

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

26 MARCH 2020 AT 11:30

Agenda Item No:

6

Report No:

RP/40/20

**PLANNING CONSULTATION BY
EPPING FOREST DISTRICT COUNCIL**

OAK TREE FARM, PAYNES LANE, NAZEING EN9 2EY

**APPLICATION FOR PLANNING PERMISSION FOR THE SITING OF
5 NO. CHALET LODGES (CARAVANS) FOR
HOLIDAY ACCOMMODATION PURPOSES**

Presented by Policy Officer

SUMMARY

The application proposes the erection of 5 holiday chalets within the River Lee Country Park to the west of Paynes Lane close to Holyfield Lake. Insufficient information has been provided to fully assess the proposal both in terms of its Green Belt location and in particular in terms of its impact on the adjacent Local Wildlife Site and protected species known to be present in the vicinity. Biodiversity impacts should be a material consideration in this case and the lack of information on this matter together with other concerns requires the Authority to lodge an objection in this case.

RECOMMENDATIONS

- Members Approve:
- (1) that Epping Forest District Council be informed that the Authority objects to the current application on the grounds that:
 - a) insufficient information has been supplied to demonstrate the special circumstances that apply for the development of 5 holiday chalets at this isolated location in the Green Belt within the Regional Park;
 - b) there is currently no accompanying ecological appraisal available for this proposal and as such there is insufficient information on which to assess the

application for biodiversity impacts which should be a material consideration in this case;

- c) further detail is required in respect of lighting and vehicle access to the site in order to fully assess impacts on biodiversity and recreational activity.

(2) if the District Council are minded to grant planning consent without the required ecological reports, the Authority would wish to see the following conditions attached to any permission:

- timing of works to avoid nesting bird season;
- construction plan to include protection measures for Badgers (e.g. holes covered or escape ramps);
- a lighting plan for biodiversity agreed to avoid light spill into surrounding areas which would affect sensitive species including Bats, Badgers and Otters. In particular, a dark corridor to be maintained in the woodland and scrub edge to Holyfield Lake;
- use of locally native species in planting plans; and
- the Authority should be consulted on the above details and plans in due course.

DESCRIPTION OF SITE

- 1 The application site is situated on the western side and at the southern end of Paynes Lane and forms part of agricultural land associated with Oak Tree Farm. It is an isolated location within the Metropolitan Green Belt; to the west the site is bounded by Holyfield Lake, a Local Wildlife Site, and to the south are fields and Langridge Farm. Further out, to the east of the site and Paynes Lane, are nurseries including the large scale Valley Grown Nursery glasshouses. However, the predominant character of the area is that of open land. Please refer to the plan at Appendix A to this report.
- 2 The site encompasses an area of a 1.53ha broadly rectangular in shape positioned adjacent to Holyfield Lake; at this time of year the site presents as a field of rough grassland. An access track passes between the site and the bankside edge of the lake which is well vegetated throughout (woodland and scrub) and incorporates fishing stances. A hedgerow borders the western edge of the application site.
- 3 The access track connects to Green Lane to the north and is a partial reinstatement of the former haul road used as part of the previous gravel extraction works which were widespread in this area. The applicant has

planning permission to use this track as an agricultural access to Oak Tree Farm; although it is presumed the main access to the Farm is still via Paynes Lane. It is this access route that is included in the applications' red line boundary. In the south the track continues alongside the Lake and towards Langridge Farm. An informal way through to the east is possible on foot but this is not a public right of way.

- 4 Oak Tree Farm and the application site are located within the Regional Park and form part of the River Lee Country Park (RLCP). The adjacent Holyfield Lake is an important angling site within the RLCP and a number of angling clubs and societies operate on a licenced basis from the bankside. The water is also used by the Fishers Green Sailing Club who are located on the eastern bank further to the south. As a Local Wildlife Site the Lake is an important wetland habitat and also acts as a refuge and alternative to the Turnford and Cheshunt Pits Site of Special Scientific Interest (SSSI) – part of the Lee Valley Special Protection Area (SPA), providing habitat for over wintering and breeding birds.

POLICY BACKGROUND

- 5 The site is designated as Green Belt and policy in both the current Local Plan (Combined Policies of Epping Forest District Local Plan 1998 and Alterations 2006) and the Submission Version Local Plan 2017 (draft Local Plan) is clear that planning permission will not be granted for inappropriate development, except in very special circumstances. This is in accordance with national policy. Construction of new buildings are considered inappropriate development unless an exception to this policy can be demonstrated on the grounds, in this case, of the *"Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as any development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it"*, (draft Local Plan policy DM4 Green Belt).
- 6 Policy in the adopted Local Plan seeks to preserve and enhance the biodiversity and networks of natural habitats of the area (Core Policy 2). The draft Local Plan Policy DM1 on habitat protection and improving biodiversity seeks to ensure development delivers net biodiversity gain in addition to protecting existing habitat and species. Development proposals should seek to integrate biodiversity through their design and layout.
- 7 Development proposals which are likely to have a negative impact on a locally designated site such as a Local Wildlife Site will only be permitted where the benefits of the proposed development clearly outweigh the value of ecological features adversely affected and there are no appropriate alternatives. Policy DM1 (G) also states that:
"where there are grounds to believe that a Protected Species, 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. This evidence should inform appropriately designed plans and mitigation measures."

Ecological information must be supplied in accordance with BS 42020 2013 for all relevant planning applications.

- 8 The draft Local Plan also includes policy for the Visitor Economy E4 (1) which seeks to support the development of high quality visitor accommodation, in particular accommodation linked to outdoor sport and activity hubs in the Lee

Valley Regional Park, and visitor accommodation of an appropriate scale and type that makes use of existing buildings and strengthens existing rural leisure businesses.

- 9 Area 6.A.4 Proposals from the Park Development Framework (PDF) for "the River Lee Country Park" apply in this case. These include Sport & Recreation proposals to protect and improve the fisheries and to manage and promote sailing at Holyfield Lake, to improve visitor access particularly at entrance points to the RLCP along Paynes Lane and Green Lane and in terms of biodiversity to protect, enhance and manage the mosaic of open water, scrapes, meadows floodplain grassland to improve ecological value and species diversity. Non designated waterbodies are to be managed in accordance with their role in supporting the wider SPA.
- 10 Landscape proposals seek to conserve and enhance the secluded rural character and high ecological value of RLCP with positive conservation and management of diverse wetland habitat, balanced with the provision of recreation and enjoyment of the landscape. Visitor hubs are identified at Fishers Green, Broxbourne Riverside and at Cheshunt Station and Pindar.

DESCRIPTION OF DEVELOPMENT

- 11 The application proposes the erection of 5 single storey holiday chalets with cedar clad walls and pitched dark grey tiled roofs. From the drawings provided each chalet is approximately 4 metres in height by 19 meters in length, with 2 double and 1 single bedroom. A wide veranda wraps around the front and one side of each chalet and includes a hot tub in one corner.
- 12 Car parking provision is provided alongside each chalet for 2 cars and a total of 30 cycle spaces are also specified, although it is unclear where these would be accommodated. Two existing access roads are shown, one off Paynes Lane in the east and one along the track from the north which links through to Green Lane, but it is not clear from the plans which will be used for the holiday chalets.
- 13 The site block plan shows proposed flower meadow planting alongside and to the east of each chalet and the proposed planting of 3 or 4 oak trees in association with each plot. No other details are provided. Please see the site plan and proposed elevation drawing at Appendix B to this report.

PLANNING APPRAISAL

- 14 The provision of visitor accommodation within the Regional Park is, in general, an acceptable use. Opportunities for visitor accommodation are identified in the Authority's PDF, usually in association with popular visitor hubs such as the Lee Valley Park Farm, as part of the Broxbourne Gateway (Old Mill and Meadows) or as part of established sites such as Dobbs Weir Caravan Park. Most of these sites are also in the Green Belt but are already developed sites forming part of a wider leisure and recreation offer.
- 15 The current proposal is located on a somewhat isolated and open site in the Green Belt and no evidence has been supplied to demonstrate the special circumstances that might apply for this proposal in this situation. The 5 chalets, the access road and associated hard standing for car parking are situated some distance away from existing properties at the end of Paynes Lane and will introduce a new and quite stark built presence adjacent to Holyfield Lake,

interrupting the more rural and open landscape character of the area. An explanation for why this location is preferred or is considered more suitable than one closer to the farm buildings is required.

- 16 It is also of concern that no accompanying ecological appraisal is available for this proposal. As such there is insufficient information on which to assess the application for biodiversity impacts which should be a material consideration in this case given its location adjacent to a Local Wildlife Site – Holyfield Lake and its proximity (under 800m) from the Lee Valley SPA/Turnford and Cheshunt Pits SSSI.
- 17 Holyfield Lake forms part of the Lee Valley South Local Wildlife Site and is important for its bird populations, aquatic invertebrates, aquatic mammals (Otters and Water Voles), wildlife corridor function and swamp communities. This extensive site provides much additional and extremely valuable habitat next to Turnford and Cheshunt Pits SSSI that are of national importance for over-wintering and breeding birds. Both the District Council and the Authority have strong policies and proposals that seek to protect and improve biodiversity, both existing habitat and species and to ensure development delivers net biodiversity gain.
- 18 There is currently low level informal recreational usage in this area by walkers, dog walkers and anglers. Fishing stances are provided at intervals around the Lake but this use is managed under license by the angling clubs. PDF Area Proposals are focused on improving the fisheries, enhancing visitor access and protecting and enhancing biodiversity. With no lighting in the immediate area the woodland and scrub edge of the lake provides a dark corridor which is of benefit to wildlife.
- 19 Increases in light and noise from the proposed Chalets could have impacts on protected species such as Bats using this corridor. Other protected species known to be in the immediate area include: Otter, Water Vole, Badgers, and Grass Snakes may also be present. Several Skylarks (UK red list) were seen on a site visit, over the development site and the surrounding fields which provide potential breeding habitat for these and other ground nesting birds. No lighting information is supplied with the application and there is only limited detail about the proposed wildflower meadow sections and planting of individual oak trees. It is also understood that the site has potentially contaminated land due to former use as a landfill for soil and demolition waste. Although a matter for the Council to resolve this may impact planting proposals and public recreational use of the site.
- 20 Clarification on the which route will be used as the main vehicular access to the site is also required, particularly given the access track from Green Lane is used by walkers and anglers.
- 21 In conclusion the lack of supporting information to justify the development's location in the Green Belt, the need for an ecological assessment and appraisal, and the lack of a lighting plan and detail on access to the site means that it is not possible to adequately assess the application and an objection to the proposal is therefore recommended.

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 24 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.
- 25 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

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

EQUALITY IMPLICATIONS

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

Author: Claire Martin, 01992 709885, cmartin@leevalleypark.org.uk

BACKGROUND REPORTS

Application Papers 20.019

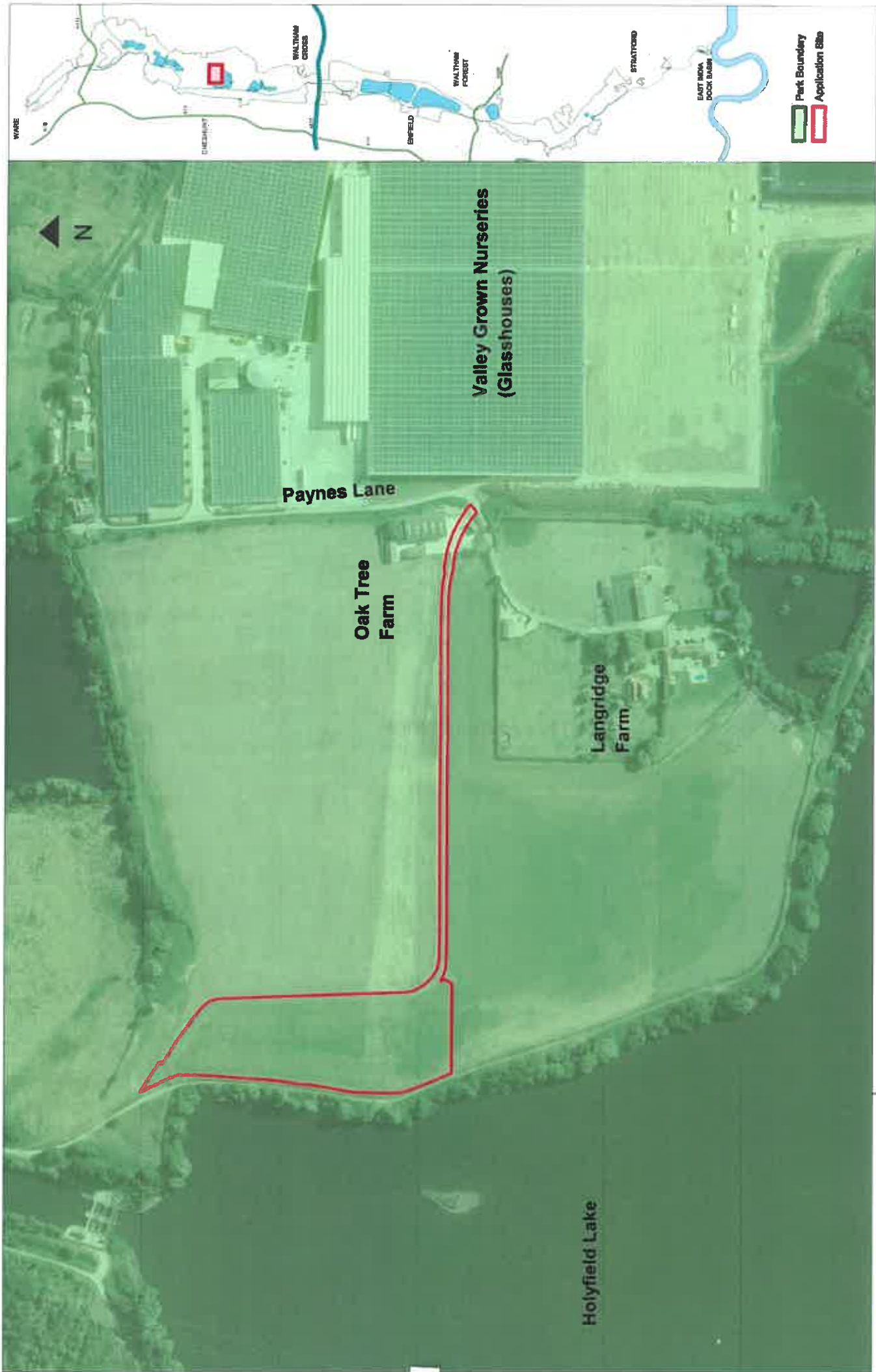
February 2019

APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Site Plan showing location of chalets
Appendix C	West elevation of proposed chalet

LIST OF ABBREVIATIONS

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



Proposed Siting of 5 No. Chalet Lodges for holiday accommodation: Oak Tree Farm, Paynes Lane, EN9 2EU

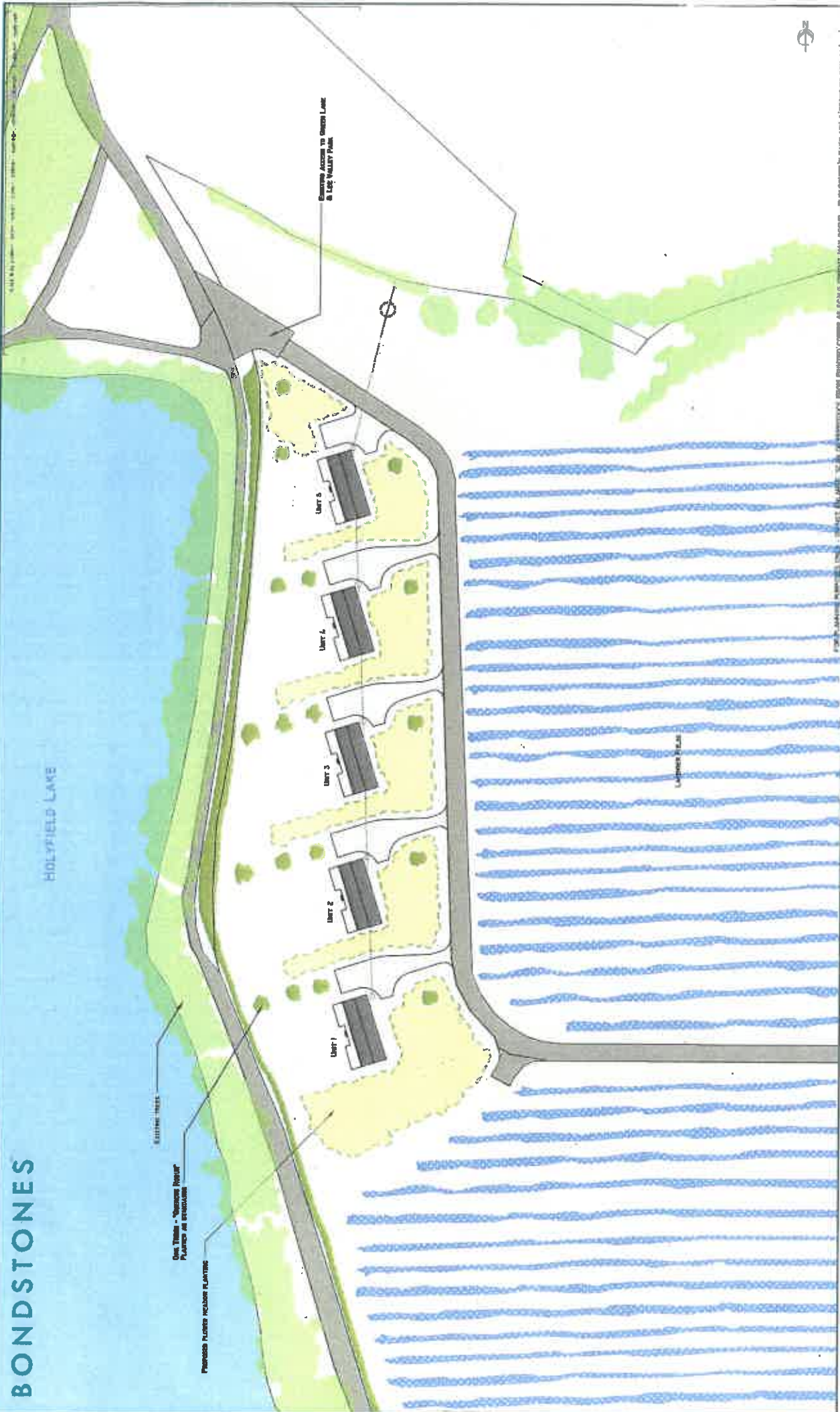
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03.03.20

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BONDSTONES

HOLYFIELD LAKE

EXISTING TREES

NEW TREES - 'STANDARD' PLANTED AT STRUCTURE

PROPOSED PLANTED INCLUDE PLANTING

UNITS 1-5

PARKING

LANDSCAPE

Scale: 1:500

DATE: May 2009

Drawn By: IF

Checked By: BF

Client: Mr & Mrs J. O'Connell

Project Ref: 11370049

Product: Proposed Holiday Accommodation at GARTREE FARM

Drawn Title: SITE BLOCK PLAN

Scale (OSD-43): 1:500

Date: May 2009

Drawn By: IF

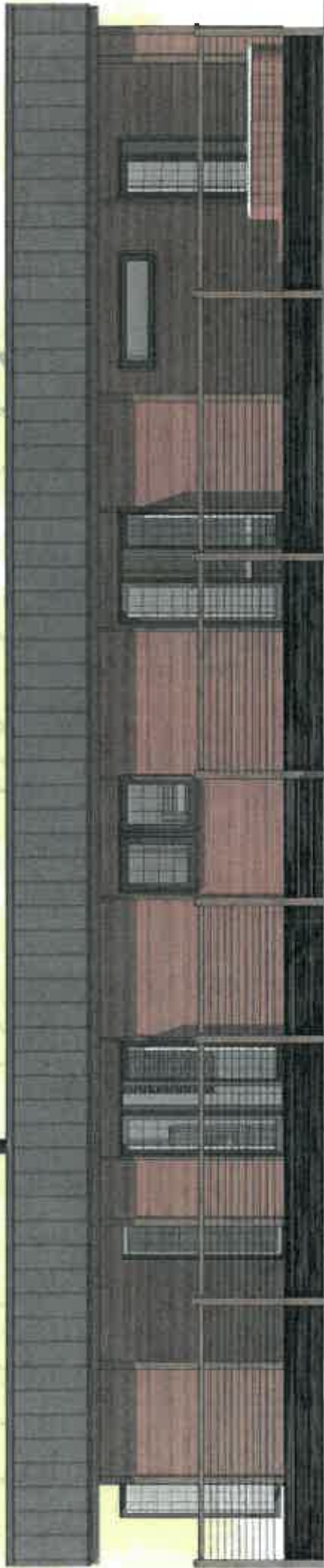
Checked By: BF

Notes: Location & Block Plans contain data sourced from Ordnance Survey. © OSY Crown Copyright and reprinted with OS permission. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of the copyright owner. All rights reserved.

THIS VISUALS ETC 2009 HOLIDAY ACCOMMODATION PLANS BY

RICS

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PROPOSED WEST ELEVATION



Notes: This set of drawings is based on Unit 1 - see PA-03 for previous layout. This set of drawings is for informational purposes only. All dimensions are approximate. All dimensions are subject to change.

Client: Mr & Mrs R. J. Johnson CSD REF: 233004
 Project No: 10000
 Project Name: Proposed West Elevation of Garage Entry
 Drawing Title: Proposed West Elevation
 Scale: 1/8" = 1'-0"
 Date: May 2023

PROPOSED WEST ELEVATION - PA-03

THIS VERSION: THE EAST
 HEAVY ACCENTUATION PLAN 12

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