout would allow for right turning movements into the site. Further improvements are proposed to re-align the entrance to Hawes Lane to the north of the site to consolidate traffic before it meets the junction with Sewardstone Road.

10 Vehicular access into the site runs from Sewardstone Road across the top of the development wrapping around the western boundary. This road will be populated with detached and semi-detached houses of varying scale and provide access to mews-style courtyards. These will contain tighter grain semi-detached houses and terraces to the southern boundary. It is stated that 40% of the dwellings would be affordable. Pedestrian and cycle access connections are proposed to the south of the developed area linking into the east west permissive path/roadway that connects through to Enfield Island Village.

11 Public Open Space and Landscaping

The northern 'greenfield' portion of the site would remain as open space and there is mention in the DAS and Planning Statement that this will be public open space. It is shown as comprising a playing field and an area of amenity grassland or wild flower meadow. Attenuation ponds forming part of the sustainable drainage strategy for the site could be located within this space. Additional tree planting and children's play equipment is proposed along the boundary with the developed area, with hedgerows and mature trees retained along the north and western boundary, in accordance with the recommendations of the arboricultural survey.

12 It is stated that the main areas of dense or mature planting on the existing site, in particular the developed part of the site would be retained 'wherever possible'.

13 Unilateral Undertaking

The applicant considers this application is materially different from that previously submitted as it now includes an executed Unilateral Undertaking to secure a number of measures, including:

- primary school places contribution;
- secure the provision of 40% affordable housing;
- financial contribution to off-set impact on Epping Forest Special Area of Conservation (SAC);
- financial contribution to the Lee Valley Regional Park;
- mechanism to secure management of the on-site public open space; and
- financial contribution towards bus stop improvements.

PLANNING APPRAISAL

14 Principle of Development

The detail of this application is very similar to that considered by Members in October 2018 (paper RP/22/18) and which was refused by Epping Forest District Council in February 2019 and then dismissed on appeal October 2019.

15. Both the Council and the Inspector (decision letter APP/J1535/ W/19/3224279) are in agreement that the land proposed for development is previously developed land, that subject to the reserved matters it would not have a materially greater impact on the openness of the Green Belt than the existing development and that it is therefore not inappropriate development in the Green Belt. The Authority's position on this matter remains as previously stated: that as the development would be confined to the area where existing commercial uses are located and where undeveloped areas are partially used for open storage, it can be considered acceptable, even though this is not a use that complies with the provisions of the Lee Valley Regional Park Act 1966 (the Park Act).
- 16 However, given the location of the development within the Regional Park, the Authority's adopted proposals for this area and the issues identified by the Landscape Strategy, it remains the case that the impact of new development on the amenities of the Park should be limited. Whilst it is recommended that no objection is made, sufficient landscape mitigation is required to limit the impact of new development on the 'openness' of the Regional Park; this would reflect Green Belt policy. The Authority would wish to be consulted on a detailed landscaping plan for the proposed open space and boundaries of the whole site including the proposed lighting throughout.
- 17 Retention and maintenance of the open space and its use as public open space is to be secured via the Unilateral Undertaking (Schedule 3) and a specification for the space will be submitted prior to commencement of development. To prevent the acquisition of any public rights the owner intends to close the open space for one day a year.
- 18 **Ecological Impacts**

The applicant has not provided any substantial update on the previous ecological surveys, other than a minor review which is dated June 2018. This means the application is accompanied by an ecological survey undertaken in

2013 and does not provide the required up to date information upon which a decision can be made. There is particular concern about the consequences of development for any bats roosting in any of the buildings or the trees to be removed and using site features to forage and commute. There is also the need for reptile and badger surveys, given all these species were mentioned in the 2018 minor review.

- 19 As set out in Government advice the presence or absence of protected species and the extent to which they could be affected by the proposals should be established prior to granting of permission to ensure all material considerations are considered. There is therefore a need for a full suite of protected species surveys to be undertaken to include badger, reptile, otter and water vole, all of which have been recorded in the vicinity of the application site. The Authority would wish to see up to date ecological surveys in advance of further consideration of the application.

20 **Access**

The main access into the site will not impact the Regional Park but there is an opportunity to clearly sign the public footpath into Gunpowder Park that links with Hawes Lane immediately north of the open space element of the development. It is recommended that conditions are included in any permission requiring clear demarcation and directional signage to direct Park visitors to this public footpath as part of the proposed development.

- 21 The indicative landscape plan shows a series of pedestrian and cycle route connections from the development south onto the east-west permissive footpath roadway that runs alongside but outside the application boundary. This is proposed to "encourage sustainable journeys to the local schools and amenities" within Enfield Island village and reduce reliance on the private car.
- 22 The previous application was refused due to a lack of local services within vicinity of the site resulting in an increase in vehicle use. The Inspector also commented on the limited day to day services and facilities and the fact that the access along the east-west path would require "walking and cycling along an unlit path lined with heavy vegetation in a secluded area.... not an attractive route for unaccompanied children or other vulnerable people, particularly during the hours of darkness or in bad weather. Furthermore, the distance involved (1km to the services) is likely to deter many people from walking or cycling".
- 23 The applicant proposes to provide a financial contribution towards the up-grade of bus stops on Sewardstone Road to encourage residents to use the bus. This is welcome in that it could also be of assistance for Park visitors using public transport in the area. However, the applicant also suggests that footpath improvements including lighting of the path could be funded from the financial contribution being made to the Regional Park via the Unilateral Undertaking.
- 24 The east-west path/route is not owned by the Authority, although the Authority does have rights to use the path to gain access into the Park. It is gated and locked at the Sewardstone Road entrance although there is a narrow space for people to walk past the gate. Access from Enfield Island is controlled via lockable bollards. As an informal access that leads right to the centre of the Park, and to sensitive habitats at Knights Pits and the Lee Navigation wildlife corridor, the Authority would not wish to see this path lit at night. Nor would it wish to see the dense planting along the southern boundary of the site which

abuts the path reduced or removed due to its ecological value and the screening it would afford the new development. In any event lighting the path will not reduce the distance to the local services, and these measures would not be sufficient to deter substantially people from using their vehicles to access services. The Council will be informed of the Authority's position on this matter to enable discussion on this point.

25 The need for S106 Park Improvements

The Authority previously sought funding in the region of £75K for Park improvements, considering that to be appropriate for a scheme of this scale, although noting that the amount and distribution would be subject to discussion between the applicants and the Council as Local Planning Authority. A draft list of schemes with rough costings of projects within adjacent areas of the Park was approved and forwarded to the Council to inform their negotiations on the content of the contributions.

- 26 The applicant's Unilateral Undertaking includes in Schedule 4 a contribution of £50K to be used by the Council for *"improvements to the Lee Valley Regional Park in the vicinity of the development to account for the additional usage that would occur from the Development including (but not limited to) installation of lighting along and the upgrading of the existing informal footpath that links the Site to the wider Lee Valley Regional Park public footpath network and Enfield Island Village as agreed between the Council and the Owners."*

The monies are to be paid to the Council before the commencement of development.

- 27 The Authority welcomes the Unilateral Undertaking contribution for works within the Regional Park which recognises the additional usage which will arise as a result of additional residents living at this site. However, the project list of improvements to pathways and habitats previously identified as necessary were costed out at a sum of £75K and the updated scheme shows an indicative spend of £88K. This did not include works to the east-west pathway which is outside the Authority's ownership. As stated above this is a path that provides access to sensitive areas of the Park which the Authority would not wish to see lit at night. If the Council is minded to approve the application the Authority would wish to see an increase in the planning obligation contribution to match the identified project improvements.

28 Conclusion

The principle of housing development on this site is accepted. Given the lack of any additional information associated with this application compared to the previous one, the Authority's recommendations will remain largely the same, although an uplift in Section 106 contributions is sought to ensure delivery of the improvements to nearby parts of the Park that are considered necessary and proportionate to the proposals.

ENVIRONMENTAL IMPLICATIONS

- 29 Environmental implications are addressed in the body of this report.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 31 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of 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.
- 32 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Application Papers 19.102

December 2019

PREVIOUS COMMITTEE REPORTS

Regen & Planning	RP/22/18	Planning Consultation by Epping Forest District Council – Former Haulage Yard, Sewardstone Road, Waltham Abbey, Essex Outline application with all matters except access reserved for demolition of all existing structures except the Farmhouse and erection of up to 40 dwellings (50% affordable) with ancillary parking access and gardens, along with the erection of a community building	18 October 2018
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APPENDICES ATTACHED

Appendix A	Site Location Plan
Appendix B	Indicative layout of development
Appendix C	Indicative project list for Park Improvement Works

LIST OF ABBREVIATIONS

DAS	Design and Access Statement
the Park Act	Lee Valley Regional Park Act 1966

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Sewardstone Hail Development, Sewardstone

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- existing buildings site
- proposed children's play equipment
- green space
- proposed parking
- proposed pedestrian/cycle route connection
- existing pedestrian/cycle route
- site boundary

July 2019

17061_112 Sewardstone Hall, Essex Proposed Illustrative Masterplan

Project aim:

Undertake pedestrian access improvements linking existing pathways at Osier Marsh through Knights Pits to Sewardstone Marsh alongside enhancement works to improve priority habitats for target species including Water Vole, wildfowl and Nightingale.

Project elements and indicative costs		
Footpath enhancements linking Osier Marsh to Sewardstone Marsh		£50K
Management of lake edge vegetation at Knights Pits to encourage marginal vegetation establishment and growth		£10K
Coppice management of woodland to enhance habitat for Nightingale and Long-eared Owls		£3K
Vegetation management along waterways to enhance the habitat for Water Vole		£5K
Non-native invasive species management including the management of Himalayan Balsam and New Zealand Pygmyweed		£20K
	Total	£88K

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**PLANNING CONSULTATION BY
LONDON LEGACY DEVELOPMENT CORPORATION**

**IMPERIAL PHASE 3, LAND AT IMPERIAL STREET,
BROMLEY-BY-BOW, LONDON, E3 3ED**

**FULL APPLICATION FOR CONSTRUCTION OF A RESIDENTIAL LED
MIXED USE DEVELOPMENT COMPRISING A SERIES OF BUILDINGS
FROM THREE TO FOURTEEN STOREYS PROVIDING 321 RESIDENTIAL
UNITS, APPROX. 306sqm OF FLEXIBLE COMMERCIAL AND RETAIL
FLOORSPACE, AND ALL ASSOCIATED INFRASTRUCTURE, ACCESS,
HARD AND SOFT LANDSCAPING (INCLUDING REPLACEMENT OF
ADJACENT RIVER WALL)**

Presented by the Policy Officer

SUMMARY

The proposed development at Imperial Phase 3 is part of the wider regeneration of the Bromley-by-Bow area which sits outside the Regional Park but in close proximity to Three Mills Island and the River Lea. Existing policy and master planning work sets the parameters for the redevelopment of this area as a District Centre and accounts for the height and location of the proposed new residential blocks forming part of the application.

The proposed development provides an opportunity to secure a new area of riverside open space that would complement the Regional Park and its ecological and recreational assets, and this is supported. Further detail is sought however on some aspects of the ecological assessment in order to better understand the role of the waterways, designated as the Lee Valley Site of Metropolitan Importance for Nature Conservation. In association, more detail on the lighting strategy is also required to protect the role of the waterways as a wildlife corridor.

RECOMMENDATIONS

Members Approve: (1) that the London Legacy Development Corporation be informed that whilst the Authority does not object to the current application it considers that:

- a) further ecological survey work should be undertaken for protected species to assess the extent of bat activity in relation to the Lee Valley Site of Metropolitan Importance for Nature Conservation and the proposed development, and use of the site by Black Redstart, including during the construction phases of development;
 - b) a condition should be included in any consent granted to ensure a detailed lighting strategy is produced, based on the additional ecological surveys and in accordance with guidance provided by the Institution of Lighting Professionals (2018), Bats and artificial lighting in the UK. Guidance Note 08/18;
 - c) in any event lighting provision within the Riverside Park immediately adjacent to the water should be turned off at night to protect the ecology and wildlife role of the Lee Valley Site of Metropolitan Importance for Nature Conservation and that;
 - d) other biodiversity features should be included such as an artificial Otter holt and the creation of nesting holes in the river wall to target Kingfisher and Sand Martin; and
- (2) the Council should consult with the Authority on the revised ecological surveys and lighting strategy.

DESCRIPTION OF SITE

- 1 The application site is located to the south west of Three Mills island and lies outside but adjacent to the Park boundary. It is bounded by the River Lea to the east, the existing Tesco Superstore and associated parking to the north, the over-ground railway line to the south and the development sites known as Imperial Phase 1 and 2 to the west with the A12 beyond, please refer to the location plan at Appendix A to this report. The application site is approx. 0.92 ha and currently comprises a cleared and vacant site formerly used as a scaffolding yard. There are no existing buildings on site, although the previous hardstanding remains.
- 2 The wider Bromley-by-Bow area comprises a mix of residential and commercial uses with a number of developments in the locality currently under construction and/or completed and occupied. To the east lies the Three Mills Conservation Area which includes the Grade I Listed Tide Mill or House Mill and the Clock Mill (Grade II Listed). Adjacent waterways form part of the Lee Valley Metropolitan Site of Importance for Nature Conservation (SMINC) and incorporate the towpath and link through to Limehouse Cut. Bromley-by-Bow underground station is approx.150m to the west of the site on the opposite side of the A12

from Imperial Phase 1 which is currently under construction.

POLICY BACKGROUND

- 3 Although located within the London Borough of Tower Hamlets the application site falls under the jurisdiction of the London Legacy Development Corporation (LLDC) as the local planning authority. It forms the south-east corner of the Bromley-by-Bow Site Allocation SA4.1 included in both the LLDC Local Plan 2015 and the recent draft Local Plan Review 2019, an area identified as a potential District Centre under Policy 4.1. The District Centre proposal includes retail, services, community and business facilities, a new primary school and open spaces alongside a significant amount of new homes.
- 4 The Bromley-by-Bow Supplementary Planning Document (SPD) was adopted in 2017 and is a material consideration for any development proposals. Included with the SPD are an illustrative masterplan showing the location and heights of the development plots and a Public Realm Manual. The masterplan approach has so far seen permission granted for Bromley-by-Bow North in 2012 with the first phase of that development (219 residential units) now being occupied.
- 5 In Bromley-by-Bow South three phases of development on three adjacent sites have been granted permission, all of which are promoting mixed use schemes. The Imperial Phase 1 scheme, as varied under LPA ref.18/00575/NMA will provide five buildings with up to 28 storeys in height (500 residential units) and approx. 3,800sqm of flexible community, commercial and retail floorspace. The development is currently under construction and lies between the current application site and the A12.
- 6 The sites known as Imperial Phase 2 and Phase 3 (the current application site) were originally granted permission in June 2018 for a mixed use scheme of five buildings, comprising 407 residential units and a mix of employment and retail space; referred to as the Consented Scheme. In late 2018 all three phases or sites were brought together under one ownership; that of the current applicant Guinness Developments Limited. The applicant now considers there is an opportunity to make more efficient use of the site and deliver an enhanced affordable housing offer across its portfolio at Imperial in line with the SPD. The current revised scheme has therefore been submitted for Imperial Phase 3. Please see Appendix B to this report, Plan of Phases 1 to 3.
- 7 **Park Development Framework**

The Park Development Framework (PDF) Area 1 Proposals 2015 seek the provision of a primary gateway and visitors' hub at Three Mills and identify the need to work with stakeholders to improve visitor facilities within the Conservation Area and deliver environmental enhancements at Bromley-by-Bow station, including the route that connects to the Park via a subway under the A12.
- 8 The ecological value and connectivity of the waterways and water spaces along the River Lea and Lee Navigation are to be protected and their environmental quality improved. Historical features of special interest within the landscape and associated with the waterways are to be conserved and views to key landmarks within and outside the Park protected. Development should respond to heritage assets such as Three Mills and the existing grain, scale and building heights and avoid breaching existing horizons and dominating the water frontages.

Appropriate set-backs from the water's edge will be sought alongside the towpath and other waterside paths.

DESCRIPTION OF DEVELOPMENT

- 9 The application seeks full permission to redevelop the site through the erection of three urban blocks and six townhouses (two terraces of three) to create 321 new homes, 306sqm of flexible non-residential floorspace, public realm and open space, a communal roof terrace and two courtyards, new street network, cycle parking, a new river wall and naturalised river edge together with all ancillary access, infrastructure and landscaping.

10 Proposed Layout

The three urban blocks are positioned between Imperial Phase 1 to the west and the River Lea to the east, bounded by the railway to the south. The blocks are 'shaped' in terms of their form, in order to maximise east-west facing views. Working from west to east Block 1 is 14 storeys, Block 2 rises to 9 storeys and Block 3 close to the River Lee is 11 storeys. In between the blocks are positioned the two sets of three linked town houses (at 3 storeys). These face onto 'the Street', a shared east-west public realm route which incorporates car parking spaces, an underground refuse system, street trees and defensible planting adjacent to the ground floor residential units. Cycle stores are positioned to the rear as links between each main block and to act as a buffer to the railway for noise and visibility.

- 11 The accommodation schedule includes a mix of studio, one, two and three bed apartments and proposes the delivery of 50% affordable housing across both Imperial Phase 2 and 3. Proposed commercial and/or cafe/retail space is located at the base of Blocks 1 and 3 respectively. A total of 593 cycle parking spaces will be provided, both for residents and for the commercial units. Very low levels of car parking are proposed as the development is promoted as a 'car-free' scheme.

12 Materials

The four buildings will feature different material finishes, these have been designed to respond to the local context such as the River Lea and the heritage assets. Blocks 1 and 2 are brick built with punctuated openings framed in white to resemble some of the detailing and colours of the historic warehouses and listed buildings within Bromley-by-Bow. A brick chamfer is also used to add texture and visual interest to the facades. Block 3 has a brick facade and balcony detailing that reflects the natural habitat of the riverside location to form a continuous 'reed-like' band. The townhouses (Block 4) relate in materiality and colour/tones to their 'parent' apartment buildings, i.e. Blocks 01 and 02 respectively, and are positioned to provide a sense of street frontage and variance in scale. Please see illustrative image at Appendix C to this report.

13 Public Open Space

A mix of external communal and private amenity space is proposed. The latter is provided for all dwellings as balconies on the upper floors and terraces on the ground floor. Public open/amenity space is provided in the form of the Residential Park (1,040sqm) north of the residential blocks, the Riverside Park (1,031sqm) and both courtyards (1,100sqm in total). In total the development

delivers 3,171sqm of publicly accessible amenity/open space. Block 3 includes a communal semi-private roof terrace of 603sqm in area. A total of 1,920sqm of integrated play space for children of all age groups is also included throughout the open/amenity spaces.

14 Landscaping

The proposed landscape scheme introduces a new public realm, a residential park, communal courtyards and celebrates the river location with the creation of a new waterside park. A communal roof terrace is provided on the riverside block for residents and biodiverse roofs are located on the other two blocks.

15 The Residential Park which runs west – east along the northern part of the site has been designed to cater for all ages all year round, with a large flexible open lawn, a grove of cherry trees to demark the western entrance and an area of natural play space.

16 The 'Riverside Park' element proposes the creation of a new public open space with "opportunities to experience the river and its wetland environment". The applicant proposes to accommodate the required flood level within the landscape to enable the lowering of part of the river wall. The design shows a sloped riverside parkland, to be planted with native species, to form a naturalised edge to the river. Along the lowered section of the riverside, concealed within planting, a 1.1-metre-high post and wire fence will be located to provide protection near the edge of the river. An accessible sloped route provides a path through the Riverside Park and links a series of simple robust spaces that are described as resembling rafts that are beached on the shoreline. These are to include simple benches, cube seats and rails for sitting, standing and play.

17 At the upper level, a terrace area next to the proposed cafe (ground floor of Block 3) overlooks the Riverside Park and river. It will have a mixture of fixed seating and tables and chairs. Tree planting provides shelter and shade to the space. Block 3 will have a roof terrace to provide an outdoor amenity space for use by the residents. The terrace garden is designed as a simple, flexible space that can accommodate a variety of activities, with raised planters and seating.

18 Two enclosed 'yards' are also proposed as part of the scheme, positioned between the blocks and terraces. These include planting and paving with play features and will be open to the public during the day but closed for residents at night. In total the development provides 17% of the total Bromley-by-Bow site wide requirement for new publicly accessible open space, or 26% if the courtyards are included (although these are available to residents only at night).

19 Habitat Creation and Biodiverse Roofs

The landscape proposals have been informed by the ecological strategy and the landscape design and planting will create a variety of habitats. The Riverside Park will include reedbed and wetland planting (using coir pallets or rolls), an area of seasonally wet/dry habitat away from the river edge and meadow planting. Tree and shrub planting will be appropriate to the area and resilient to climate change.

20 The development also proposes the inclusion of biodiverse roofs on Block 1 and Block 2 and the incorporation of photovoltaic panels on the roofs. The biodiverse

roof system will seek to recreate 'open mosaic' habitat using a plant mixture that will benefit pollinating insects and other invertebrate species, with foraging habitat for black redstart. Some areas may well be left as bare substrate covered in crushed aggregate to self-vegetate.

21 Lighting

A lighting strategy is described in the Design and Access Statement. The aim is to efficiently light the routes and spaces to ensure safety and minimise light pollution. Feature lighting will be kept to a minimum in the public realm and to reduce light pollution further along the sensitive river edge lower, 3 metre high lamp columns are proposed, that automatically dim at night when not activated by people movement. The roof terrace will feature a combination of wall-mounted lights in the raised planters and tree uplighters to light this space.

22 Section 106 and Community Infrastructure Levy (CIL)

Due to the scale of the proposed development mitigation in the form of a planning obligation is included as part of this application. This takes the form of a S106 agreement and contributions to both Mayoral and LLDC specific CILs. The proposed S106 agreement follows the principles and obligations secured under the current S106 secured for the 2018 Consented Scheme. It covers the delivery and long term maintenance of the public spaces with a detailed Estate Management Strategy to be agreed with the Local Planning Authority for those areas of the public realm that will remain in private ownership (Schedule 8) and via Schedule 9 which requires the applicant to submit a detailed plan for the delivery, layout and access to the publicly accessible open space and play areas at the early stage of the development.

PLANNING APPRAISAL

23 Principle of Development

The principle of a residential-led mixed use development of this brownfield site is well established in the LLDC Local Plan, under Site Allocation Policy 4.1. Both the Planning and Design and Access Statements submitted as part of the application demonstrate how the proposals have followed the guidance provided in the Bromley-by-Bow SPD and the contribution this proposal makes towards the aspiration for a new District Centre in this location. In terms of the proximity of the Regional Park this development will be part of the much wider regeneration of the Bromley-by-Bow area.

24 Impact on Waterside Environment and Heritage Assets

As stated above PDF Area 1 proposals are concerned to ensure that development within this area of the Park respond to the heritage assets such as Three Mills, protects views to key landmarks within and outside the Park and avoids dominating the water frontages.

25 The general scale, orientation and massing of the proposed development is in line with the Bromley-by-Bow SPD parameter plans and design codes and has been revised following two consultations with the LLDC Quality Review Panel to ensure it meets the outstanding level of architectural design required. The building heights are in line with the SPD although Block 3 adjacent to the river is one storey higher.

- 26 The choice of brick colours, predominantly red and grey/brown intertwined with a blend of green and darker bricks, draws upon the colours and detailing of the historic warehouses and listed buildings within Bromley-by-Bow. The development also responds to the heritage of the existing area through the shaped form of the blocks, together with architectural detail such as the form of the windows highlighted in white which pick up the proportionality and vernacular of the Three Mills conservation area.
- 27 Block 3, although not the tallest of the three blocks, will dominate the canal side. Its location adjacent to the waterway is however in line with the parameter plans in the SPD and it has been designed as the feature or marker building. It includes both the roof terrace and the waterside café overlooking the new Riverside Park and as such it will, at ground level, relate to the waterside and add interest to the local scene. The applicant has also sought to 'lift' the landscape horizontally up through the architecture; via a series of balcony designs with gold metal railings which are intended to draw on the prominent presence of reeds and complement the landscape.
- 28 It does not intrude on views of the Three Mills Conservation Area. When looking south from behind the House Mill none of the Imperial Phase 3 buildings are visible. Looking south from within Three Mills Green there will be partial views through trees although the proposed development will appear as a background layer in the townscape set back at a distance from the historic buildings in the middle ground. The Environmental Statement assessment of the canal side view considers this to be "a major but beneficial change of view" due to the existing outlook being less than positive, with the railway bridge and other neighbouring developments.
- 29 The Riverside Park is an attractive and ecologically beneficial addition to the waterside environment and connects with the site wide public realm and the new residential park. The landscape scheme along the river that includes the introduction of reedbeds and wetland planting is supported. The SPD requires the riverside park treatment to be replicated in future developments to the north to ensure a green open space alongside the waterway.

30 **Ecological Impacts**

The application is accompanied by an ecological assessment and strategy. The assessment found the site to have limited existing ecological value but it noted the River Lea SMINC as an important ecological feature adjacent to the site.

In terms of habitats the proposals will improve both the extent and variation of habitats given the baseline of concrete hardstanding. The Riverside Park will include reedbed and wetland habitat that will enhance the Lee Valley SMINC providing public access is kept back from the immediate riverside edge is supported. It is suggested that Black Polar (a priority Biodiversity Action Plan species) be included in the tree species to be planted.

- 31 The other areas of planting and habitat creation within the site, including the biodiverse roof spaces, will strengthen habitat between the site, the waterway corridor and the wider Regional Park area. The inclusion of biodiverse roofs to recreate an open mosaic are also welcomed; these will also help target Black Redstart which are a priority species. Alongside the opportunity for increasing the reedbed area along the river wall there are opportunities for the inclusion of

other biodiversity features such as:

- installation of an artificial Otter holt to provide lying up sites in the Lower Lea Catchment; and
- creation of nesting holes in the river wall to target Kingfisher and Sand Martin.

- 32 The protected species surveys include bat roost suitability surveys for trees and buildings. However there does not appear to have been any bat activity surveys undertaken, so it is not possible to assess if the development will impact upon their potential use of the waterways. This information will be critical to the detail of any lighting plan in association with the open spaces and roof terrace.
- 33 The ecological assessment (Section 4.5.3) states that nesting birds will not be an issue as all vegetation that could support nesting birds has been removed. Whilst this is agreed there is some concern that the use of the site by Black Redstart has not been fully considered and this will need to be addressed in the planning of the construction work.
- 34 Lighting will need to be set well back from the riverside edge and should ideally be switched off at night when not required, rather than just dim to a lower light level, so as to minimise light pollution along the waterside corridor and help keep this corridor as dark as possible. The DAS Lighting Plan shows that the Riverside Park lighting is positioned away from the riverside edge and this is important to maintain a darker area along the waterway corridor. Lighting for the river terrace associated with the café should be treated in the same way as this is also adjacent to the water's edge. A more detailed Lighting Plan is required; useful guidance can be found in the Institution of Lighting Professionals (2018). 'Bats and artificial lighting in the UK. Guidance Note 08/18'.

35 Access

PDF Area 1 Proposals seek improvements to pedestrian access into the Regional Park from Bromley-by-Bow underground station, which lies to the west of the application site beyond the A12. The applicant is carrying out works to the existing subway which connects the area with the underground station in partnership with TfL. This was secured as part of a S106 Agreement for the Imperial Phase 1 development and will enhance visitor access to the Park. Within Imperial Phase 3 the Street will continue the west-east access connection from the Imperial Phase 1 site, with priority given to pedestrians and cyclists. Future phases of development within the Bromley-By-Bow SPD area should secure access northwards linking with Three Mills.

36 Conclusion

On balance and given the wider context of regeneration within the Bromley-by-Bow area the proposed development will have a limited impact on the Regional Park. The dominance of Block 3 in relation to the immediate waterside environment is of concern but follows the parameters set within policy guidance for the area. It will be reduced to some extent by the added interest of the building design and the Riverside Park, itself a positive contribution to the waterway ecology and Lee Valley SMINC.

- 37 Further information is however required in relation to ecology and lighting to safeguard the waterways as a dark wildlife corridor for commuting and foraging

species. It is also suggested that other biodiversity features are included such as an artificial Otter holt and the creation of nesting holes in the river wall to target Kingfisher and Sand Martin.

- 38 The delivery and long term maintenance of this and the other public open spaces are secured via the S106 principles agreed in 2018, under Schedule 8 and 9 which are brought forward in association with the current 2019 S106.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 41 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.
- 42 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Application Papers 19.077 and 19.078

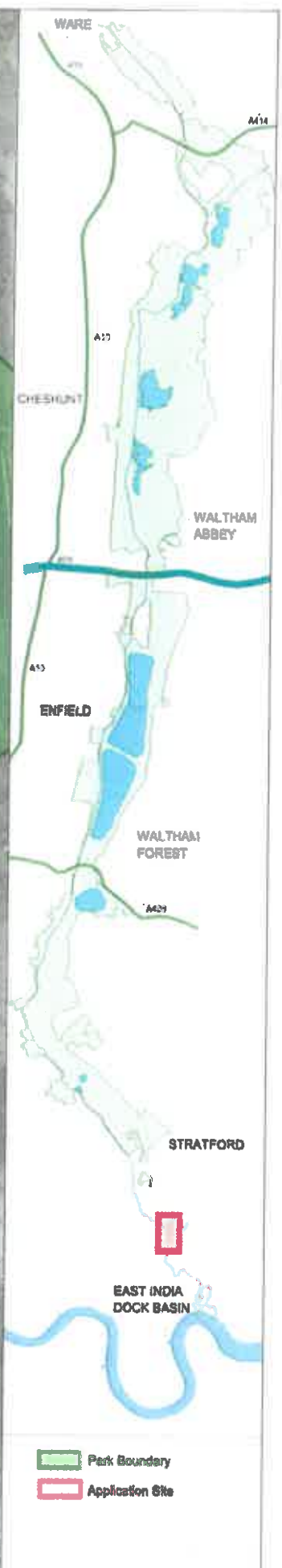
August 2019

APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Plan of Phases 1 to 3 Imperial Wharf
Appendix C	Illustrative view

LIST OF ABBREVIATIONS

LLDC	London Legacy Development Corporation
SMINC	Site of Metropolitan Importance for Nature Conservation
SPD	Supplementary Planning Document
CIL	Community Infrastructure Levy
PDF	Park Development Framework
the Park Act	Lee Valley Regional Park Authority Act 1966



Imperial Wharf Development, Bow



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Breakdown of Imperial site phases extract from DAS

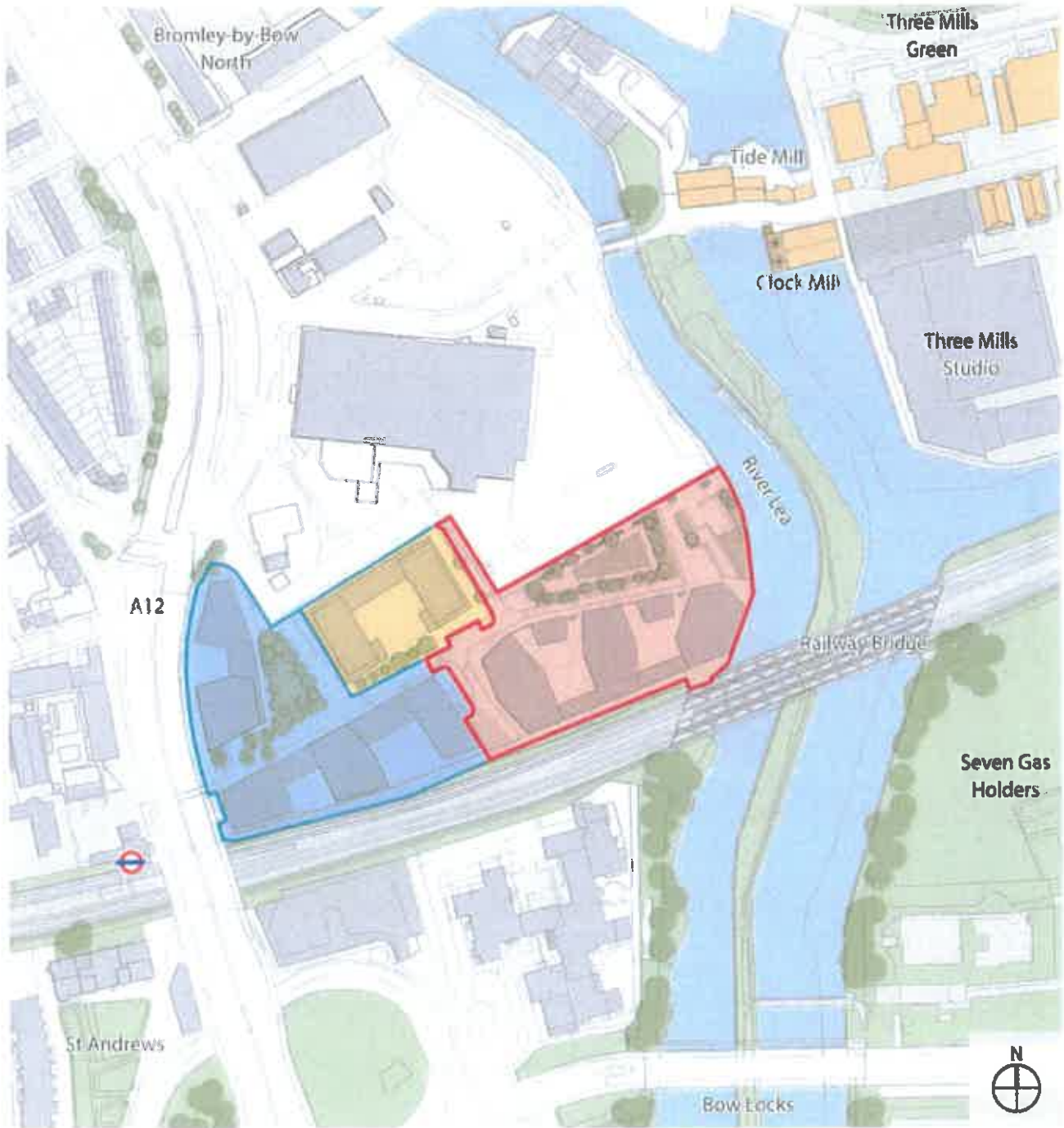


Figure 8: Key plan for the proposed development on the site and the break down by Imperial site into phases

- Imperial Phase 1
- Imperial Phase 2
- Imperial Phase 3



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