 <p>LEE VALLEY REGIONAL PARK AUTHORITY</p> <p>AUTHORITY MEETING</p> <p>19 OCTOBER 2017 AT 14:00</p>	<p><u>Agenda Item No:</u></p> <p style="text-align: center;">8</p> <p><u>Report No:</u></p> <p style="text-align: center;">A/4247/17</p>
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**PROPOSAL TO DISPOSE OF
THE SITE OF THE FORMER NAZEBOURNE POULTRY FARM,
OLD NAZEING ROAD, NAZEING**

Presented by the Director of Corporate Services

SUMMARY

Members will be aware of the Land and Property Strategy adopted at the Authority meeting on 19 January 2017. As part of this Strategy the Land and Property Working Group, together with officers, have identified a number of sites for consideration for disposal deemed no longer required for Park purposes. The 1.5 hectare site (shown edged red in Appendix A to this report) is a former Poultry Farm and was acquired in April 1990. The existing redundant buildings on site were subsequently demolished leaving the cleared site existing today. Due to the site's relatively small area and isolation from the bulk of the Authority's substantial ownership in the area it has not been possible to integrate the land into the open space and the site is closed to the public. Members are asked therefore to declare the site as no longer required for Park purposes and therefore surplus to Authority requirements and authorise steps to be taken to dispose on the open market. The capital receipt received will be reinvested into the Authority's capital programme for future investment in the Park's venues and open spaces. Any provisionally agreed terms to dispose of the land would be subject to a further report to Members for consideration.

RECOMMENDATIONS

- Members Approve:
- (1) to declare the site shown edged red on Appendix A to this report as no longer required for Park purposes and surplus to Authority requirements; and
 - (2) to market the site for disposal on the open market.

BACKGROUND

- 1 The site at the former Nazebourne Poultry Farm shown edged red on Appendix A to this report was acquired by the Authority in 1990 with the original aim of creating a new entrance to the River Lee Country Park, including pathway links

and car parking provision. After investigating the practicalities of this it became apparent that this original proposal was not feasible and was eventually abandoned. The 1.5 hectare (3.7 acre) site was as the name suggests formerly used for agricultural purposes and contained redundant buildings that the Authority subsequently demolished leaving the site as vacant open space.

- 2 As can be seen from the existing Authority ownerships in grey on Appendix A to this report the site is isolated from other more extensive areas of Authority ownership in the vicinity. This together with its limited site area has proved problematical in bringing the land into any beneficial form of Park use for the public to enjoy. As such it has been left relatively unmanaged and closed to the public since acquisition.
- 3 In order to realise an income from the land and provide the site with some security it has recently been let on a 360 day grazing licence for a fee of £400pa expiring in February 2018. This also passes the responsibility of site management to the licensee via the terms of the agreement.

RECENT PLANNING HISTORY OF THE ADJACENT SITE OF THE FORMER CHIMES NURSERY

- 4 The site forms a broad area of open land along the southern edge of Nazeing. It is designated Green Belt, lies in the flood zone and is designated as a Landscape Enhancement Area in the Park Plan (2000). These factors have in combination resulted in a series of refusals for planning permission by the local planning authority on the adjacent site, The Chimes, which shares many physical characteristics with the Authority's site.
- 5 In brief during the last 5 years the Authority has objected to a number of applications for planning permission for commercial and residential developments on The Chimes nursery site. In 2012 and 2013 objections were lodged to applications proposing the intensification of commercial uses on the site although the Authority did suggest that conditions could be attached in the event of planning permission being granted (paper ULV/74/13). In 2014 an objection was lodged against the development of 43 new dwellings on the site; this was subsequently dismissed on appeal with the Inspector recognising the landscape values of the Regional Park and the adverse impacts of the proposed development on visitor amenity (APP/J1535/W/15/313062). In 2015 planning permission was granted for 26 houses on the site which was confined to the area of the former nursery. In 2015 the Authority lodged an objection to a further application for the redevelopment of the site for 27 houses but added an informative that it would not have objected if the development had been limited to the same footprint of the permitted site.
- 6 In 2016 two applications were submitted including one for 17 houses which largely covered the site of the extant permission and a further application for 7 'self build' homes was proposed, partially on the site of the extant permission and partially over the site of the refused scheme. Under delegated powers no objection was made to the former but an objection was made to the latter. The last 2 applications remain outstanding.

ENVIRONMENTAL IMPLICATIONS

- 7 There are environmental implications arising directly from the recommendations in this report. The former agricultural buildings that were demolished after

acquisition were tracked into the ground on site thus becoming a potential source of contamination and a cost to a developer to remediate.

FINANCIAL IMPLICATIONS

- 8 There are no financial implications arising directly from the recommendations in this report. All financial matters would be the subject of a separate report to Members should the site be marketed and terms agreed for disposal.
- 9 Any potential disposal would result in the loss of income from future renewals of grazing licences at present totalling £400pa. The capital receipt received from disposal will be reinvested into the Authority's capital programme for future investment in the Park's venues and open spaces.

HUMAN RESOURCE IMPLICATIONS

- 10 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 11 The site is subject to rights of way in favour of the former commercial site known as The Chimes and residential properties adjacent to the sites access road, but other than these there are no legal encumbrances that preclude the site being sold for potential development.
- 12 There are legal implications arising directly from the recommendations in this report. The Authority is able to dispose of any area of land whether in whole or in part when it is no longer required for Park purposes. This must be a properly applied test under Section 21 of the Lee Valley Regional Park Act 1966 (the Park Act) and all of the facts should be taken into consideration when making a decision to dispose of land. If Members make this initial decision then officers will market the site and a report will come back to Members outlining any offers received and requesting a decision for disposal. Any disposal will require a formal Member decision under Section 21 of the Park Act and Members will again consider the circumstances at the time of that decision and subject to Member approval the Authority will also be required to obtain consent from the Secretary of State. Under Section 22 of the Park Act, the Authority is required to obtain approval for the use of any capital receipt obtained under Section 21 of the Park Act.

RISK MANAGEMENT IMPLICATIONS

- 13 There are risk management implications arising directly from the recommendations in this report. In addition to the ground conditions being affected by the matters mentioned in the environmental section, the site may be a potential liability to the Authority due to the likelihood that it is subject to further contamination from former landfill at least in part. We are aware that the site adjacent known as The Chimes is partly affected at the boundary of our interest so it is probable that the landfilled area extends into the Authority's title also. Any disposal would reduce the Authority's potential liability in this respect.

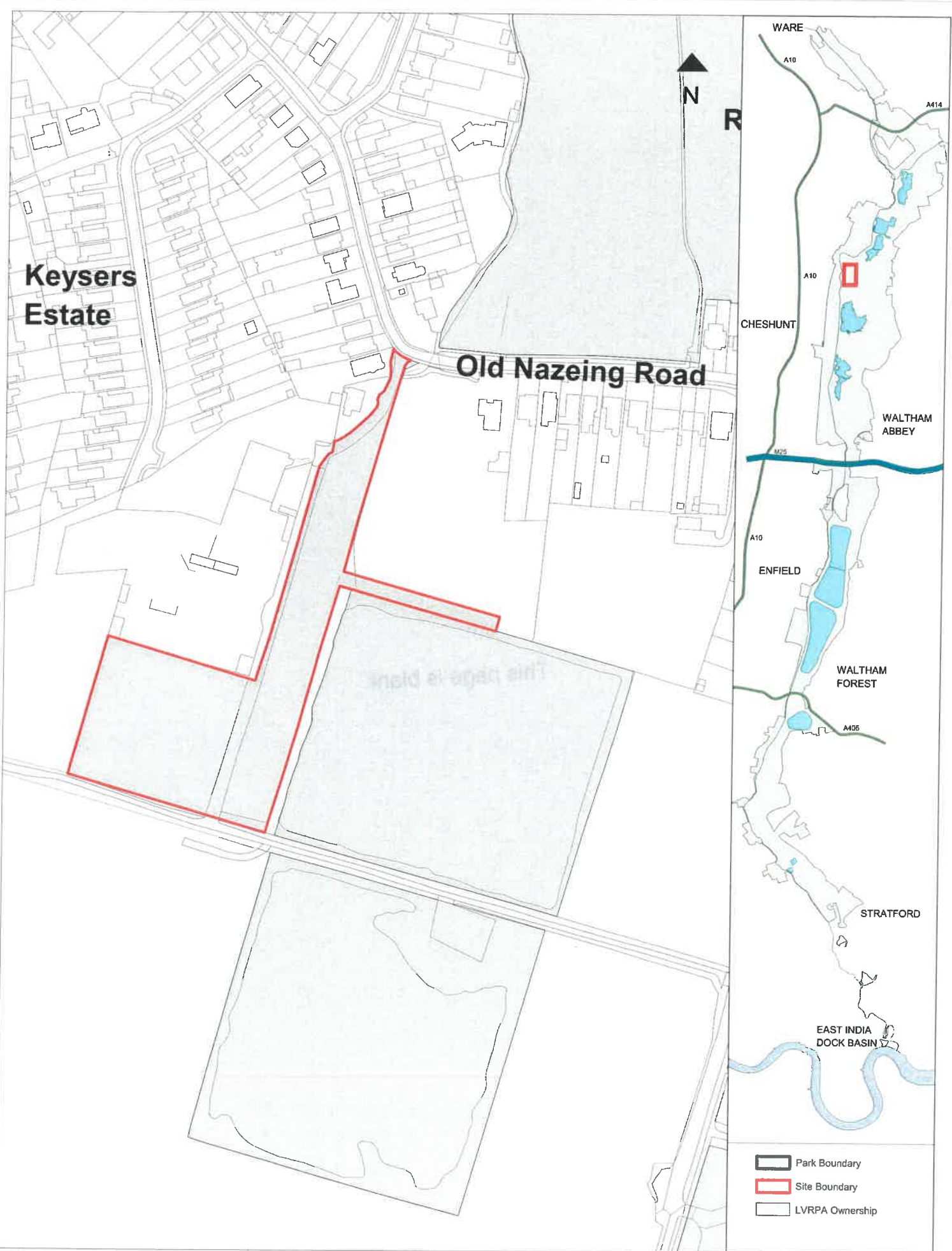
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APPENDIX ATTACHED

Appendix A The site to be considered for declaring surplus to Authority requirements is shown edged in red.

LIST OF ABBREVIATIONS

the Park Act Lee Valley Regional Park Act 1966



Keyzers Estate

Old Nazeing Road

WARE
A10
A14
CHESHUNT
A10
A10
ENFIELD
A10
WALTHAM ABBEY
WALTHAM FOREST
A405
STRATFORD
EAST INDIA DOCK BASIN

-  Park Boundary
-  Site Boundary
-  LVRPA Ownership

Appendix A : Former Nazebourne Poultry Farm, Old Nazeing Road



1:2500 @ A4
28.09.17

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