

**LEE VALLEY REGIONAL PARK AUTHORITY**

**REGENERATION AND PLANNING  
COMMITTEE**

**25 JUNE 2020 AT 11:30**

**Agenda Item No:**

**6**

**Report No:**

**RP/42/20**

**PLANNING CONSULTATION  
BY EAST HERTFORDSHIRE DISTRICT COUNCIL**

**LAND & BUILDINGS EAST OF NETHERFIELD LANE,  
STANSTEAD ABBOTTS, HERTFORDSHIRE, SG12 8HE**

**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 DWELIINGS, TOGETHER  
WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING**

**Presented by Head of Planning**

**SUMMARY**

This application seeks outline permission for a mixed use redevelopment of the now vacant Netherfield Lane employment site for B1 (business) floorspace, 20 dwellings and associated access, parking and landscaping.

Whilst this is an outline application for an existing developed site within the Park there are a number of issues that, should permission be granted, will need to be resolved through the reserved matters process in order to protect the biodiversity of the Park, its landscape character and recreational enjoyment. These include landscaping, ecology, access and drainage. The Authority should be consulted on these details in due course.

The potential for S106 contributions is raised at this stage in relation to works required to improve and strengthen habitats and enhance recreational access within the Stanstead Innings site which lies immediately across the road from the application site. Indicative costs are specified in the attached Schedule at Appendix C to this report.

**RECOMMENDATIONS**

Members Approve: (1) that 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) treatment of the existing vehicular 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;
- (2) that 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) that should the East Herts District Council be minded to approve the planning application then Section 106 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 attached schedule at Appendix C to this report.

## DESCRIPTION OF SITE

- 1 The application site covers an area of 1.3ha and lies on the east side of Netherfield Lane, approximately 100m from its junction with Roydon Road and within 400m of Stanstead Abbots. It comprises land occupied by buildings and hard standing, the northern section of Netherfield Lane up to and including the junction with Roydon Road, a strip of land immediately to the east of the lane where it is proposed widening and improvement works would take place, and a section of land south of the road junction which would serve as a new access to the rear of the Baesh Almshouses (Grade II\* Listed dwellings fronting Roydon Road).
- 2 The now disused employment site comprises former offices, warehouses and storage buildings surrounded by hardstanding and some small areas of amenity grassland. The majority of the buildings are single storey although in the north-western corner of the site office accommodation was provided on ground and first floor levels. The applicant owns the adjoining largely open fields/paddocks lying to the north, south and east of the site. The site is bordered by mature native vegetation and the land immediately to the east includes a mix of mature scrub habitat and woodland. It is also noted that the land rises to the east from Netherfield Lane. The whole site lies in the Regional Park and is part of the Green Belt. Please refer to the Plan at Appendix A to this report.
- 3 Netherfield Lane is a designated Bridleway and is an adopted unclassified road as far as the application site. South of the site the road is unadopted but provides access into the Park, a nursery and Ryegate Farm. To the west of the site lies a series of waterbodies; Stanstead Innings, one of the Authority's 'access to nature' sites designated as a Local Wildlife Site by the County. An anglers' car park, serving the Abbots Lake Fishery, and pedestrian access point are accessed from Netherfield Lane, opposite the application site, with further pedestrian access points towards the southern end of the Lane. Further afield the Lee Valley Special Protection Area and Ramsar site is located 680m to the south west (at Rye Meads Site of Special Scientific Interest (SSSI)) and also 1.2km to the north of the application site (at Amwell Nature Reserve SSSI).
- 4 In 2016 a similar application, but for residential development only (30 dwellings), was submitted for this site and land adjoining to the east. This was refused by East Herts District Council and the following appeal dismissed in 2018 due to loss of the employment on site; and opportunities for mixed use development had not been explored. The Authority did not object to this application but sought conditions to cover boundary treatment and an ecological design strategy to address ecological mitigation measures and future management.

## POLICY BACKGROUND

- 5 The application site lies within the Green Belt, Local Plan policy GBR1 states that applications within the Green Belt will be considered in line with the National Planning Policy Framework (NPPF). Paragraph 145 of the NPPF states that the construction of new buildings is inappropriate in the Green Belt except where (amongst other matters) the proposal relates to the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), and which would not have a greater impact on the openness of the Green Belt than the existing development.

- 6 Local Plan policy is supportive of the Lee Valley Regional Park and the Park Development Framework (PDF), Policy CFLR51. In particular, the District Council seeks to support and work with the Park Authority and other stakeholders to deliver the PDF Area Proposals where these improve leisure and sporting opportunities for local communities, enhance access to open space and nature, and help expand educational, volunteering and health related activities.
- 7 The Local Plan has a suite of policies relating to the natural environment and the protection of sites of nature conservation value at all levels. Where adverse impacts are unavoidable measures to mitigate the impact will be sought (Policy NR1 IV). Where this is not possible compensatory measures may be appropriate and these should seek to achieve a net gain for nature. Compensatory measures can be situated on or off the development site and will be secured via conditions/planning obligations.
- 8 The Council is also seeking to ensure development enhances biodiversity and creates opportunities for wildlife. Proposals must demonstrate how the development improves biodiversity value of the site and surrounding environment and how this will be maintained in the long term. Up-to-date ecological surveys are required prior to the submission of an application (Policy NE3 Species and habitats). Integrated bird and bat boxes will be expected in all development bordering public green space and beneficial habitat.
- 9 **Park Development Framework**  
8.A.1 Biodiversity proposals seek to develop Stanstead Innings for improved access to nature with additions to existing nature trail and interpretation. A series of habitat improvements to the shoreline and islands are proposed to maintain the positive conservation management status. Proposals also seek to maintain and improve pedestrian and cycle access between Rye Meads and Stanstead Innings and ensure provision for horse riders are maintained.
- 10 Landscape Strategy Proposals aim to strengthen the strong rural character of this landscape character area (G1 River Terraces with Farmland) by retaining existing and encouraging the replanting of hedgerows, managing and extending the existing small wooded areas for their diversity so as to retain the wooded skyline to the valley floor.

## **DESCRIPTION OF DEVELOPMENT**

- 11 The application is submitted in outline with all matters of detail except for access reserved for future consideration. The proposal entails a mixed use redevelopment with 745sqm of B1(business) floorspace and 20 dwellings. The indicative site layout plan shows two blocks of office development positioned in the south west segment of the site, set back from Netherfield Lane behind an open area of parking, 31 spaces are proposed for business use. A mix of residential units ranging from 2 to 4 bedrooms are spread out within the remainder of the site with a small attenuation pond and area of open space included in the north-west corner adjacent to the road. 38 parking spaces are proposed for the residential units and cycle parking is also referenced. Please refer to the proposed site plan and indicative street view at Appendix B to this report.
- 12 The application is accompanied by a Transport Statement. It has found that the proposed mixed use will generate fewer trips than the extant employment use

and therefore would not impact the highway network. It does however recommend that upgrade works are undertaken to provide a 5.5m wide shared street, from the southern extent of the site north up to the junction with Roydon Road, to be adopted by the County. It is also proposed to provide an access road to the rear of the existing Almshouses on Roydon Road and four parking spaces. A consent for this side access road was previously granted in 2009 and renewed in 2012. Finally, provision is also being made for 6 parking spaces on Netherfield Lane, north of the proposed employment use, for the use of residents that live west of Netherfield Lane and currently park on-street. No reference is made in the study to the use of Netherfield Lane to access the Park and the Abbots Lake fishery.

- 13 The application is accompanied by an ecological impact assessment update which is dated March 2020, but is based on the extended phase 1 habitat survey carried out in September 2015 for the previous application, an update survey in November 2018 and an additional updated bat survey completed in September 2019. The update assessment concludes that the employment site area is of relatively low ecological value with the boundary habitats providing the greatest opportunities for wildlife. The office building is however noted as a bat roost – records indicate a pipistrelle maternity roost (2009) with a single bat recorded emerging in September 2019. This will require further surveys prior to demolition to inform a European Protected Species Licence.
- 14 The assessment includes a number of mitigation and enhancement measures which relate to land outside the application site (the applicant has included assessment details relating to the previous larger application made in 2016 which included land to the east of the current site) as well as the site boundaries. It also makes an assessment of impacts on the Lee Valley SPA/Ramsar.
- 15 The Flood Risk Assessment notes the location of the site within Flood Zone 1 and includes a drainage strategy. This suggests all surface water runoff from the development is to be discharged into an existing ditch to the west of the site and a French Drain which runs along Netherfield Lane, both of which lie outside the application site boundary. Hertfordshire County Council, as Lead Local Flood Authority, have raised an objection to this aspect of the development and seek further information as to the capacity of the drainage features and information as to where they drain to and whether agreements are in place to enable this to happen.

## **PLANNING APPRAISAL**

- 16 This is a developed or 'brownfield' site within the Green Belt and the proposed outline scheme for a mixed use redevelopment is in principle acceptable. The reserved matters application will be significant in terms of ensuring a well-designed and high quality development that contributes to the Park's environment and enhances the local landscape and ecological assets and avoids any adverse impacts.
- 17 **Boundary Treatment**  
It is considered the retention and strengthening of the existing belts of woodland and other vegetation along each of the site's boundaries would ensure that the impact of the proposals would be minimised; this would be consistent with the Authority's Landscape Proposals which seek to retain existing and encourage replanting of hedgerows and the management and extension of wooded areas.

- 18 The woodland and vegetated boundary has direct connectivity with the woodland and scrub habitat edge to Stanstead Innings and therefore has value in terms of the wider ecology of the area. In particular, the boundary trees and vegetation will also be important for feeding and nesting birds and provide habitat for foraging and commuting bats and connectivity between the landscape to the east and the water bodies at Stanstead Innings.
- 19 In the event of planning permission being granted conditions should ensure that the boundary vegetation and woodland is retained, strengthened through additional native planting where appropriate, and maintained in the long term via an appropriate landscape management agreement. The Authority would wish to be consulted on the detail of boundary treatments to the site in due course.
- 20 **Ecology**  
Landscaping and planting within the site will need to complement the site's location within the Regional Park and Green Belt and consider the ecology of the adjoining areas including the Stanstead Innings site. There is opportunity through the sites redevelopment to enhance and achieve a net gain in its biodiversity in line with the Local Plan policy requirements.
- 21 Survey work has identified a bat roost in one building and further surveys are required prior to any demolition to inform a license application. The ecological assessment suggests mitigation measures in the form of integrated bat boxes installed within the west or southern elevation of buildings abutting green corridors. It also recommends a dark corridor is retained along the tree and hedgerow lines. Undertaking the surveys now, during the peak activity time for bats and prior to permission being granted, would usefully inform the development of reserved matters such as landscaping and provision of bat boxes.
- 22 A lighting plan should also be produced to demonstrate that the proposed development and associated landscaping will allow for a dark corridor along the boundaries of the site associated with tree and hedgerow lines.
- 23 **Netherfield Lane**  
Details relating to the proposed shared street design for Netherfield Lane are also of interest as this route is an important point of entry into the Regional Park and provides access to Stanstead Innings and the Abbots Lake Fishery. This access will need to ensure a safe route for pedestrians, cyclists and horse riders as well as vehicular traffic. Further details should be provided as part of any reserved matter application, including signage identifying the Regional Park entrance. There is particular concern to ensure vehicular access to the small fishery car park is enhanced and retained throughout construction
- 24 **Open Space and S106**  
The proposed site plan indicates an area of open space fronting Netherfield Lane and surrounding the attenuation pond in the north-west corner. The development should provide sufficient open and amenity space to cater for the informal recreation and play requirements of new residents. At this outline stage the level of provision is unknown. The adjoining Park area at Stanstead Innings is an attractive asset for those developing and marketing the adjacent site. Whilst incorporating areas of informal recreational open space, it is an area managed as an 'access to nature site'. It acts as a refuge for wetland birds and as a buffer to the adjacent SPA and SSSI providing important habitat for Bittern,

Gadwell and Shoveler, all noted in the SPA citation. A very popular angling club also operates successfully within this sensitive site.

- 25 Whilst access is available for people to enjoy the wildlife and walk around the site and habitat maintenance is ongoing to meet the Lee Valley Biodiversity Action Plan (BAP) targets, the introduction of a new resident population 'on the doorstep' will require additional habitat and boundary works to improve the robustness of the open and water spaces, protect against disturbance (e.g. dogs running off the lead) and ensure the quality of the fishery is maintained. The Authority would therefore wish to see a contribution made towards habitat and access works within the Regional Park as outlined in Appendix C to this report to cater for the recreational needs of the new residents and to mitigate for habitat disturbance. The habitat works identified could also be considered as off-site compensation contributing to biodiversity net gain within the area. Information about the importance of Stanstead Innings for wildlife should form part of the wildlife information provided as part of the homeowner pack, as recommended in the Ecological Impact Assessment.

26 **Drainage**

Finally, there is concern about the drainage strategy and use of the existing ditch on the western side of Netherfield Lane. The Authority would wish to see evidence that the drainage solution will not impact upon the water quality of Stanstead Innings or the Rye Meads SSSI complex, part of the Lee Valley SPA/Ramsar. It is understood the applicant is carrying out further work on the drainage details.

## **ENVIRONMENTAL IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **LEGAL IMPLICATIONS**

- 29 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.
- 30 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**

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

## **EQUALITY IMPLICATIONS**

- 32 There are no equality implications arising directly from the recommendations in this report.
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## **BACKGROUND REPORTS**

Application Papers 20.054

March 2020

## **PREVIOUS COMMITTEE REPORTS**

ULV Regeneration & Planning Committee	ULV/116/16	Planning consultation by East Herts District Council on an application for the redevelopment of business premises on Netherfield Lane for residential purposes	15 Dec 2016
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## **APPENDICES ATTACHED**

Appendix A	Plan of the application site
Appendix B	Illustrative site layout
Appendix C	Schedule of Indicative Projects

## **LIST OF ABBREVIATIONS**

SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
BAP	Biodiversity Action Plan
the Park Act	Lee Valley Regional Park Act 1966
NPPF	National Planning Policy Framework
PDF	Park Development Framework





**Proposed Site Layout**



**Indicative Street View**



## Indicative projects schedule

Project Item	Cost Indicative
<p><b>1. Installation of Common Tern nesting raft</b> to provide additional nesting habitat for the Common Tern colony present at the adjacent Rye Meads SSSI, part of the Lee Valley SPA. To be located within refuge area of lake which is not accessible to anglers or boaters.</p>	£9k
<p><b>2. Installation of an artificial Otter holt.</b> Otters are a Lee Valley BAP species and the provision of artificial holts are a key BAP target for the species. To be located in refuge area of lake as replacement for existing log pile holt which has reached the end of usable life.</p>	£2K
<p><b>3. Enhancement to the reedbeds (a Lee Valley BAP habitat) and the lake fringes.</b> Scrub removal will prevent the reedbeds from drying out, Bittern a priority species in the Lee Valley BAP and noted in the SSSI/SPA citation are known to use the reedbeds on site. The selective removal of trees and scrub along the edges of the lake will encourage the growth of emergent vegetation, enhancing the biodiversity value of the lake.</p>	£7K
<p><b>4. Habitat enhancement on the lake edge near the Sandpiper hide</b> to improve habitat for wading birds. Waders are target species in the Lee Valley.</p>	£5k
<p><b>5. Improvements to entrance to the Regional Park</b> from Netherfield Lane through the Anglers Car Park, including signage</p>	£3k
<p><b>6. Improvements to the Abbotts Lake Fishery car park and boundary fence</b></p>	£7k

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