

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

Presented by Claire Martin, 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.)**

16 September 2020

**Shaun Dawson
Chief Executive**

LEE VALLEY REGIONAL PARK AUTHORITY

REGENERATION & PLANNING COMMITTEE MINUTES 25 JUNE 2020

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

Officers
in remote attendance: Beryl Foster - Deputy Chief Executive
Claire Martin - Head of Planning
Jon Carney - Corporate Director
Sandra Bertschin - Committee & Members' Services Manager

Also present Laurie Elks – Save Lea Marshes
in remote attendance:

Part I

94 DECLARATIONS OF INTEREST

Name	Agenda Item No.	Nature of Interest	
John Bevan	5	Member of London Borough of Haringey	<i>Non-Pecuniary</i>
Chris Kennedy	5	Laurie Elks was his constituent and is known to him	<i>Non-Pecuniary</i>
David Andrews	6	Member of East Herts District Council and Development Management Committee	<i>Non-Pecuniary</i>

95 MINUTES OF LAST MEETING

THAT the Minutes of the Regeneration & Planning Committee meeting held on 23 April 2020 be approved and signed.

96 PUBLIC SPEAKING

Laurie Elks, on behalf of Save Lea Marshes, spoke in regard to agenda item 5, including:

- whilst recognising that the Authority was a consultee in this matter, it should do all that it reasonably can to protect against urbanisation;
- the site was a small ribbon of openness and provided a boundary to the Regional Park;
- the proposed development would stand tall over the River Lea Navigation and could be deeply unattractive dependant on the use of materials and finishes;
- it was a substantial development on the wrong side of Pymmes Brook and its visual impact would be more than moderate;
- the Lock provided a gateway to the Regional Park and needed space to breathe; and
- encouragement of the Committee to object to this planning application.

John Bevan did not participate in the next item.

Planning Application for Redevelopment of the Site
Comprising Demolition of Existing Buildings and Erection
of a New Building Ranging in Height from 3 to 6 Storeys
to accommodate 13 Residential Units (Use Class C3),
Employment Floorspace (Use Class B1A) at Upper Ground
and First Floor Level and Retail / Café Floorspace
(Use Class A1 / A3) at Lower Ground Floor Level,
along with Associated Landscaping and Public Realm
Improvements, Cycle Parking Provision, Plant and
Storage and Other Associated Works

The report was introduced by the Head of Planning.

Members accepted the principle of development but expressed concerns including:

- the scale and height proposed was overdevelopment of the site;
- the lack of a lot of details to enable a considered view to be taken;
- the lack of communal space;
- impact on the ecological value of the site, especially as a wildlife corridor;
- the need for ground level landscaping and more greening on the east and west facades; and
- the need for a management plan for the green walls and roof.

Members approved:

- 1) that the London Borough of Haringey be informed that the Authority recognises the principle of development on the site. However, it objects to the current proposal on the grounds that it represents an overdevelopment of the site; is too tall and dominant in respect of the adjoining waterway corridors and waterside pathways; and lacks detail to show how the proposed development addresses the environmental and ecological interests of the Regional Park.

Before the Authority can support a development proposal for this site it would need to see further detail in relation to:

- a) the landscape treatment of the development in relation to the Regional Park, namely Tottenham Marshes which lies on the opposite side of the Pymmes Brook to the application site, and land to the north of the application site contiguous with the towpath, that should provide an additional area of public open space of benefit to Park visitors;
- b) the ecological value of the site and adjoining waterways; further detailed survey work is required in order to assess the application for biodiversity impacts, particularly in relation to protected species; this should be a material consideration in this case;

- c) **measures for habitat retention, enhancement, mitigation, and compensation, based on the findings of the ecological surveys to be incorporated within the proposed development;**
 - d) **a lighting plan or strategy for the development both in operation and during the construction period, this should be informed by the ecological surveys and take particular account of the adjoining areas of the Regional Park and the habitats these contain.**
- (2) **that the London Borough of Haringey be informed that the Authority would wish to see this detail provided prior to any grant of consent.**
- (3) **that should the London Borough of Haringey be minded to approve the planning application then efforts should be made to secure, via conditions or planning obligations:**
- a) **the area immediately north of the application site as an area of public open space forming part of the towpath and to implement a comprehensive landscape and access plan in association with the new footbridge landing;**
 - b) **wayfinding and interpretation measures to identify access into Tottenham Marshes as part of the above wider landscaping scheme;**
 - c) **open space and habitat enhancements within Tottenham Marshes to cater for the recreational needs of the new residents and mitigate for habitat loss and disturbance along the waterway as set out in Appendix C to Paper RP/41/20;**
 - d) **a management and maintenance agreement for the green roof, green terraces and walls and other areas of landscaping and planting.**

98 **PLANNING CONSULTATION BY EAST HERTFORDSHIRE DISTRICT COUNCIL – LAND AND BUILDINGS EAST OF NETHERFIELD LANE, STANSTEAD ABBOTTS, HERTFORDSHIRE, SG12 8HE** Paper RP/42/20
Outline Planning Application with All Matters Reserved Except Access, for Redevelopment of Vacant Employment Site with a Mixed Use Development Comprised of B1 (Business) Floorspace and 20 Dwellings, Together with Associated Access, Parking and Landscaping

The report was introduced by the Head of Planning.

Member comments included:

- concerns about drainage;
- concerns regarding access as the entrance lies on a bend in the road;
- concerns about increased car parking; and
- concerns regarding lack of provision for pedestrians and cyclists.

Members Approved that:

- (1) East Herts District Council be informed that whilst the Authority does not object to the principle of development proposed, conditions should be attached to any outline planning permission requiring further detail in relation to:**
 - a) boundary treatment, including the retention and strengthening of the existing woodland and other vegetation along the north, east and southern boundaries, to be maintained in the long term via an appropriate landscape management agreement;**
 - b) landscaping within the site and to its frontage with Netherfield Lane both to mitigate any adverse impact from the development on the surrounding Park area and to enhance the access route along Netherfield Lane, an important entry point into the Park;**
 - c) the shared street treatment for Netherfield Lane including access into the Abbots Lake Fishery car park;**
 - d) ecological enhancement within the site and along its boundaries, including in relation to protected species and to provide connectivity through the site for wildlife and a net gain in biodiversity;**
 - e) wildlife information included as part of any homeowner pack; this to include information on Stanstead Innings and its importance to wildlife;**
 - f) a lighting plan for the development to ensure dark corridors can be maintained along the site's boundaries as recommended in the ecological impact assessment, both during construction and once occupied;**
 - g) further detail on the drainage solution including use of Sustainable Urban Drainage systems to ensure this will not negatively impact on the water quality of Stanstead Innings or the Rye Meads SSSI complex;**
- (2) East Herts District Council be informed that the Authority would wish to be consulted on the above as part of the reserved matters application process; and**
- (3) should East Herts District Council be minded to approve the planning application then S106 contributions should be sought for access enhancements and habitat creation at Stanstead Innings to cater for the recreational needs of the new residents and to mitigate for disturbance to habitats in accordance with the schedule at Appendix C to Paper RP/42/20.**

Chairman

Date

The meeting started at 11.34am and ended at 12.48pm

**PLANNING CONSULTATION BY
BROXBOURNE BOROUGH COUNCIL**

**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**

Presented by Head of Planning

SUMMARY

This application seeks permission for a residential redevelopment of the former Turnford Surfacing site at Rye Road, Hoddesdon for a mix of one and two bed apartments, 13 three bed town houses and a small commercial unit. Junction improvements to Rye Road and towpath improvements are also proposed.

The site is located in the Regional Park opposite the River Lee Navigation and Rye House Gatehouse. Whilst residential redevelopment of the site is not in dispute the proposal represents an overdevelopment of the site which, in its current form, impacts upon the visual and recreational amenity of the Rye House Quay and the heritage assets at Rye House Gatehouse, as well as views along the towpath and the ecology of the waterway wildlife corridor. An objection has therefore been raised to the proposal although options to reduce the impact on the Park are identified.

If the Council are minded to grant consent for the proposal a list of projects and indicative costs to be funded via potential S106 contributions has been identified to help mitigate impacts on the open spaces of the adjacent Park areas. The schedule of projects is attached as Appendix C to this report.

RECOMMENDATIONS

Members Approve: (1) that 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:

- a) a reduction in the height at Block A to help reduce impact on the heritage assets opposite;
- b) a reduction in height to Block D and setting back 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.

(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.
- (4) that Broxbourne Borough Council be informed that the Authority would wish to be consulted on the above.

SITE CONTEXT AND DESCRIPTION

- 1 The application site is a narrow and linear parcel of land of approx. 1.7ha located on the north east edge of Hoddesdon. The River Lee Navigation and associated towpath border the eastern boundary of the site and separate it from the Rye Meads Royal Society for the Protection of Birds (RSPB) Nature Reserve, Rye House Quay and the Rye House Gatehouse; a Grade I Listed building and Scheduled Monument. To the north of the site is an area of 2m high banking covered by tree and scrub growth with an area of rough grassland behind. The site's western boundary lies adjacent to the Hertford East branch of the West Anglian main railway line, beyond which there is a narrow strip of grassed embankment up to the New River channel. Behind this is the Rawmec Industrial Estate.
- 2 Vehicle access onto the site is from the south, off from Rye Road which becomes single carriageway in order to cross the New River, pass over the Railway Bridge and cross the Lee Navigation. There is currently no pedestrian access to the site but a narrow footway runs alongside the southern side of Rye Road from the south west. Rye House railway station is located immediately south of the road. The River Lee Navigation forms the boundary between Broxbourne and East Herts District Council.
- 3 The majority of the site is laid to hardstanding enclosed by a chain linked fence and a metal security gate to the site entrance on Rye Road. Scrub, brambles and tree species grow alongside the fences and on the eastern boundary overhang the towpath and the Lee Valley Walk. Towards the northern half of the application site along the eastern boundary, the more mature self-seeded willows mirror the characteristic riverside vegetation lining the waterway on its opposite bank. The area of scrub and woodland immediately to the north is unmanaged providing a green wooded backdrop to the application site. Please refer to the plans at Appendices A and B to this report.
- 4 The whole site is located within the Regional Park – the Park boundary follows the railway line just beyond the western edge of the site, and a variety of ecological, heritage and leisure assets lie within close proximity to the site. As well as the above mentioned historic attractions of the Rye House Gatehouse and Quay, the Rye Meads Site of Special Scientific Interest (SSSI) and Nature Reserve, which form part of the Lee Valley Special Protection Area (SPA) and Ramsar site lie approx. 40m to the east of the site. The Rye House Kart Raceway is less than 100m away to the south east. The towpath as part of the Lee Valley Walk is very well used by walkers and cyclists – it accommodates National Cycle route 61 and the waterway itself is popular for narrow boats with visitor moorings provided by both the Authority and the Canal & River Trust.

- 5 The site has a history of industrial uses, primarily as a tarmac processing plant (1988), then as a car part/scrap yard, and between 2016 to 2019 as a storage and distribution depot for Wren Kitchens, although this use was enforced against by the Council. In 2010 Broxbourne Council's Strategic Housing Land Availability Assessment identified the site for possible housing development with the frontage set aside for commuter car parking for Rye House Station. The Authority strongly objected to this proposed use within the Regional Park, but in 2011, the Council adopted a Development Brief promoting the site's development as a high quality residential scheme overlooking the River Lee, with a commuter car park at the front of the site and an attractive gateway into the Lee Valley Regional Park.
- 6 Documentation submitted with the current application makes reference to a previous proposal in 2016 for a residential scheme consisting of a mix of 2 and 3 storey apartment buildings and 3 and 4 bed houses which was withdrawn from the planning process due to viability issues. This proposed a total of 45 units.

POLICY BACKGROUND

- 7 Local Plan policy is supportive of the Lee Valley Regional Park, which is considered an asset to the Borough (Local Plan Vision for Broxbourne) and Policy LV1 states that the Council will support the Authority in the continuing improvement of the Regional Park. The application site lies outside the Green Belt, and Broxbourne's recently adopted Local Plan 2018 - 2033 includes Policy HOD4 Turnford Surfacing Site which allocates the site for "around 40 dwellings and a small car park to serve Rye Park station". The policy states:

"Development should be of a suitable design and layout to enhance this gateway to the Lee Valley Regional Park and conserve the historic environment. Development should conserve and enhance the setting of the listed assets associated with the Rye House Gatehouse and Rye House public house. Further detail will be added through an update to the existing Development Brief."
- 8 Policy NEB1: 'General Strategy for Biodiversity' seeks to ensure development proposals result in net gains to biodiversity wherever possible. Landscaping and biodiversity in new developments must be well planned to take account of connections to biodiversity features and habitat networks outside of the site, particularly through the use of a strong landscape framework and green infrastructure to strengthen and widen wildlife corridor; the practicalities of future management and maintenance are also important Policy NEB4.
- 9 Other policies of relevance include those relating to the water environment Policy W1 where the Council will resist any development which has an adverse impact on river channel quality and the potential to significantly damage wildlife habitats. A landscaped buffer strip of an appropriate size should be maintained alongside all main rivers and ordinary watercourses. Policy EQ3 seeks to reduce lighting overspill and pollution including consideration of whether there would be an unacceptable adverse impact upon biodiversity. The Council will also encourage the remediation of contaminated land to enable land is brought back into effective use, Policy EQ5: Contaminated Land.
- 10 Policy HE1: General Strategy for the Historic Environment, states bullet point I. "The Council will seek to ensure that development not only avoids harm, but

also improves the setting of Broxbourne's historic environment, and better reveals the significance of heritage assets." The Rye House Gatehouse is located within East Herts District – their Local Plan policies on heritage are similar in that policy aims to ensure development proposals preserve and where appropriate enhance the historic environment (policy HA1 Designated Heritage Assets).

- 11 Park Development Framework (PDF) proposals for the ex Turnford Surfacing site identify the site as an important entry point into the Park. A high quality sustainable design is sought for the site and development proposals will need to respond to the site's waterside location, adjacent Scheduled Monument and related heritage assets, its ecological potential and especially its proximity to protected sites of national and international sites of ecological significance. Pedestrian accessibility should be improved with a widening of the towpath and enhanced links through to Rye House Station and the relationship with the RSPB Rye Meads reserve enhanced with new interpretation and signage along the Toll Road. The Authority will be seeking benefits, financial or otherwise, to be negotiated as planning obligations in order to secure a development that complements and enhances the Regional Park (Area Proposal 8.A.1 Visitors).
- 12 Habitat connectivity along the Navigation adjoining the ex Turnford Surfacing site is to be improved to complement the adjacent Rye Meads Nature Reserve. A dark corridor along the edge of the Lee Navigation is also sought to provide safe movement and a foraging corridor for bats (Area Proposal 8.A.1 Biodiversity). Landscape and Heritage proposals also seek to protect views out from and to Rye House Gatehouse and enhance and preserve the setting of the Rye House Gatehouse.

DESCRIPTION OF DEVELOPMENT

- 13 The application proposes a largely residential scheme with a small commercial element to the site's frontage at its southern end. The commercial use has yet to be confirmed hence a range of potential use classes are included covering for example residential, retail, offices, café, professional services, assembly and leisure uses.
- 14 A total of 104 residential units in four blocks A to D are proposed across the site. These are designed and positioned to take account of the range in levels across the site, the need to achieve a certain volume of flood compensation and avoid higher level flood zones along the River Lee Navigation. The scheme consists of 29 one bed apartments, 62 two bed apartments and 13 three bed town houses. A 25% provision of affordable housing is proposed.
- 15 **Layout**
The front of the site near the junction with Rye Road is identified as a public realm space. This includes provision of 5 no. disabled car parking spaces and a secure cycle parking store for 60 cycles to serve the adjacent Rye House station. The small commercial element which forms part of Block A is also placed within this area where it might benefit from additional footfall from non-residents. Block A has a building height of four and a half storeys (approx. 16m at its highest point).
- 16 The central part of the site narrows considerably and here Blocks B and C, the townhouses, are proposed. These front onto but are set back from the towpath and Lee Navigation. The Design & Access Statement (DAS) considers the

design of these blocks to be "reminiscent of canal side houses with a narrow footprint and a proportionally larger height".

- 17 To the rear of the site Block D has the largest building footprint and rises to four and a half storeys although it includes several wings which provides a varied elevation with gables and eaves on all four sides. The roof scape offers both flat sections together with more traditional pitched roofs (giving heights of approx. 12m to flat roof and 17m to apex of pitched roof). Please refer to Appendix D to this report, extract from DAS showing proposed site layout and riverside elevation.
- 18 Car parking provision for 152 spaces is to be provided in the undercroft of blocks A and D and within car ports to the rear of the town houses. 12 visitor spaces are also shown along the western edge of the site. Cycle parking is also included for each of the blocks.
- 19 **Access**
A 5.5m wide spine road will meet Rye Road at a priority junction east of the railway bridge and opposite the junction with Fisherman's Way forming a crossroads. From this southern point the road passes between the secure cycle parking and Block A to run along the back or western boundary of the site. As it approaches Blocks B and C it becomes a shared surface roadway denoted by the change from black to buff permeable Asphalt and continues through to Block D. The pedestrian routes include a tactile crossing point over Rye Road at the access to the site and then a second crossing to the rear of the vehicular access bell mouth. A formal 2m wide footway runs behind Block A to the townhouses and continues as part of the shared surface road access to Block D.
- 20 The application is accompanied by a Transport Assessment (TA). Given the narrowness of the access road over the railway bridge the applicant proposes to replace the current give way arrangement with traffic signals and a yellow box marking at the site access/Rye Road/Fishermans Way junction. This has been prepared in consultation with Herts County Council Highways. The TA has assessed the trip generation from the residential use against the site's existing industrial B2 land use (i.e. as a tarmac batching plant) and found that there is likely to be a reduction in traffic and that the level generated can be accommodated by the proposed signal junction.
- 21 **Towpath and public realm/open space**
The towpath to the Navigation will be resurfaced and will open out into new areas of public realm and open space within the site, principally created between Block A and the townhouses and again in front of Block D. Soft landscaping treatment will seek to emulate natural riverside vegetation with a wildflower meadow and associated tree planting created in the space between Blocks A and B/C. Between the towpath and Block D the treatment will be slightly more formal with amenity grassland, tree planting and picnic tables/benches. Away from the towpath to the side of Block D will be an area of more structural landscaping with wildlife friendly shrubs. A native hedge is proposed along the western boundary. A raised planted grass embankment and vertical planted gabion retaining wall will separate the towpath from a semi public access route in front of the town houses with half height fencing or railing treatment to each garden frontage.
- 22 **Materials**
The proposed building material pallet utilises buff and red coloured multi stock

bricks, slate tiles, dark grey/black weather boarding and dark grey windows and doors. Nature motif laser cut feature railing panels are shown to screen the undercroft garages; these to be powder coated in feature colour such as bronze. The recessed balconies will have powder coated metal railings in a colour to match the windows. The applicant is seeking to deliver a high quality appearance acceptable in both a historic and contemporary context.

23 Landscape and Visual Appraisal

A report on the character of the surrounding landscape and an assessment as to whether the proposed development will have any negative impact on the landscape has been submitted with the application. This includes an assessment of key viewpoints to determine if there is likely to be any negative visual impacts.

- 24 Overall the assessment found that both the value of the surrounding landscape and its sensitivity to change is moderate (being a combination of the urban edge, waterside and designated heritage/ecological landscapes). It has a distinctive character that can tolerate a moderate change without unacceptable adverse effects on its character. The magnitude of landscape effects from the development were also assessed as moderate with scope for this to be lowered through suitable landscape mitigation in the form of native hedgerow and tree planting along the western boundary, site internal tree planting and riverside planting with tree and willow hedging to the eastern boundary. These measures are incorporated within the outline soft landscape plan together with climbers and planted green screens to frontage of car park levels.

25 Ecology

The application is accompanied by a preliminary ecological appraisal (PEA) March 2020. It has found that the development will have no direct impacts on the nearby Lee Valley SPA and Ramsar including Rye Meads SSSI but that best practice construction measures including a strict pollution prevention protocol will be essential during both demolition and construction in order to avoid pollution incidents on the neighbouring sites and noise and visual disturbance to water birds. Other indirect pressures such as increased recreational pressure should also be considered and whilst significant increase in the recreational use of the Lee Valley SPA, Ramsar and Rye Meads SSSI is considered 'highly unlikely', the report does recommend that "access to sufficient on-site recreational open space and amenity space to meet the day to day needs of residents is provided as part of the proposed development designs".

- 26 Trees and scrub on site was identified as offering good potential for nesting and foraging birds and habitat clearance outside the main bird nesting season recommended. The PEA report identified the treeline along the eastern boundary as suitable foraging and commuting habitat for bats that should be retained. It also stated however, that its removal would not adversely impact the function of the River Lee Navigation as an important corridor for bats, mainly due to the existing mature tree line along the opposite bank of the Navigation which connects with the habitats of Rye Meads SSSI and provides a network of suitable habitat.

- 27 Mitigation measures in relation to lighting are however required and a sensitive lighting strategy should be implemented during both construction and once the development is occupied e.g. there should be times throughout the evening when all outdoor security lighting is turned off. This is particularly important for the eastern aspect of the development as illumination of the River Lee

Navigation must be avoided. A sensitive lighting strategy is important to avoid the loss or degradation of otter and bat foraging and commuting habitat. Pollution control is also important with the additional concern of disturbance to Water Vole habitat.

28 Heritage

An Archaeological Assessment has been submitted with the application which contains an assessment of the impact of the development on the Rye House Gatehouse. It identifies the "substantial very thick vegetation screening at the western end of the monument" as a means of reducing potential impacts and also states "Furthermore if the development is sympathetic to the surrounding area then the long-term visual impact should be an improvement on the current derelict state of the proposed development area".

29 Flood Risk

The flood risk assessment report submitted with the application identifies the need for flood compensation measures which must also take account of future climate change allowances. The site is located within Flood Zone 2 (annual probability of flooding of between 1 in 1000 to 1 in 100 years) with a small portion along the eastern boundary within zone 3a (greater than 1 in 100 years). The report confirms that all finished ground floor levels will be set above the 1 in 100-year fluvial flood level other than land immediately adjacent to the towpath and the two areas of proposed open space situated along the eastern side of the development. Ground levels here will be lowered and the spaces designed to store flood waters and provide floodplain compensation. The proposed SUDs drainage strategy will ensure there is no increase in flood risk to the site or elsewhere as a result of the development. A Flood Defence Consent from the Environment Agency will be required as Block A and B are located within the 8 meters set back from the river bank.

PLANNING APPRAISAL

- 30** The principle of developing the ex Turnford Surfacing site for residential development is established via the recently adopted Broxbourne Local Plan. The main considerations therefore relate to:
- the design, scale and massing of the development and its visual impact in relation to its waterside setting and location within the Regional Park;
 - its impact on the ecology of the area, protected sites and species;
 - its impact on the nearby heritage assets at Rye House; and
 - Section 106 agreement contributions.

31 Design, scale and massing

The proposed development will transform an existing industrial site which contributes very little to the waterside environment and which currently has a detrimental visual impact on the local Park area particularly when viewed from Rye House Quay and the adjoining towpath. The applicant has sought to tie the development into the urban landscape that sits to the west and south of the site taking as its cue the existing riverside 5 storey residential block Bridgewater Gardens south of Rye Road, aiming to create a new residential edge alongside the Lee Navigation interspersed with new public open spaces that seek to complement the towpath. The overall quality of the materials proposed is high and the design offers a contemporary and in the main not unattractive appearance to the buildings.

- 32** However, the relationship of the development to its waterside setting and to the

Regional Park area is much less successful. This is principally due to overdevelopment of the site and is manifest in the unsuccessful scale, massing and design of Block D, although there are other issues relating to the layout and scale associated with Block A.

- 33 The recently adopted Local Plan policy allocates the site for "around 40 dwellings". Whilst the overall viability of the scheme is a matter for the Council to assess, the increase from 40 to 104 units does appear to be a considerable increase and potentially over and above what the site is capable of accommodating. The DAS states that the proposal equates to an average density per hectare of approx. 89 dwellings (DPH); it compares this to the density set for town centre locations at 80 DPH although this reference is to figures set out in the previous Local Plan.
- 34 Working through the development from south to north, Block A is located in a prominent position at an important entry point to the Park alongside the Lee Navigation. There is very little however to tie this part of the site into the adjoining waterway and Rye House Quay or wider Park environment, or to create a public amenity space that might complement the Park. A use for the small commercial unit has yet to be decided and it is unclear whether this will function as a resource for the Park e.g. information point/café. The landscape treatment to this entry space is dominated by the access road (black asphalt), the accompanying pedestrian pathways (buff asphalt) and the block paving associated with the cycle parking. Two trees are shown within this space with 3 further trees to be planted along the development's boundary with the towpath.
- 35 Whilst it is appreciated that safe access has to be provided and that the development is seeking to anchor itself with the station and the existing urban edge, it also needs to incorporate elements that will reflect its waterside location and the proximity of the heritage assets opposite; for example, additional seating to overlook the Rye House Quay, raised or feature planting, attractive signage/interpretation, all elements that would contribute to the local amenity of the area. A feature could be made of the cycle parking store for example, if it is to be covered, with a brown/green roof provided. The mass and height of Block A and its position close to the towpath (within 4 metres) will also stand in sharp contrast to the openness of the quayside and softer green 'parkland' environment to the Gatehouse opposite.
- 36 In contrast the open amenity space provided between Block A and Blocks B/C makes a positive contribution to the waterside environment with the tree and meadow planting and complements the riverside vegetation opposite and within Rye Meads. It also provides additional informal public recreational space as part of the towpath.
- 37 The town houses, Blocks B and C, sit as a more traditional form and appropriate scale alongside the River Lee Navigation, although the retaining wall to Block B is positioned hard up against the towpath leaving no room for a planting treatment as is the case with Block C. This is due to the narrowness of the site at this point. It would have been preferable to continue the green edge established as part of the open space area that adjoins Block B right through alongside the towpath to join with the second open amenity space in front of Block D. Although this would not replace the loss of trees and other vegetation along the towpath boundary it would help to buffer the development, soften the visual impact for visitors and contribute to an ecological corridor.

- 38 Block D which will provide 65 units sits at the rear or northern end of the site and as such is located furthest into the Park. It is the largest of the four blocks with a footprint of 1,910m² (compared to Block A which is 695m²) and its form and mass will be a significant feature in the longer range views along the towpath. Whilst there is an argument for a taller building at the entrance to the site adjacent to the road and station, the overall height and mass of the development would then be expected to reduce, especially as in this case, where the northern portion of the site lies adjacent to a substantial area of woodland and green space that sits well within the Park and forms part of the Green Belt.
- 39 The current design of Block D with its varied pitched and flat roof layout and protruding wings attempts to present a domestic look, perhaps to reflect the adjacent town houses (Blocks B/C) but at a scale that is anything but domestic. The area of landscaped open space proposed in front of Block D would be hidden from view when looking north along the towpath, due to the bulk of the first wing which extends within 5m of the towpath. If the two wings on the eastern elevation of Block D were to be reduced or pulled back away from the towpath edge, it would be possible with the tree planting proposed within the new open space in front to create a gentler transition between the development into the wooded and green riverside landscape of the Park beyond. Setting back these elements of the development would also enable additional open space and habitat to be created. Green or brown roofs should also be considered for the flat roof elements of the development, on Block A and sections of Block D.
- 40 **Ecological Impacts**
 A Construction and Environmental Management Plan (CEMP) is required 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 SPA and Ramsar site, including Rye Meads SSSI. This should be approved prior to any construction or development taking place and secured via a condition on any grant of consent.
- 41 Evidence is also sought as to whether the open and amenity space included as part of the development is sufficient and of the appropriate type to cater for the day to day needs of residents. Currently this is unclear in relation to Blocks A and D. Further detail should be provided prior to the application being considered and the Authority would wish to be consulted on this in order to protect the integrity and functionality of the SPA/Ramsar habitats.
- 42 The enhancements recommended by the ecological report, some of which are included in the application, are supported and should assist in achieving a net gain in biodiversity including:
- i) Installation and maintenance of bat bricks or bat tubes into any new building and the installation of bat boxes on to suitable retained trees;
 - ii) areas to be set aside for ecological landscaping and the planting of a hedgerow along the western boundary to improve ecological connectivity across the site and enhance adjacent railway corridors function as a wildlife corridor;
 - iii) planting of native standard trees across the site especially along the eastern site boundary; and
 - iv) planting of areas of meadow grassland within the site.
- 43 All the above should form part of the proposed development. The aim, as per

the PDF Area Proposals, should be to achieve an improvement to habitat connectivity alongside the application site to complement the adjacent Rye Meads Nature Reserve. Area Proposals suggest creating further areas of native tree and scrub planting and mitigation measures such as on and off-line pools, reeded areas and wildflower meadows on the land adjoining the towpath. This would enhance the area for bats, invertebrates and Water Voles as well as providing opportunities for informal recreation. Substantial treatment is required to off-set the scale and impact of the development behind.

- 44 Bat surveys have been undertaken on the site but not outside the redline boundary. There is concern that the development may have a negative impact on bats which may be using the Lee Navigation for feeding and commuting. The applicant has sought to achieve a partial replacement of the green vegetated edge along the site's eastern boundary through the planting scheme, although this is designed to complement the towpath and open up the site to the water's edge as a feature of the development. This is understandable but will result in an erosion of the ecological asset/resource. This underpins the importance of the landscape treatment to the development edge and the need to pull back elements of Block D to allow more space for a wildlife friendly planting scheme.
45. There is mention of a 'sensitive lighting strategy', this is critical both in construction and occupation and should be submitted and approved prior to construction. The PDF Area Proposals seek to establish the waterway as a 'dark corridor' to provide safe movement and a foraging corridor for bats.
- 46 The ecological report states there is potential for the site to contain reptiles although no reptile surveys have been undertaken. Sites adjacent to railway lines are often excellent for reptiles and the construction phase may have a negative impact on reptiles. The site should be fenced with a reptile-proof fence and all reptiles trapped out prior to construction commencing. The Authority would wish to be consulted on further more detailed ecological measures, landscape planting and lighting strategy as referenced above.
- 47 **Heritage**
The planning assessment to be undertaken in terms of the impact of development on heritage assets is complicated, and as set out in the National Planning Policy Framework (NPPF) must consider the protection of the historic environment as an important element of achieving sustainable development (para 8 (c)). Paragraph 190 states that that 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset'. This policy also says that the significance of the heritage assets 'should be taken into account when considering the impact of a proposal on a heritage asset'.
- 48 Views out from the moated platform of the scheduled Rye House Gatehouse monument are limited at ground level by the mature trees within the site and around its perimeter, especially the mature yew tree hedge along its western boundary. A gap in the yew hedge at the southern corner allows views through to a block of flats south of the station but overall the trees create a sense of enclosure that contributes to the setting and experience of the heritage assets. The Landscape Visual Assessment identifies that 15% to 20% of the development will be visible from the grounds of the Rye House Gatehouse monument, above the yew hedge. The upper floors and roof line of the

proposed buildings will be visible to those visiting the Park and the Rye House Gatehouse area.

- 49 Historic England in their comments on the application state that this will "introduce a clearly modern element to views outward from the scheduled monument and Grade 1 listed Rye House Gatehouse and make an appreciable change to their setting." Historic England also identify that Block A will be visible above the yew hedge "in the key view of the principle (north eastern) elevation of the Gatehouse when viewed from outside of the schedule monument looking south westwards". These are views obtained from the adjoining open space and footpath between the Gatehouse and small Lee Valley car park that serves this area. Clearly the development would be visible from the viewing platform at the top of the tower on those days when it is opened to the public.
- 50 Historic England consider the proposed development will result in a change to the setting of the designated heritage assets at Rye House and that this will result in some harm to the significance of these assets. However, at the time of writing, they were unable to determine the level of this harm due to a lack of information - further view-points need to be considered and were requested.
- 51 It is clear the development will change the setting and experience of visiting this area of the Park and in particular the Rye House Monument by introducing a noticeable modern element to the context of the monument. The PDF Area Landscape and Heritage Proposals 8.A.1 seek to protect views out from and to Rye House Gatehouse and enhance and preserve the setting of the Rye House Gatehouse.
- 52 It would be useful to better understand the significance of this harm and whether it could be mitigated through the scheme design. As it stands currently however the most obvious solution would be a reduction in the height or mass of the development, at Block A in particular, to minimise impact on the heritage assets. Historic England are the lead body in terms of protecting the heritage resource and officers support their request for further detail to be considered prior to any planning decision.
- 53 **Section 106**
There is concern as to whether the amenity space provided within the development (which is also intended as flood storage should the need arise) is sufficient to cater for the range of recreational needs required by the residents. The amenity space shown between blocks A and B/C has been designed to function as part of the towpath, to be publicly available and suitable for picnics, relaxation and general amenity. Likewise, space in front of block D is shown with picnic tables and formal tree planting. There does not appear to be provision for children's play (informal and formal), informal games and activities or local dog walking etc.
- 54 This will place additional pressure on the open spaces at Rye House Quay and the Gatehouse site opposite. These spaces are part of a waterside heritage site and managed as part of the visitor heritage attraction Rye House Gatehouse. Water Vole are also present in the historic moat. Whilst these spaces are available to enjoy by local people and visitors alike there would need to be an upgrade to the pathways and landscape works to improve the robustness of the waterside and heritage environment and biodiversity value, to ensure the area as a whole could cope with regular increased footfall and a more general recreational use. This would include improvements to the interpretation on site

to ensure people using the space are able to understand and appreciate the historic significance of the site and the manner in which it is managed and habitat works to help protect areas from disturbance.

- 55 This should be secured through Section 106 contributions and the schedule attached at Appendix C to this report sets out a list of projects with indicative costs. These are all projects that would be delivered in East Herts.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 58 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.

- 59 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Application Papers 20.059

June 2020

APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Context plan
Appendix C	Schedule of Indicative Projects for S 106 funding
Appendix D	Extract from DAS showing proposed site layout and riverside elevation

LIST OF ABBREVIATIONS

SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
BAP	Biodiversity Action Plan
TA	Transport Assessment
PEA	Preliminary Ecological Appraisal
PDF	Park Development Framework
RSPB	Royal Society for the Protection of Birds
CEMP	Construction & Environmental Management Plan
C&RT	Canal & River Trust
DAS	Design and Access Statement
DPH	Density Per Hectare
NPPF	National Planning Policy Framework



- Park Boundary
- Application Site



Redevelopment of former Turnford Surfacing Site for 104 residential units. Consultation by Broxbourne Borough Council - Location Plan

1:2500 @ A4
10.09.20

Produced by: Corporate GIS (AAB)

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Redevelopment of former Turnford Surfacing Site - Area Context

Application Site

NTS @ A4
10.09.20

Produced by: Corporate GIS (AAB)

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Possible Projects for S106 contributions

Project	Project details	Estimated cost
Improve the quality of the habitat along the moat for Water Voles a Lee Valley BAP species	Undertake on-going management over 3 years on the scrub that has started to dominate the banks of the moat. This will enable the enhanced growth of vegetation along the edges of the moat improving the habitat for Water Vole over 3 years	£3,000
External Interpretation	Replace the two external interpretation Panels – Already have new artwork. Note: Including print works, Frames and Instillation costs	£4,000
Quayside Pathways	Resurface all quayside Pathways – Look at sealed surface to replace existing Type one. Approx 400 m2 Meters Resin bound deck to enhance site to cope with additional footfall to site.	£12,000
Quayside Grass Areas	Reseed	£1,000
Black Brick Surround Dipping Platform Rye House Quay	Refurbishment and repairs	£4,000
Car Park	Resurface, mark spaces and create disable parking bays £1500 for re paint of bays and Signage only Full re surface Resurface?	£1,500
Bridge repairs	Possible preplacement	£6,000
Enhance wildflower area	Purchase of wildflower seed to put in copse area and sow over small wildflower area to rear of picnic area/car park	£500
Rear Ground floor plan	Re-define and replace plaques in ground showing uses of each room.	£5,000
Dig out \improve Pond area rear of copse	Assumes NE / HE permissions are able to be agreed	£2,000
Car Park French Drain repair	Sort out 'French drains in car park to alleviate flooding	£2,000
Installation of Boxrap bollards	Put in new Broxap bollards around car park to stop people driving on to grass area x 20 bollards at £115 plus Instillation	£4,000
Replace all bollards alongside Rye Road with Hardwood\other? ones and access gate onto Rye House Quay opposite Rye House Public House	Need to confirm spec and Nos	£6,000
	Total	£53,000

04 Proposed development

4.1 Final proposals - site

