



- 5 **PLANNING CONSULTATION BY EPPING FOREST DISTRICT COUNCIL – ROYDON MARINA, ROYDON MARINA VILLAGE, ROYDON, ESSEX, CM19 5EJ**  
**Extension to Existing Marina to Provide an Additional 168 Berths, 99 Parking Spaces, Additional Associated Facilities and Widening and Improvement to Existing Vehicular and Pedestrian Access**

Paper RP/44/20

**Presented by the Head of Planning**

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

11 November 2020

**Shaun Dawson**  
**Chief Executive**

**LEE VALLEY REGIONAL PARK AUTHORITY**

**REGENERATION & PLANNING COMMITTEE MINUTES  
24 SEPTEMBER 2020**

Members Present: David Andrews (Chairman) Heather Johnson  
Chris Kennedy (Vice Chairman) Valerie Metcalfe  
John Bevan Gordon Nicholson  
David Gardner Paul Osborn  
Denise Jones Mary Sartin

Apologies Received From: Graham McAndrew

In Attendance: Derrick Ashley

Officers Present: Claire Martin - Head of Planning  
Beryl Foster - Deputy Chief Executive  
Jon Carney - Head of Parklands  
Sandra Bertschin - Committee & Members' Services Manager  
Lindsey Johnson - Committee Services Officer

Also Present: Caroline Day and Nicola Cowan – Hoddesdon Society

**Part I**

**98 DECLARATIONS OF INTEREST**

Name	Agenda Item No.	Nature of Interest	<i>Prejudicial</i> ✓
Gordon Nicholson	5	Member of Broxbourne Borough Council	Non-Pecuniary

**100 MINUTES OF LAST MEETING**

**THAT the Minutes of the Regeneration & Planning Committee meeting held on 25 June 2020 be approved and signed.**

John Bevan expressed concern that recommendations from this Committee were not included in the London Borough of Haringey's report to its Planning Committee regarding the Lock Keepers Cottages application. He circulated the comments personally to those on the Planning Committee at Haringey. The Head of Planning responded that whilst the case officer was aware of this committee's revised recommendations, the report for the Planning Committee had already been written. The Chairman advised Members that he would discuss how to ensure revised recommendations were tabled at local authority Planning Committees with both the Vice Chairman of this Committee and the Head of Planning.

**101 PUBLIC SPEAKING**

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

## **REGENERATION & PLANNING COMMITTEE MINUTES 24 SEPTEMBER 2020**

101 PLANNING CONSULTATION BY BROXBOURNE BOROUGH COUNCIL

Paper RP/43/20

Former Turnford Surfacing Site, Rye Works, Rye Road Hoddesdon EN11 0GR. Redevelopment of a Brownfield Site to Provide 104 Residential Units, Consisting of 29 One Bedroom Apartments, 62 Two Bedroom Apartments and 13 Three Bedroom Town Houses and One Small Commercial Unit for A1/ A2/ A3/ B1a/ D1 or D2 Use. Associated Junction Improvement Works to Rye Road/ Fishermans Way and Public Towpath Improvement Works.

The report was introduced by the Head of Planning.

Members were supportive of the report and the recommendations, but also expressed the following concerns:

- Concerns over child safety in regards to the open space and access to the river some separate safe play space should be provided;
  - Concerns also over whether in the future the open space could become closed to the public and only available to residents due to safety concerns;
  - All Members agreed that both Blocks A and D were too high and that Block D should be set further back from the river;
  - Concern over the fact that Broxbourne's Local Plan provides for 40 dwellings on this site, yet the applicant is applying for 104 dwellings;
  - Concern over the increased traffic from the development and whether existing infrastructure could cope with this increase;
  - Concern over the amount of car parking spaces being provided and questioned whether the land couldn't be better used to provide more affordable housing or landscaping;
  - Members agreed that the Chairman and Vice Chairman of this Committee, Head of Planning and Vice Chairman of the Authority would review the Section 106 schedule attached as Appendix C to Paper RP/43/20 to see if there was anything else which could be included;
  - Members agreed that the Head of Planning should express the disappointment of this Committee that only 25% of the dwellings in this development would be affordable; and
  - Concern over permeability and that run-off might go into the river.
- (1) **Broxbourne Borough Council be informed that whilst the Authority recognises the principle of residential development on this site, it objects to the current proposal on the grounds that it represents an overdevelopment of the site in respect of the height, scale and design of Blocks A and D. These are too tall and dominant in relation to their waterside setting within the Regional Park, the views along the towpath, and introduce a noticeable modern element to the context of the Rye House monument to the detriment of the setting of the designated heritage asset and visitors' enjoyment of the area;**
- (2) **before the Authority can support a development proposal for this site it would wish to see further detail in relation to:**

## **REGENERATION & PLANNING COMMITTEE MINUTES 24 SEPTEMBER 2020**

- a) a reduction of at least one storey in the height at Block A to help reduce impact on the heritage assets opposite;
  - b) a reduction of least two stories in the height to Block D and setting back and terracing of the two wings on the eastern elevation, away from the towpath edge to allow for additional planting and open space in front and to create a gentler transition between the development into the wooded and green riverside landscape of the Park beyond;
  - c) consideration as to whether green or brown roofs could be integrated into on the flat roof elements of Block A and sections of Block D;
  - d) a reduction in the number of car parking spaces, for example removal or reduction in undercroft car parking in favour of residential provision at ground floor level might compensate in part for a reduction in height to Blocks A and D;
  - e) consideration be given to the safety of children in the open spaces in regards to the proximity of the River Lee Navigation and a separate safe play space should be considered;
  - f) additional soft landscaping to be included within the public realm space associated with Block A;
- (3) that should the Council be minded to grant consent for the proposed development then the Authority would wish to see the following conditions attached requiring:
- a) a revised landscape treatment and additional habitat works throughout the development site and along the waterside edge as recommended in the ecological report to improve ecological connectivity and enhance biodiversity;
  - b) a lighting strategy, both for the construction period and once the site is occupied to take account of the waterway wildlife corridor and the designated nature conservation sites opposite; and
  - c) a Construction and Environmental Management Plan to ensure best practice construction measures and to avoid pollution incidents on the neighbouring sites and noise and visual disturbance to water birds within the Lee Valley Special Protection Area and Ramsar site, including Rye Meads Site of Special Scientific Interest;
  - d) Section 106 contributions to be sought for landscape, visitor and access improvements within the Rye House Quay and Gatehouse area opposite to adequately mitigate for the increased recreational use of the Regional Park area as outlined in Appendix C to this report; and
- (4) that Broxbourne Borough Council be informed that the Authority would wish to be consulted on the above.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

The meeting started at 11.05am and ended at 12.15pm

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**PLANNING CONSULTATION BY  
EPPING FOREST DISTRICT COUNCIL**

**ROYDON MARINA, ROYDON MARINA VILLAGE, ROYDON,  
ESSEX, CM19 5EJ**

**EXTENSION TO EXISTING MARINA TO PROVIDE AN ADDITIONAL 168  
BERTHS, 99 PARKING SPACES, ADDITIONAL ASSOCIATED FACILITIES  
AND WIDENING AND IMPROVEMENT TO EXISTING VEHICULAR AND  
PEDESTRIAN ACCESS**

Presented by Head of Planning

**SUMMARY**

This application seeks permission to create an additional 168 berths as an extension to the existing marina at Roydon Marina Village, an established leisure facility located in the Regional Park north of the River Stort Navigation. The additional berths would be located on the western portion of the lake, together with a new boat yard, new facilities building, parking for 99 vehicles, improved vehicular and pedestrian access, ecological enhancements and landscape improvements.

A previous application for a much larger scheme of 240 berths covering the remaining area of water was refused in 2016 by Epping Forest District Council (Ref EPF/0934/16). The Authority did not object to this application, recognising the benefits of an extended marina in terms of visitors to the Park, but it did seek a reduction in the number of berths by 50%, the conditioning of an ecological mitigation and landscape enhancement plan, to include details on lighting and sought to secure the westernmost section of the lake including the island as a 'wildlife refuge'.

The current proposal has reduced the number of berths so that the southern portion of the remaining open water would be retained. It also includes a detailed ecological mitigation and enhancement scheme. Whilst these changes provide a more balanced scheme that benefits both visitors to the Park and its biodiversity, there are limitations associated with the ecological surveys and concerns as to whether the location of the boatyard will undermine the establishment of a refuge area within the westernmost portion of the lake. A holding objection is recommended to allow more time to resolve these issues.

## **RECOMMENDATIONS**

**Members Approve:**

- (1) that Epping Forest District Council be informed that the Authority places a 'holding' objection to the current application to extend the marina at the Roydon Marina Village in order that:

  - a) further ecological surveys can be undertaken to update the wintering and breeding bird surveys and that a full assessment of the bat roost potential of the trees on site can be completed;
  - b) the location of the boatyard can be re-examined in relation to its likely impact on the island at the western end of the lake and the creation of an 'out of bounds area' or undisturbed wildlife refuge on the water behind, so as to help mitigate for the loss of open water;
  - c) the Authority would wish to be consulted on the outcome of the additional survey work, the mitigation measure that follow and a revised scheme for the western end of the lake;
- (2) that should the Council be minded to grant consent for the proposed development then the Authority would wish to see the following conditions attached requiring:

  - a) the production of a Construction Environmental Management Plan (CEMP) to ensure best practice construction measures and avoid harm to sensitive habitats and species, including pollution incidents and noise disturbance;
  - b) provision of the Ecological Mitigation and Enhancement Scheme and roadside planting scheme as detailed in the application;
  - c) the retention of the remaining lake area as open water habitat free of moorings to protect the areas of ecological enhancement;
  - d) submission of a Landscape and Ecological Management Plan (LEMP) prior to the commencement of the development to ensure the on-going management and maintenance of the



Ecological Mitigation and Enhancement Scheme, in particular the new areas of reedbed, the wildflower meadow and planting belt alongside the access road/towpath;

- e) a lighting strategy for biodiversity, both for the construction period and once the site is occupied to take account of protected species such as bats, and use of the water by wintering and breeding birds;
- f) an invasive non-native species protocol detailing the management strategy for the Himalayan Balsam on site and biosecurity measures to avoid introducing non-native species into the area;
- g) Section 106 contributions to off-site works at the adjacent Glen Faba waterbody in accordance with details set out in paragraph 42 of this report as mitigation for the loss of open water at Roydon lake and to help enhance and establish a viable refuge for wildlife; and

- (3) that Epping Forest District Council be informed that the Authority would wish to be consulted on the above.

## **SITE CONTEXT AND DESCRIPTION**

- 1 The application site is located wholly within the Regional Park and forms part of the existing and well established Roydon Marina Village complex. This comprises approx. 23ha of land which includes a 12.9ha lake and approximately 2.5km of river frontage. The eastern portion of the Roydon Marina Village is a mix of holiday homes/lodges, a hotel, restaurants, fishing stances, and parking. The existing 315 berth inland waterways marina sits adjacent and covers the eastern half of the lake between the north and southern banks.
- 2 Access to the Marina is via a long tarmac track which runs parallel to the River Stort Navigation and forms part of the towpath; both the towpath and access track are owned by the Canal & River Trust (CRT). It forms a junction with the B181 Roydon High Street, south of the river and the level crossing over the railway. This track continues through the Marina complex and along the north bank of the lake to the western edge of the site. The access road along the towpath is also a PROW and part of the Stort Valley Way, bounded to the south by a row of mature trees for part of its length. The application site includes this access road/towpath and a strip of farmland to the south to allow for widening the access road and new planting. The Stort Valley Way continues outside the boundary of the site alongside the southern boundary of the Stort Navigation. There are no public rights of way through the site.
- 3 To the north of the site lies the West Anglian main railway line which runs on an elevated bund and forms the northern boundary of the site. Roydon Station lies

just to the north east of the Marina complex. Beyond the railway lies the Rye Meads sewage works, the Rye Meads Nature Reserve and Site of Special Scientific Interest (SSSI) (part of the Lee Valley Special Protection Area (SPA)/Ramsar site) and other wooded lakes within the Regional Park.

- 4 The application shows the new moorings extending across approximately half of the open water of the lake from the northern bank. This northern section of lakeside bank is grassed and edged with scattered sections of scrub and a number of fishing stands. Beyond this lies the access track and then an area of dense scrub and trees which form a barrier between the site and the railway, although there have been some recent cutting back where trees impact the railway line. The southern bank of the lake is fringed with mature vegetation and a broad grassy strip with a pathway that runs between the lake and the densely vegetated bank of the River Stort Navigation, which together with the Mill stream form the southern boundary to the Marina site. Beyond this lie arable fields, part of Roydon Park to the south east and in the south the Glen Faba lake where an area of new reedbed habitat has recently been created by the Authority.
- 5 To the west of the proposed moorings there is a narrow wooded island separating a strip of water beyond, which forms the western edge of the lake. This edge is well vegetated and contains a path and fishing platforms; further to the west is an area of scrub and woodland habitat known as River Fields. In the south west there is the lock entrance from the Navigation into the Marina lake. Please refer to the Plans at Appendices A and B to this report.
- 6 **Planning History**

The existing Marina which lies within the eastern half of the lake was granted permission in 2009 (EPF/2113/08), and consists of 315 berths, associated facilities building, workshop, parking (77 spaces) and the new lock linking the marina into the Stort Navigation. At that time the Authority objected to the proposal due to concerns about the lack of detailed information including ecological surveys for the protection of the waterside environment and about the impact on habitats for water birds and species. These matters were dealt with by planning conditions, as was the request to ensure power boats no longer use the lake.
- 7 In 2016 an application to extend the Marina was submitted but refused permission (EPF/0934/16). This proposed an additional 240 berths, 120 parking spaces and additional facilities. The whole of the remaining lake would have been used for the moorings. The grounds for refusal included the loss of attractive open water area, an increase in traffic movements along a narrow towpath access road together with increased parking around the lake and the adverse impact these changes would have on the openness, character and visual amenity of the area. It was stated that this would undermine the recreational value of the lake, including for visitors to the Regional Park and was cited as inappropriate development in the Green Belt.
- 8 Whilst the Authority did not object to this application, recognising that extending the Marina would improve the appeal of the site for visitors to the Park, it did seek a reduction in the number of berths by 50%, the conditioning of an ecological mitigation and landscape enhancement plan, further details on lighting and sought to secure the westernmost section of the lake including the island as a 'wildlife refuge' subject to an ecological management plan in line with the Authority's Biodiversity Action Plan (BAP). An additional condition was also

sought to ensure the berths would be used for visitor accommodation only.

- 9 Ownership of the site changed in 2018 when the applicant, Lakeland Leisure Estate Ltd, took over the Marina complex and commenced works to upgrade the lodges and other facilities.

## **POLICY BACKGROUND**

- 10 Local Plan policy both in the Combined Policies of Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008) and the Submission Version 2018 is supportive of the Lee Valley Regional Park, recognising its role as a key asset for the District, and an important component of the region's green infrastructure. Green Belt policy seeks to protect the openness of the Green Belt; planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy. Provision of appropriate facilities for outdoor recreation are considered an exception to this as long as any development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (SP6 and DM4, Local Plan Submission Version).
- 11 The Local Plan Submission Version Policy E4 'Visitor Economy' supports "the development of high quality visitor accommodation, in particular accommodation linked to outdoor sport and activity hubs in the Lee Valley Regional Park,...". It also seeks to support the upgrading of existing visitor attractions, visitor centres and development of appropriate new ones, encouraging sustainable tourism in rural areas.
- 12 Development Management Policy DM1 seeks to ensure all development delivers biodiversity net gain in addition to protecting existing habitat and species – proposals should integrate biodiversity through their design and layout. Policy DM1 (G) also states that where a Protected or Priority Species, Priority Habitat or other valuable habitat may be affected by proposed development, applicants must provide a full survey and site assessment to establish the extent of potential impact and inform appropriately designed mitigation measures and plans. The significance of and need to protect the Lee Valley SPA is also recognised (Policy DM2).
- 13 Park Development Framework (PDF) proposals place the Roydon Marina within Area 7.A.3 Wetland Park Central and North: Glen Faba and Roydon. This is an important area for informal recreation, angling, walking and cycling based on the enjoyment of the waterside environment, open farmland and wildlife. Visitor and biodiversity proposals are relevant. Ongoing improvements to visitor accommodation at Roydon Marina Village, including the holiday lodges, hotel and marina, are to be supported. Proposals also seek to protect and enhance visitor moorings.
- 14 Habitat improvements are to be delivered on the gravel pits and waterways within the wetland park northern area, and the management of waterbodies should take account of their proximity to and role in supporting the wider Lee Valley SPA. The biodiversity value of wetland and water areas south of the railway is to be protected to maintain ecological connectivity between Glen Faba and Rye Meads and along the Lee and Stort Navigations. The Landscape Strategy emphasises the need to continue positive conservation and management of the diverse and valuable wetland habitats, re-creating lost habitats, and balancing this with provision of recreation and enjoyment of the

landscape (LCA A3).

## DESCRIPTION OF DEVELOPMENT

### 15 Marina Extension and Associated Facilities

The application proposes to extend the existing Marina by constructing a series of floating jetties out from the northern bank of the lake to accommodate 168 inland waterway berths and moorings. The jetties are floating to allow for the rise and fall in river levels as the lake is connected to the River Stort Navigation. Access onto the new moorings is to be via four 2m wide walkways fixed to the lake embankment.

16 A single storey timber clad facilities building (circa 19.5l x 7.4w x 5.8m high) is also proposed located on the northern bank of the lake opposite the proposed moorings. This provides toilets, shower block, laundry and Elsan disposal facilities. The finished floor level sits above the recognised flood level with a void beneath and large openings along all walls to allow free flow of flood waters.

17 The existing access track that currently provides access to the northern side of the lake will be improved and upgraded with three layby parking bays constructed on its northern side between the roadway and the railway line providing 99 car parking spaces.

18 An existing hardstanding area at the end of the access track west of the island will be extended and a slipway constructed into the lake to provide a boat yard for the maintenance and repair of boats. The Design and Access Statement (DAS) proposes this will be lit only during working hours in the winter when required and that the lighting will be downward facing compliant with the Bat Conservation Trust's 2018 lighting guide. Please see Appendix C to this report for the layout of the proposed Marina.

19 The DAS states that the proposal will include the minimal amount of new lighting required for safety; with low wattage motion sensor operated lights on the building, 3-4 low level lighting bollards for each parking block, a lighting bollard adjacent to each of the four platforms leading from the lakeside onto the walkways and jetties, and lighting (with downlight diffusers) incorporated into the pedestal type bollards installed on the jetties which provide water and power.

### 20 Access into the site

A number of options have been considered to improve and widen the access road/towpath into the site to enable two vehicles to pass and provide a dedicated footpath for pedestrians. The northern portion of the access road is considered to be of sufficient width at 4.8m to allow 2 way flow of traffic. The application has therefore focused on widening the southern section of the roadway which is currently the narrowest section (minimum width of 3.3m). A vehicular carriageway of 5m will be provided (sufficient to allow a car to pass a delivery vehicle) together with a separate 0.9m wide footway. This will require the removal of a row of mature trees, poplar, hawthorn, field maple oak and cyprus along the southern boundary of the road. A new landscaping belt of grassland (with native grassland meadow species) and tree planting is proposed adjacent to the widened section of roadway to mitigate for this loss and will be facilitated by using a strip of the adjacent farmland.

21 The Transport Assessment submitted with the application has concluded that

the development will generate a maximum of just 14 movements during any peak hour with 13 movements in the week day am peak and 11 in the week day pm peak. This is not considered to have a significant impact on the wider network and Essex County Council Highway Authority have confirmed they do not require any vehicular improvements to the junction with the B181.

## 22 Ecological

The Planning Statement recognises that the proposed development has the potential to impact upon local wildlife and possibly protected species and their habitats (7.88). An Ecological Mitigation and Enhancement Scheme (August 2020) has been submitted as part of the application, informed by a suite of ecological surveys and assessments; including bat surveys, breeding and winter bird surveys, Otter and Water Vole survey, and Extended Phase 1 Habitat surveys covering the main site and access road. Although the mitigation proposals were produced in August 2020, three of the key surveys (wintering bird, breeding bird and bat activity) are dated 2015/16 and relate to the previous application. This has been justified on the basis that the habitats of the lake and its surroundings are essentially unchanged, and the surveys are considered to provide a representative sample sufficient to assess the impact of the proposed development.

23 The mitigation and enhancement scheme provides detailed information and covers a range of measures to minimise impacts of the proposed development on protected and notable species and habitats, aiming to maximise the ecological potential of the site including:

- measures to enhance and manage habitats, particularly the scrub habitat along the northern bank and at the southern corner of the lake with additional scrub planting to benefit nesting birds;
- the creation of a new reedbed of approx. 0.25ha along parts of the southern edge of the lake and along part of the western edge of the island to benefit wintering and nesting birds;
- marginal habitat enhancement;
- retention of woodland on the island and along the western and southern boundaries;
- creation of a wildflower meadow of approx. 0.25ha alongside the woodland on the south east edge of the lake;
- provision of bat and bird boxes, two wildfowl rafts, log piles, reptile hibernation refuge; and
- management and control strategies to prevent water pollution and the spread of Himalayan Balsam.

## 24 Landscape and Visual Impact Assessment

This assessment has been undertaken to assess any likely effects upon the landscape, specific views and visual amenity and has provided landscape mitigation and enhancement measures as part of the wider scheme.

25 The potential overall effect on the local landscape character is judged to be neutral to slightly adverse, largely because the development proposed is "congruous with the existing elements in the landscape adding additional moorings and facilities along with ecological enhancements to the marina". The loss of some open water and increase in activity and reduction in tranquillity on the northern side of the lake is noted. The replacement tree, scrub and meadow planting along the access is seen as beneficial as is the retention of the majority

of the native structure planting alongside the lake and the additional proposed planting to improve ecological interest. The assessment notes that the “balance of the view will alter to see less open water and additional moorings” and that views from the local footpath network although limited by vegetation are judged to be moderate adverse. Overall the assessment considers the loss of some open water to moorings should be seen in the context of the wider Regional Park and its large waterbodies and objectives to promote access and enjoyment of the landscape.

**26 Flood Risk**

A Flood Risk Assessment accompanies the application and confirms that all aspects of the development are acceptable in principle in relation to flood risk, surface water drainage, foul drainage and water resources. The applicant is also liaising with the CRT in relation to any impacts on hydrology in the area.

**PLANNING APPRAISAL**

**27** As with the application in 2016 consideration of this proposal goes to the core of the Authority’s statutory purpose which seeks to provide for leisure, sport and nature conservation in a sustainable way, balancing the sometimes conflicting needs and impacts. PDF Area Proposals support both improvements to visitor accommodation at the Marina, such as the proposed extension, and more generally the enhancement of visitor moorings. Proposals also recognise the biodiversity value of wetland and water areas south of the railway, and their role in both supporting the wider Lee Valley SPA and providing connectivity between Glen Faba and Rye Meads and along the Lee and Stort Navigations.

**28** Taking account of the PDF Proposals and the Authority’s comments on the previous application the main issues in considering this application relate to:

- the scale of the development and its impact on the openness of the Green Belt and landscape of the Park; and
- impact on biodiversity.

**29 Impact of Development**

The application has taken account of the outcome of the previous larger proposal and the current scheme is reduced in size from 240 to 168 berths. Although not the reduction of 50% as sought by the Authority, this does leave just under half the area of the remaining open water and the southern bank unencumbered by marina infrastructure. This will maintain, in part, the site’s contribution to the openness of the Green Belt in this area, whilst benefiting and improving the appeal of the Park to visitors, in accordance with PDF proposals.

**30** In policy terms the Green Belt position has not changed and use of the site as a marina will impact on the openness of the site. The applicant provides a convincing case for very special circumstances citing the demand and unmet need for moorings; its own waiting list for berths which now stands at 130 and has been closed, and the findings of the CRT London Mooring Strategy 2018. This shows that the number of boats on the Trust’s London waterways almost doubled between 2010 and 2017 (up to 4,001) and that projections indicate an increase in demand of between 724 and 864 berths in the London region for recreational purposes alone by 2022. The Marina extension will also create employment with the need to employ an additional 8 people.

**31** Views into the site from the Stort Valley Way footpath are restricted by the

existing vegetation along the southern bank of the lake, the Stort Navigation itself and the boundaries of the site. Where gaps exist the retention of the open water area to the south, closest to the footpaths, will soften the impact of the additional moorings. Views into the site from the Three Forests Way which passes through higher ground further to the south west are limited to some extent by vegetation as above, but do offer partial views over the Marina complex as a whole. This will include the proposed facilities building, car parking and boat yard, which will be seen in the context of the railway embankment behind and partially screened by vegetation along the north bank of the lake. From this footpath the loss of the open water area to moorings will be evident but given the context of the Roydon Marina as a whole this is not considered to be detrimental to the recreational amenity of visitors to the Park.

### **32 Widening of Access Roadway**

The trees and vegetation alongside the southern boundary of the access road/towpath which will need to be removed to allow for the widening of the route have high value as an ecological corridor. The Habitat Assessment notes that the replacement mix of native trees, understorey planting and wildflower meadow is expected to have a higher ecological value. As recommended by the Habitat Assessment the tree line should be replaced prior to the removal of the existing trees to provide continuity of habitat and works will need to be undertaken outside the bird nesting season.

### **33 Impact on Biodiversity**

The application sets out a detailed ecological enhancement and mitigation proposal that would see existing habitat improved through new planting and maintenance regimes, the creation of additional habitat, in particular along the southern bank and around the island and new features added. Whilst these proposals do not fully mitigate loss of habitat, the mitigation measures outlined including the installation of bat/bird boxes, planting of scrub and wildflower meadows are supported.

34 Of particular interest is the creation of reedbed habitat which will help to deliver targets within the Lee Valley Regional Park BAP specifically for the Grassland and Fen, Bittern, Otter and Water Vole Action Plans. The on-going management and maintenance of the mitigation measures, in particular the reedbed, will be key to their success and therefore a Landscape and Ecology Management Plan should be conditioned which outlines what management will be undertaken, how this will be monitored and rectified if not meeting agreed targets.

35 The main issue in assessing the benefits of the mitigation and enhancement proposed is that a number of key surveys supplied alongside the application (wintering bird, breeding bird and bat activity) were undertaken over four years ago and as such are outside the recommended timeframe upon which a decision can be made. Ecological information is a material consideration in the planning process and as such would need to be updated to take into account any subsequent changes. It is difficult to determine if the potential impacts are sufficiently mitigated or avoided if the mitigation plan is based on data that is out of date.

36 In particular, there is concern that the lake may have been undervalued in terms of its relationship to the Lee Valley SPA due to the limitation of the current wintering bird survey; for example, Gadwell and Shoveler (included in the SPA designation) were not recorded in the 2015/16 survey and yet the adjacent waterbodies to the lake (Glen Faba and Rye Meads) are known to be used by

both species throughout the day for roosting and feeding. Interestingly Gadwell were recorded using the lake during the breeding bird survey. The current level of survey may not have fully assessed the potential impact of the development on these key species and further survey work would be beneficial and could be undertaken this winter.

- 37 Although out of date the submitted bat surveys show that the site was used in 2015 as both a commuting and foraging site for at least four species of bat with the scrub and woodland habitats to the south west and north west considered to be of the greatest value. It is clear that trees will be removed or impacted upon through the proposals but no full assessment of the bat roost potential of these trees has been completed. The requirement for further surveys is noted for one tree (T2) which sits close to the location of the proposed boat yard, but the report also alludes to other trees. An assessment of bat roost potential needs to be undertaken prior to a planning decision being made so that the detail of current mitigation can be fully considered.
- 38 The survey report notes that there is potential for lighting to impact upon the use of the site by bats. Whilst the application provides some information on the lighting, a full plan showing locations, numbers, spill and lux levels should be supplied, this can be conditioned. There is also concern that the boaters will have external lighting which will have an additional impact on the bat use of the site – this is currently not considered in the report.
- 39 The ecological assessment states that the Water Vole and Otter update survey should be revisited three months prior to the commencement of work. A check immediately prior to work commencing would also be beneficial, this could be conditioned through the delivery of a Construction Environment Management Plan (CEMP).
- 40 The island is noted in section 6.10 of the Ecological Enhancement and Mitigation scheme as a 'key breeding habitat for wetland birds' that "should be protected from disturbance". This is welcomed as the Authority previously sought to establish a refuge at the western end of the lake including the island, creating an 'out of bounds' area for boaters with a restriction secured through either planning condition or planning obligation to prevent further development. The aim was to secure a full ecological management plan to include measures to improve habitat in line with the Lee Valley Regional Park BAP. The current plans for the Marina extension raise concerns however as to how this might be achieved due to the proximity of the moorings to the island and in particular the location of the boat yard in the south west corner of the lake with access past the island and into what should be the refuge area. The movement of boats and associated noise have potential to impact on the use of the island and undeveloped area of the lake. Ideally the boat yard should be relocated to the other side of the island but this might require a reconfiguration, or reduction in the number of moorings.
- 41 Notwithstanding the above, due to the small size of the water behind the island, it is difficult to see this functioning as a viable refuge. Another option therefore, given this fact and the overall loss of open water habitat on the main lake, would be to provide mitigation on the adjacent Glen Faba site where the Authority has already implemented some measures to improve its biodiversity. This could be secured through a Planning Obligation/Section 106 agreement.
- 42 A biodiversity net gain assessment has not been undertaken, so it is difficult to



judge the impact of the proposed mitigation / enhancement projects in this respect. A contribution to off-site works would be reasonable however and count towards the application's biodiversity net gain assessment. The works could include:

- scrub management around the shores of the lake to enable egress by grazing birds such as Wigeon to the grassland (indicative cost £5K);
- removal of scrub around the margins of the lake to enable growth of marginal plant species providing habitat for Water Vole (indicative cost £15K);
- creation of a new reedbed to compliment that proposed on the development site and the wider area (indicative cost £60K); and
- enhancement works to the existing Heronry on site (indicative cost £5k).

43 A holding objection is therefore recommended to allow time for the above matters to be considered and additional survey work undertaken.

#### **ENVIRONMENTAL IMPLICATIONS**

44 These are addressed in the body of the report.

#### **FINANCIAL IMPLICATIONS**

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

#### **LEGAL IMPLICATIONS**

46 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.

47 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**

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

#### **EQUALITY IMPLICATIONS**

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

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## **BACKGROUND REPORTS**

Application Papers 20.100

October 2020

## **PREVIOUS COMMITTEE REPORTS**

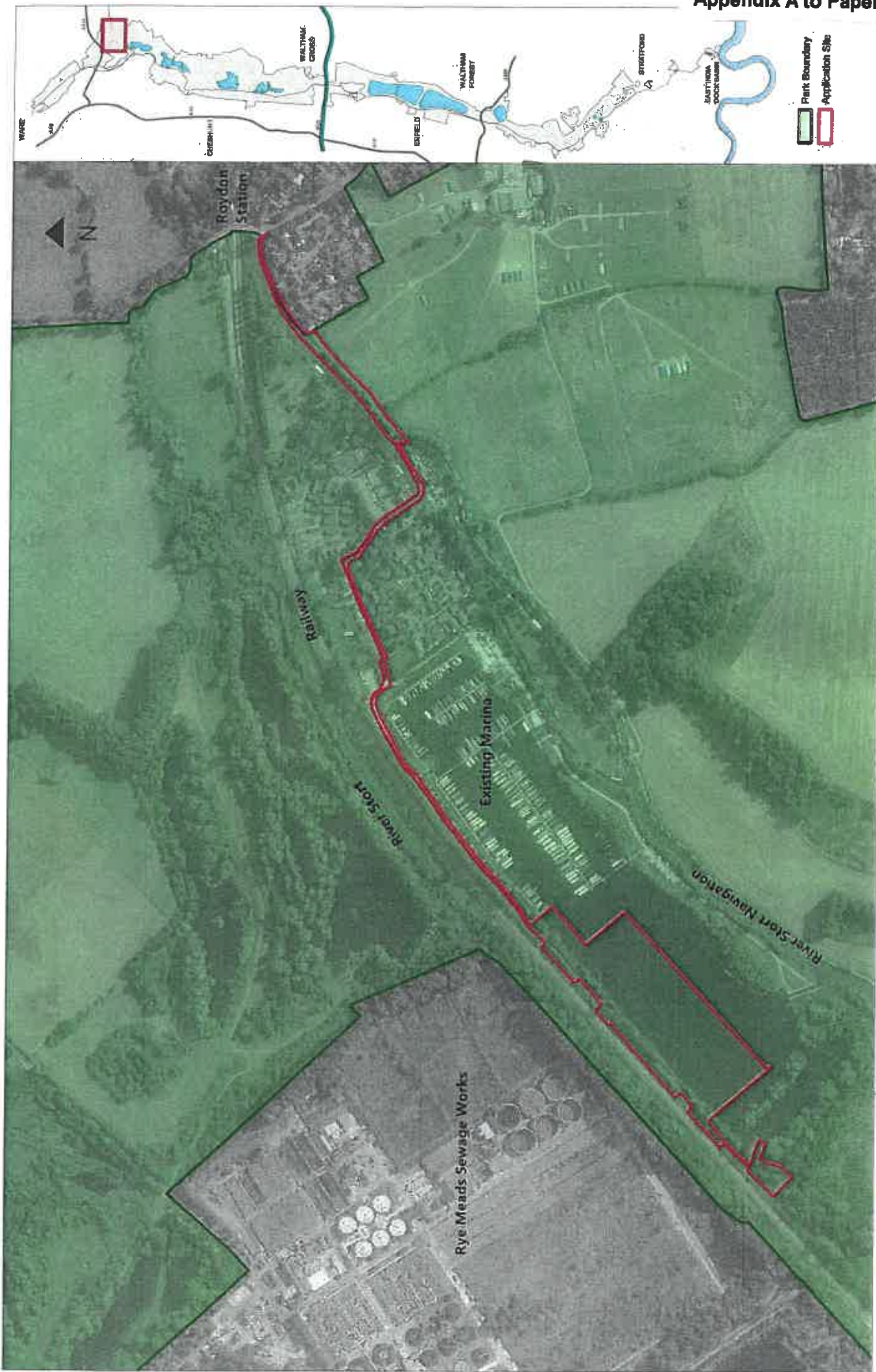
<b>E/447/16</b>	<b>Update on Outcome of the Legal Challenge Against the Decision of Epping Forest District Council to Grant Planning Permission for a Major Extension to Existing Glasshouse Premises at Paynes Lane, Nazeing</b>	<b>Executive Committee</b>	<b>12 May 2016</b>
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## **APPENDICES ATTACHED**

<b>Appendix A</b>	<b>Plan of the application site</b>
<b>Appendix B</b>	<b>Existing site plan of Roydon Marina</b>
<b>Appendix C</b>	<b>Ecological mitigation and enhancement plan</b>

## **LIST OF ABBREVIATIONS**

<b>SSSI</b>	<b>Site of Special Scientific Interest</b>
<b>SPA</b>	<b>Special Protection Area</b>
<b>BAP</b>	<b>Biodiversity Action Plan</b>
<b>CRT</b>	<b>Canal &amp; River Trust</b>
<b>LEMP</b>	<b>Landscape &amp; Ecological Management Plan</b>
<b>CEMP</b>	<b>Construction &amp; Environmental Management Plan</b>
<b>DAS</b>	<b>Design &amp; Access Statement</b>
<b>PDF</b>	<b>Park Development Framework</b>



Proposed extension of existing marina, Roydon Marina Village, Roydon

NTS @ A4  
05.11.20

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**Appendix B Plan Extract from Landscape and Visual Assessment showing existing marina**





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