

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

23 JANUARY 2020 AT 12:15

Agenda Item No:

5

Report No:

RP/35/20

**PLANNING CONSULTATION BY
EPPING FOREST DISTRICT COUNCIL**

**FORMER HAULAGE YARD, SEWARDSTONE ROAD,
WALTHAM ABBEY, ESSEX**

**OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS,
FOR THE DEMOLITION OF EXISTING BUILDINGS (EXCLUDING
SEWARDSTONE HALL) AND THE ERECTION OF UP TO 40 DWELLINGS**

Presented by the Policy Officer

SUMMARY

The application is a further attempt to secure outline permission to redevelop the southern portion of the former Haulage Yard located just off Sewardstone Road for up to 40 residential dwellings; previous applications relating to the same site have been refused.

The whole site is within the Regional Park and designated Green Belt. Members have previously considered similar applications, most recently in October 2018 (paper RP/22/18) and it has been established that as the proposals for development broadly cover the existing developed portion of the site, this form of development is acceptable.

The current application is however still missing updated and adequate ecological surveys which are required before the impacts of development can be assessed. In the event that these surveys are adequately undertaken and do not identify any adverse impacts which cannot be mitigated then conditions are suggested to cover the need for detailed landscaping including lighting proposals, both within the site and along the perimeter to help limit the impact of new development on the 'openness' of the Regional Park and the need for directional signage as part of the new junction design to promote access into the Park.

The applicant has submitted a Unilateral Undertaking as part of the application. This includes a £50,000 contribution for improvements to nearby parts of the Park, although it specifies this should also cover footpath improvements, including lighting, of the east-west path outside but along the southern boundary of the site. The Authority does not own this pathway, would not wish to see it lit given the sensitivity of the surrounding sites and has previously agreed its own list of projects that require

funding; currently estimated to be in the region of £88,000. An uplift in the current developer contribution is requested.

RECOMMENDATIONS

Members Approve:

- (1) that Epping Forest District Council be informed that whilst the Authority does not object to this outline application, up to date ecological surveys are still outstanding and required in advance of further consideration by the local planning authority;
- (2) the Council should consult the Authority on the revised ecological surveys;
- (3) in the event that the surveys are adequately undertaken and do not identify any adverse impacts which cannot be mitigated then conditions should be included in any decision granted to address the following:
 - (a) a detailed landscape scheme for the proposed open space and boundaries of the 'developed' areas to help limit the impact of new development on the 'openness' of the Regional Park;
 - (b) details of proposed lighting for the development and access routes to ensure the impact on wildlife from light pollution is minimised; and
 - (c) directional signage to the Regional Park is included in the new junction design to promote access into the Park.

The Authority would wish to be consulted on these matters in due course.

- (4) if the Council is minded to approve the planning application, the planning obligation should allow £88,000 for improvements to nearby parts of the Park to account for the additional usage which would occur from the additional residents living at the site. An indicative list of measures is included at Appendix C to this report.

For information it should be noted that officers would welcome the opportunity to discuss with the Council detail of the proposed improvements to the Regional Park. The Authority has no proposals to light the east west access path.

DESCRIPTION OF APPLICATION SITE AND PLANNING HISTORY

- 1 The application site is located on Sewardstone Road just south of its junction with Hawes Lane. Residential properties lie along Butlers Drive to the south,

agricultural fields lie immediately to the west and a ribbon of housing and commercial development to the east. To the north and further to the west lies Gunpowder Park. The site comprises 3.6ha with the southern half largely developed for storage and workshops, although just 0.45ha is open and partially used for open storage. This part of the site includes two residential properties one of which, known as Sewardstone Hall is locally listed. Many of the buildings are visible from Gunpowder Park to the west. The northern part of the site comprises an open field and former orchard. Other site boundaries are vegetated, with large trees along the Sewardstone Road frontage which are protected.

- 2 The site lies within the Regional Park and forms part of the Metropolitan Green Belt. There is a permissive pedestrian and cycle pathway just beyond the southern site boundary that leads into the Park to Knights Pits and provides access to Enfield Island Village. There are other publicly accessible routes to the north of the site within Gunpowder Park. The Authority owns and manages Gunpowder Park and Knights Pits as publicly accessible open space and has invested in improved pathway routes and ecological enhancements.
- 3 In early 2014 an application for 72 dwellings was refused by the local planning authority on the grounds that although it is 'previously developed land' within the Green Belt the density of development would adversely impact on 'openness'; and would be 'unsustainable' in transport terms given its remote location. An appeal against this decision was dismissed.
- 4 In October 2018 an outline application was made for the erection of 40 dwellings with all matters reserved except for access. This was also refused on 1 February 2019 under delegated powers for the following reasons: in summary that the proposal would
 - result in an unsustainable form of development, which is not well served by public transport or local services and result in an increase in vehicle commuting;
 - create a substantial urban form in stark contrast to the character of the area;
 - result in the loss of employment space; and
 - did not include a S106 planning obligation to mitigate against:
 - i. the identified impact on the local primary school;
 - ii. the adverse impact on Epping Forest Special Area of Conservation; and
 - iii. to secure the requirement for affordable housing.

A further appeal against the decision was dismissed.

- 5 The Authority did not object to either application recognising the site as 'previously developed'. Instead improvements were sought through landscape conditions and a planning obligation contribution of £75,000 for a range of enhancement works to nearby parts of the Park, to account for the additional usage which would occur from the additional residents living at this site.
- 6 The Park Development Framework adopted Area 5 Proposals 'The Waterlands: King George V Reservoir to Rammey Marsh' locate the application site within Proposal 5.A.3 Gunpowder Park and Sewardstone. This identifies the area as having an attractive landscape requiring landscape features which make a positive contribution, such as hedgerows and areas of woodland to be retained and strengthened. Proposals recognise the sensitivity of this area to large scale development and seek to improve boundary treatment to assimilate 'developed

sites' into the Regional Park. Visitor proposals seek improvements to signage and the promotion of pedestrian links into Gunpowder Park, and encourage local bus operators to improve bus services to Gunpowder Park.

DESCRIPTION OF DEVELOPMENT

7 This application is similar to that submitted in 2018. It seeks outline permission to redevelop the site through demolition of the existing buildings, except the locally listed Sewardstone Hall, and the erection of up to 40 dwellings, with associated parking, gardens, landscaping and infrastructure. All matters are reserved except access. The applicant seeks to establish the broad layout of development and indicative mix of dwelling types with details provided in the Design and Access Statement (DAS), an accompanying illustrative masterplan and proposed indicative landscape plan. The Planning Statement has been revised but the other documents are dated July 2018, with reference in some case to 2013 survey work carried out for the earlier application.

8 Proposed Layout

The outline scheme is proposed on the southern portion of the site. All buildings are kept to the existing developed area and the large open green space to the north is shown retained as an open landscaped area, incorporating a children's play area. The existing green space to the front of the site is also to be retained and Sewardstone Hall incorporated into the development.

9 The existing vehicular access from Sewardstone Road would be retained and a revised layout would allow for right turning movements into the site. Further improvements are proposed to re-align the entrance to Hawes Lane to the north of the site to consolidate traffic before it meets the junction with Sewardstone Road.

10 Vehicular access into the site runs from Sewardstone Road across the top of the development wrapping around the western boundary. This road will be populated with detached and semi-detached houses of varying scale and provide access to mews-style courtyards. These will contain tighter grain semi-detached houses and terraces to the southern boundary. It is stated that 40% of the dwellings would be affordable. Pedestrian and cycle access connections are proposed to the south of the developed area linking into the east west permissive path/roadway that connects through to Enfield Island Village.

11 Public Open Space and Landscaping

The northern 'greenfield' portion of the site would remain as open space and there is mention in the DAS and Planning Statement that this will be public open space. It is shown as comprising a playing field and an area of amenity grassland or wild flower meadow. Attenuation ponds forming part of the sustainable drainage strategy for the site could be located within this space. Additional tree planting and children's play equipment is proposed along the boundary with the developed area, with hedgerows and mature trees retained along the north and western boundary, in accordance with the recommendations of the arboricultural survey.

12 It is stated that the main areas of dense or mature planting on the existing site, in particular the developed part of the site would be retained 'wherever possible'.

13 Unilateral Undertaking

The applicant considers this application is materially different from that previously submitted as it now includes an executed Unilateral Undertaking to secure a number of measures, including:

- primary school places contribution;
- secure the provision of 40% affordable housing;
- financial contribution to off-set impact on Epping Forest Special Area of Conservation (SAC);
- financial contribution to the Lee Valley Regional Park;
- mechanism to secure management of the on-site public open space; and
- financial contribution towards bus stop improvements.

PLANNING APPRAISAL

14 Principle of Development

The detail of this application is very similar to that considered by Members in October 2018 (paper RP/22/18) and which was refused by Epping Forest District Council in February 2019 and then dismissed on appeal October 2019.

15. Both the Council and the Inspector (decision letter APP/J1535/ W/19/3224279) are in agreement that the land proposed for development is previously developed land, that subject to the reserved matters it would not have a materially greater impact on the openness of the Green Belt than the existing development and that it is therefore not inappropriate development in the Green Belt. The Authority's position on this matter remains as previously stated: that as the development would be confined to the area where existing commercial uses are located and where undeveloped areas are partially used for open storage, it can be considered acceptable, even though this is not a use that complies with the provisions of the Lee Valley Regional Park Act 1966 (the Park Act).
- 16 However, given the location of the development within the Regional Park, the Authority's adopted proposals for this area and the issues identified by the Landscape Strategy, it remains the case that the impact of new development on the amenities of the Park should be limited. Whilst it is recommended that no objection is made, sufficient landscape mitigation is required to limit the impact of new development on the 'openness' of the Regional Park; this would reflect Green Belt policy. The Authority would wish to be consulted on a detailed landscaping plan for the proposed open space and boundaries of the whole site including the proposed lighting throughout.
- 17 Retention and maintenance of the open space and its use as public open space is to be secured via the Unilateral Undertaking (Schedule 3) and a specification for the space will be submitted prior to commencement of development. To prevent the acquisition of any public rights the owner intends to close the open space for one day a year.

18 Ecological Impacts

The applicant has not provided any substantial update on the previous ecological surveys, other than a minor review which is dated June 2018. This means the application is accompanied by an ecological survey undertaken in

2013 and does not provide the required up to date information upon which a decision can be made. There is particular concern about the consequences of development for any bats roosting in any of the buildings or the trees to be removed and using site features to forage and commute. There is also the need for reptile and badger surveys, given all these species were mentioned in the 2018 minor review.

- 19 As set out in Government advice the presence or absence of protected species and the extent to which they could be affected by the proposals should be established prior to granting of permission to ensure all material considerations are considered. There is therefore a need for a full suite of protected species surveys to be undertaken to include badger, reptile, otter and water vole, all of which have been recorded in the vicinity of the application site. The Authority would wish to see up to date ecological surveys in advance of further consideration of the application.

20 **Access**

The main access into the site will not impact the Regional Park but there is an opportunity to clearly sign the public footpath into Gunpowder Park that links with Hawes Lane immediately north of the open space element of the development. It is recommended that conditions are included in any permission requiring clear demarcation and directional signage to direct Park visitors to this public footpath as part of the proposed development.

- 21 The indicative landscape plan shows a series of pedestrian and cycle route connections from the development south onto the east-west permissive footpath roadway that runs alongside but outside the application boundary. This is proposed to "encourage sustainable journeys to the local schools and amenities" within Enfield Island village and reduce reliance on the private car.
- 22 The previous application was refused due to a lack of local services within vicinity of the site resulting in an increase in vehicle use. The Inspector also commented on the limited day to day services and facilities and the fact that the access along the east-west path would require "walking and cycling along an unlit path lined with heavy vegetation in a secluded area.... not an attractive route for unaccompanied children or other vulnerable people, particularly during the hours of darkness or in bad weather. Furthermore, the distance involved (1km to the services) is likely to deter many people from walking or cycling".
- 23 The applicant proposes to provide a financial contribution towards the up-grade of bus stops on Sewardstone Road to encourage residents to use the bus. This is welcome in that it could also be of assistance for Park visitors using public transport in the area. However, the applicant also suggests that footpath improvements including lighting of the path could be funded from the financial contribution being made to the Regional Park via the Unilateral Undertaking.
- 24 The east-west path/route is not owned by the Authority, although the Authority does have rights to use the path to gain access into the Park. It is gated and locked at the Sewardstone Road entrance although there is a narrow space for people to walk past the gate. Access from Enfield Island is controlled via lockable bollards. As an informal access that leads right to the centre of the Park, and to sensitive habitats at Knights Pits and the Lee Navigation wildlife corridor, the Authority would not wish to see this path lit at night. Nor would it wish to see the dense planting along the southern boundary of the site which

abuts the path reduced or removed due to its ecological value and the screening it would afford the new development. In any event lighting the path will not reduce the distance to the local services, and these measures would not be sufficient to deter substantially people from using their vehicles to access services. The Council will be informed of the Authority's position on this matter to enable discussion on this point.

25 The need for S106 Park Improvements

The Authority previously sought funding in the region of £75K for Park improvements, considering that to be appropriate for a scheme of this scale, although noting that the amount and distribution would be subject to discussion between the applicants and the Council as Local Planning Authority. A draft list of schemes with rough costings of projects within adjacent areas of the Park was approved and forwarded to the Council to inform their negotiations on the content of the contributions.

- 26 The applicant's Unilateral Undertaking includes in Schedule 4 a contribution of £50K to be used by the Council for *"improvements to the Lee Valley Regional Park in the vicinity of the development to account for the additional usage that would occur from the Development including (but not limited to) installation of lighting along and the upgrading of the existing informal footpath that links the Site to the wider Lee Valley Regional Park public footpath network and Enfield Island Village as agreed between the Council and the Owners."*

The monies are to be paid to the Council before the commencement of development.

- 27 The Authority welcomes the Unilateral Undertaking contribution for works within the Regional Park which recognises the additional usage which will arise as a result of additional residents living at this site. However, the project list of improvements to pathways and habitats previously identified as necessary were costed out at a sum of £75K and the updated scheme shows an indicative spend of £88K. This did not include works to the east-west pathway which is outside the Authority's ownership. As stated above this is a path that provides access to sensitive areas of the Park which the Authority would not wish to see lit at night. If the Council is minded to approve the application the Authority would wish to see an increase in the planning obligation contribution to match the identified project improvements.

28 Conclusion

The principle of housing development on this site is accepted. Given the lack of any additional information associated with this application compared to the previous one, the Authority's recommendations will remain largely the same, although an uplift in Section 106 contributions is sought to ensure delivery of the improvements to nearby parts of the Park that are considered necessary and proportionate to the proposals.

ENVIRONMENTAL IMPLICATIONS

- 29 Environmental implications are addressed in the body of this report.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 31 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of 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.
- 32 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Application Papers 19.102

December 2019

PREVIOUS COMMITTEE REPORTS

Regen & Planning	RP/22/18	Planning Consultation by Epping Forest District Council – Former Haulage Yard, Sewardstone Road, Waltham Abbey, Essex Outline application with all matters except access reserved for demolition of all existing structures except the Farmhouse and erection of up to 40 dwellings (50% affordable) with ancillary parking access and gardens, along with the erection of a community building	18 October 2018
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APPENDICES ATTACHED

Appendix A	Site Location Plan
Appendix B	Indicative layout of development
Appendix C	Indicative project list for Park Improvement Works

LIST OF ABBREVIATIONS

DAS	Design and Access Statement
the Park Act	Lee Valley Regional Park Act 1966

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Sewardstone Hall Development, Sewardstone

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- existing level from AOD
- proposed children's play equipment
- grass space
- permeable paving
- proposed pedestrian/cycle route construction
- existing pedestrian/cycle route
- site boundary

July 2015

17001_112 Sowerstone Hall, Essex Proposed Illustrative Masterplan

Project aim:

Undertake pedestrian access improvements linking existing pathways at Osier Marsh through Knights Pits to Sewardstone Marsh alongside enhancement works to improve priority habitats for target species including Water Vole, wildfowl and Nightingale.

Project elements and indicative costs	
Footpath enhancements linking Osier Marsh to Sewardstone Marsh	£50K
Management of lake edge vegetation at Knights Pits to encourage marginal vegetation establishment and growth	£10K
Coppice management of woodland to enhance habitat for Nightingale and Long-eared Owls	£3K
Vegetation management along waterways to enhance the habitat for Water Vole	£5K
Non-native invasive species management including the management of Himalayan Balsam and New Zealand Pygmyweed	£20K
	Total £88K

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