

To: David Andrews (Chairman) Graham McAndrew
 Chris Kennedy (Vice Chairman) Gordon Nicholson
 John Bevan Paul Osborn
 David Gardner Mary Sartin
 Calvin Horner John Wyllie
 Denise Jones

A meeting of the **REGENERATION AND PLANNING COMMITTEE** (Quorum – 3)
will be held at Myddelton House on:

THURSDAY, 23 SEPTEMBER 2021 AT 11.30

at which the following business will be transacted:

AGENDA

Part I

- 1 To receive apologies for absence
- 2 **DECLARATION OF INTERESTS**

Members are asked to consider whether or not they have disclosable pecuniary, other pecuniary or non-pecuniary interests in any item on this Agenda. Other pecuniary and non-pecuniary interests are a matter of judgement for each Member. (Declarations may also be made during the meeting if necessary.)

- 3 **MINUTES OF LAST MEETING**

To approve the Minutes of the meeting held on 6 September 2021 (copy herewith)

- 4 **PUBLIC SPEAKING**

To receive any representations from members of the public or representative of an organisation on an issue which is on the agenda of the meeting. Subject to the Chairman's discretion a total of 20 minutes will be allowed for public speaking and the presentation of petitions at each meeting.

**5 PLANNING CONSULTATION BY EPPING FOREST
DISTRICT COUNCIL**

Paper RP/54/21

**Roydon Marina, Roydon Marina Village, Roydon,
Essex, CM19 5EJ**

**Additional information and revised proposals relating
to extension to existing marina to provide an additional
168 berths, 99 parking spaces, additional associated
facilities and widening and improvement to existing
vehicular and pedestrian access.**

Presented by the 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.**

**AGENDA
Part II
(Exempt Items)**

- 8 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.**

15 September 2021

**Shaun Dawson
Chief Executive**

LEE VALLEY REGIONAL PARK AUTHORITY

REGENERATION & PLANNING COMMITTEE MINUTES 6 SEPTEMBER 2021

Members in remote presence:	David Andrews (Chairman) Chris Kennedy (Vice Chairman) John Bevan David Gardner Denise Jones	Gordon Nicholson Paul Osborn Mary Sartin John Wylle
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Apologies Received From: Calvin Horner, Graham McAndrew

Officers in remote presence:	Claire Martin Beryl Foster Jon Carney Lindsey Johnson	- Head of Planning - Deputy Chief Executive - Corporate Director - Committee Services Officer
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Part I

126 DECLARATIONS OF INTEREST

There were no declarations of interest.

127 MINUTES OF LAST MEETING

THAT the Minutes of the Regeneration & Planning Committee meeting held on 5 August 2021 be approved and signed.

128 PUBLIC SPEAKING

No requests from the public to speak or present petitions had been received for this meeting.

129 LONDON BOROUGH OF ENFIELD DRAFT LOCAL PLAN – MAIN ISSUES PREFERRED OPTIONS (REGULATION 18) CONSULTATION Paper RP/53/21

The report was introduced by the Head of Planning, stating that we have responded in 2019 to a previous consultation. Whilst largely in support of the Local Plan, we do have a few concerns which include the lack of a specific policy supporting the Park, its remit and the Park Development Framework which was in the previous plan; the need to revise site allocation SA 56 for Picketts Lock along with support for major leisure investment in the wider site and recognising its potential as a strategic site; and the need for further work on the proformas for the industrial site allocations at Rammey Marsh West and land to the south adjacent to Innova Park which is currently designated as Green Belt.

The Chairman asked if Canal & River Trust had been involved in this consultation. The Head of Planning responded stating that she was sure that they would have been and that they were very involved in the Meridian Water proposals. She stated that we could look at having discussions with them before the next consultation to see if any of our objectives match.

Members expressed concern over the lack of specific policies that mentioned the Park, especially when a policy was included in the previous plan. The Chairman advised that many planning officers have retired in recent years, and we shouldn't assume it is just an omission. A Member suggested that perhaps political conversations might be helpful. Another Member suggested that it could be raised at the next Six Authorities Liaison Group meeting on Thursday. The Head of Planning stated that she can emphasise the importance of a Lee Valley Regional Park specific policy with London Borough of Enfield's Strategic Planning Officer. The Deputy Chief Executive added that officers would be meeting London Borough of Enfield officers in a Property meeting this week, which would be an ideal opportunity to mention this.

The Chairman asked about the Blue Green Policy. The Head of Planning responded stating that as the Park is a key component of the Borough's green and blue infrastructure, a policy referencing the Park could sit within this section. London Borough of Enfield have asked for us to make suggestions on wording for the Park and where in the plan it should sit. We have given them two suggestions.

A Member expressed concern over Rammey Marsh West's designation changing from Green Belt to industrial as it would be a big loss of land in the northern green corridor. Other Members expressed concern of setting a precedent when Green Belt designated land is undesignated. The Chairman of the Authority responded stating that following a Land & Property Strategy Working Group meeting, it was decided that Rammey Marsh West was no longer necessary for Park purposes due to it being cut off, not easily accessible to the public, very close to the M25 and its surrounding boundaries are all industrial. Further the land does not contribute to the Green Belt. Rammey Marsh East, however, is an important site for wildlife and as such it needs to be protected with sympathetic boundary treatments.

A Member suggested that Rammey Marsh West could be made more bicycle friendly if it is developed, with links made to the towpath and blue ribbon routes in order to encourage sustainable transport for the future workforce.

A Member said that the redline around Picketts Lock should include the whole site.

A Member noted that the Local Plan had been in the news last week and had not been reported favourably and asked if London Borough of Enfield are in talks with neighbouring authorities. The Head of Planning responded stating that criticism had been focused on the London Borough of Enfield proposing the release of Green Belt land for housing and industrial purposes. She is expecting Green Belt boundary revisions to be brought forward in the next reiteration of the plan but does not know what they will do with Rammey Marsh West. There are currently Duty to Cooperate meetings taking place with cross borough meetings.

- (1) the comments as set out in Appendix A to Paper RP/53/21 as the Authority's formal response to this consultation by the London Borough of Enfield on the draft Local Plan 2019 - 2039 Main Issues Preferred Options were approved.**

Chairman

Date

The meeting started at 1.02pm and ended at 1.45pm

**PLANNING CONSULTATION BY
EPPING FOREST DISTRICT COUNCIL**

**ROYDON MARINA, ROYDON MARINA VILLAGE, ROYDON,
ESSEX, CM19 5EJ**

**ADDITIONAL INFORMATION AND REVISED PROPOSALS RELATING TO
EXTENSION TO EXISTING MARINA TO PROVIDE AN ADDITIONAL 168
BERTHS, 99 PARKING SPACES, ADDITIONAL ASSOCIATED FACILITIES
AND WIDENING AND IMPROVEMENT TO EXISTING VEHICULAR AND
PEDESTRIAN ACCESS**

Presented by Head of Planning

SUMMARY

Members considered the original application to extend the marina at Roydon Marina Village on 19 November 2020. A 'holding' objection was recommended to allow further ecological surveys to be undertaken, for the location of the boatyard and slipway to be re-examined and to enable the potential for a wildlife refuge area to be considered behind the island at the western end of the lake.

The results from a suite of ecological surveys undertaken over the winter and during spring and early summer have informed revisions to both the proposed marina layout and the Ecological Mitigation and Enhancement Scheme. In summary, these are a redesign and relocation of the boatyard slipway to minimise impact on the western end of the lake and the creation of an out of bounds or exclusion zone in this area incorporating the island. This includes a new fence along the southern perimeter of the lake to keep pedestrians back from the lake edge to help in reducing disturbance, and additional ecological enhancements.

The additional survey work has enabled the Habitats Regulation Assessment Screening of the proposal to be undertaken (as requested by Natural England). This has concluded that the proposals will not have a Likely Significant Effect in relation to the Lee Valley Special Protection Area and Ramsar and the designated features of the habitats listed, either alone or in combination with other plan and projects.

The updated ecological surveys have informed a revised mitigation scheme for the site and a redesign of the boatyard slipway. Whilst it is not possible to fully mitigate for the loss of the remaining open water on site, the applicant is proposing to

safeguard an area as a nature refuge and implement a comprehensive scheme of habitat enhancement around the lake. Providing these elements and their future management over the long term can be secured via conditions by the Local Planning Authority, then it is recommended that the Authority withdraw its holding objection.

RECOMMENDATIONS

- Members Approve:
- (1) that Epping Forest District Council be informed that the Authority withdraws its 'holding' objection to the proposed revised application to extend the marina at Roydon Marina Village now that the ecological surveys have been provided;
 - (2) that following consideration of the additional information the Council also be informed that the Authority does not now object in principle providing the following conditions are attached to any grant of consent requiring:
 - a) implementation of the Ecological Mitigation and Enhancement Scheme July 2021 (ref 150511-ED-12b) and roadside planting scheme as detailed in the application;
 - b) the retention of the remaining lake area as open water habitat free of moorings to protect the areas of ecological enhancement;
 - c) the production of a Construction Environmental Management Plan (CEMP) to ensure best practice construction measures and avoid harm to sensitive habitats and species, including pollution incidents and noise disturbance;
 - d) submission of a Landscape and Ecological Management Plan (LEMP) prior to the commencement of the development to ensure the on-going management and maintenance of the Ecological Mitigation and Enhancement Scheme July 2021, in particular the new areas of reedbed, the wildflower meadow and planting belt alongside the access road/towpath;
 - e) a lighting strategy for biodiversity, both for the construction period and once the site is occupied to take account of protected species such as bats, and use of the water by wintering and breeding birds;
 - f) an invasive non-native species protocol detailing the management strategy for the Himalayan Balsam on site and biosecurity

measures to avoid introducing non-native species into the area;

- g) Section 106 Contributions to off-site works at the adjacent Glen Faba waterbody in accordance with details set out in paragraph 18 as mitigation for the loss of open water at Roydon Lake and to help enhance a viable refuge for wildlife; and

- (3) that Epping Forest District Council be informed that the Authority would wish to be consulted on the above.

ADDITIONAL SURVEY RESULTS AND DETAILS OF REVISED SCHEME

- 1 Members considered the above application to extend the marina at Roydon Marina Village on 19 November 2020; please refer to the full report attached as Appendix A to this report (Ref: RP/44/20). This includes a detailed site description, a site location plan and a plan showing the extent of the proposed Marina extension in relation to the remaining area of water currently available.
- 2 The committee approved a recommendation for a 'holding' objection in order that:
 - a) further ecological surveys can be undertaken to update the wintering and breeding bird surveys and that a full assessment of the bat roost potential of the trees on site can be completed;
 - b) the location of the boatyard can be re-examined in relation to its likely impact on the island at the western end of the lake and the creation of an 'out of bounds area' or undisturbed wildlife refuge on the water behind, so as to help mitigate for the loss of open water; and
 - c) the Authority would wish to be consulted on the outcome of the additional survey work, the mitigation measures that follow and a revised scheme for the western end of the lake.

The District Council were also informed that if they were minded to approve the application then the Authority would wish to see a number of conditions attached; these are set out in the consultee response letter included as Appendix B to this report.

- 3 Epping Forest District Councils' ecological planning advice service 'Place Services' also recommended a holding objection (email response letter October 2020) on the grounds of insufficient ecological information on Birds (Protected and Priority Species). Their letter stated that further information would be required to enable the Local Planning Authority to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.
- 4 In May 2021, Natural England responded to the application consultation and requested further up to date survey information together with a Habitats Regulation Assessment (HRA) in order to determine whether the proposal would be likely to have any significance effect or impacts on the near-by Lee Valley SPA. In particular, there was a requirement to consider whether the application

site plays a role as supporting habitat to the Special Protection Area (SPA). Consequently, Epping Forest District Council commissioned Place Services to undertake a HRA Scoping report to determine whether a full HRA would be required.

- 5 In response to the above consultee comments, the applicant commissioned a suite of additional ecological surveys to bring the original survey work up to date and reassess the bat roost potential of specific trees on site. This included four Breeding Bird surveys undertaken in March, April, May and June 2021 and four wintering bird surveys conducted in November and December 2020 and January and February 2021.
- 6 These surveys have been used to compare the data and findings from the previous 2015 reports, establish the extent to which bird usage and assemblage at the application site has either altered, or remained the same within that period, assess the impact of the proposed development and inform the requirements for appropriate and additional mitigation. Consideration was also given to the location of the boat yard and the slipway and the benefits of creating a wildlife refuge incorporating the island and water behind at the western end of the lake.
- 7 Broadly, the 2021 Breeding Bird survey report concluded that the recorded site habitat conditions, as well as the number of birds species recorded (48 in 2021, 48 in 2015) is largely the same as that reported in the 2015 report. The 2021 wintering bird survey report concluded that the results of the 2020-21 surveys are comparable with the 2015-16 surveys, recording 34 species (five less than the 2015-16 survey).
- 8 As a result of the survey findings the original Ecological Mitigation and Enhancement Scheme from Aug 2020 has been updated and expanded to include a number of new measures as follows:

Open Water Mitigation and Enhancement

- **Exclusion Zone** – this is proposed to mitigate the impact from loss of open water wetland habitat and for the disturbance to birds caused by people walking along the southwest end of the lake. This is to be created by the installation of a line of buoys extending the full width of the lake to the east of the island. This will prevent boats from accessing the island or the water area to the west of it. The footpath around the south/west end of the lake will be fenced on its northeast side with 1.8m fencing (a hit-and-miss board or woven panel design is proposed) in order to minimise visual disturbance from pedestrians and dog walkers. Views through the fence will still be possible for birdwatching etc.
- **Removal of fishing stances** on the bank of the lake closest to south-eastern end of the island - to further minimise sources of disturbance to birds in the vicinity of the island, the surrounding area of lake and nearby scrub habitats, the fishing stances on the will be removed along with the access routes to reach them.
- **Reedbed Creation** - further areas of reedbed creation are proposed bringing the area total for the site up to 0.5ha. Reedbeds are identified as priority habitat that will offer additional shelter for species most prone to disturbance. New areas are proposed around the island and within the

Exclusion Zone. Annual maintenance is also stipulated to ensure the long-term ecological value of the habitat.

Bat Roosts

- **Bat roosts – the bat roost potential of two trees within the application site have been assessed with advice that a detailed inspection of tree T2 for potential bat roost features should be undertaken if the tree is due to be removed or pruned. This tree falls within the newly proposed exclusion zone and is not therefore due to be removed.**

Boatyard and Slipway Design –The revised design retains the boatyard in the south west corner of the site but the slipway has been repositioned outside the Exclusion Zone with the additional infilling with native scrub planting retained alongside the water's edge. The applicant has confirmed that the relocation of the boatyard and slipway to an alternative location within the existing Marina area is not viable in operational terms and would raise health and safety issues.

9 The new measures are presented alongside the original mitigation and enhancement measures which are summarised below and include:

- **measures to enhance and manage habitats, particularly the scrub habitat along the northern bank and at the southern corner of the lake with additional scrub planting to benefit nesting birds;**
- **the creation of a new reedbed of approx. 0.25ha along parts of the southern edge of the lake and along part of the western edge of the island to benefit wintering and nesting birds;**
- **marginal habitat enhancement;**
- **retention of woodland on the island and along the western and southern boundaries;**
- **creation of a wildflower meadow of approx. 0.25 ha alongside the woodland on the south east edge of the lake;**
- **provision of bat and bird boxes, two wildfowl rafts, log piles, reptile hibernation refuge;**
- **management and control strategies to prevent water pollution and the spread of Himalayan Balsam; and**
- **lighting – directional and low intensity lighting will be used to minimise impacts arising from light disturbance, in accordance with the 'Institution of Lighting Professionals (2018), Bats and Artificial Lighting in the UK, Guidance Note 08/18'.**

A summary table of the combined enhancements as presented in the revised Ecological Mitigation and Enhancement Scheme and is attached as Appendix C to this report together with the revised Ecological Enhancement Plan at Appendix D to this report.

PLANNING APPRAISAL

10 It is clear that open water habitat will be reduced as a result of the proposed marina extension – the updated report, the Ecological Mitigation and Enhancement Scheme July 2021 (ref: 150511-ED-12b) identifies a 43% reduction of open water. The mitigation proposed will provide an exclusion zone totalling approximately 19% (or 1.17ha) of the current open water area of the existing lake. This would create an 'out of bounds' area or wildlife refuge as recommended by the Authority, free from direct disturbance from boats and

pedestrians. Significant ecological enhancement is proposed within this area with the additional areas of reedbed creation now also included. The importance of reedbeds nationally is recognised through their designation as a UK Priority Habitat and regionally by their inclusion as a priority species in the Lee Valley Regional Park Biodiversity Action Plan (BAP). The creation and management of reedbeds through this development would help in the delivery of the LVRPA BAP targets and support the wider network of reedbeds on adjacent sites

- 11 The applicant has confirmed that relocating the boatyard is not a viable proposition. The ecological surveys found that the construction of the boat yard in its current position would “not be expected to have a significant impact on breeding bird populations or distribution”. Impacts arising from the future operation of the boatyard were not directly mentioned, but it was noted in the Breeding Bird survey report that the “typical levels of background disturbance of the lake are relatively high” and probably as a result the “assemblage of birds breeding there is largely dominated by disturbance-tolerant species”. However, the redesign of the boatyard slipway now avoids the exclusion zone and this will help to maintain the refuge area.
- 12 The fencing separating off the public footpath around the south/west end of the lake will also be beneficial if it can prevent disturbance by people and stop dogs from entering the water along the lake edge an action that is known to disturb waterbirds. The formation of the exclusion zone also means tree T2 with bat roost potential will no longer need to be removed. As previously stated a total of 5 new bat boxes are also proposed in varying locations of the Site.
- 13 The Ecological Mitigation and Enhancement Scheme also advises that the dense scrub and the woodland present on the boundaries of the site are largely due to be retained and enhanced with infilling and successional management. Therefore, the impact on scrub-nesting species will be restricted to areas where scrub removal is necessary and this will be minimised as far as possible. On the northern bank, additional scrub planting will be provided to create a continuous habitat with opportunities for nesting birds and this is to be welcomed.
- 14 Epping Forest District Council's ecological advisor Place Services has found that the surveys show *“any loss of overwintering bird habitat and open water breeding habitat resulting from the marina extension is only likely to be significant at a local scale. The marina does not provide any features which could be functionally linked land which provide habitat for these birds as part of the populations protected by the SPA or Ramsar”*. As a result, the HRA Scoping report recommendations has found that “the development is not likely to result in a ‘likely significant effect’ (LSE) to Lee Valley SPA and Ramsar site.” As a result, an Appropriate Assessment is not required. Place Services have also updated their consultee response and have no objection to the proposed development subject to securing the proposed biodiversity mitigation and enhancement measures.
- 15 **Conclusion**
As noted in the previous report, Park Development Framework (PDF) Area Proposals support improvements to visitor accommodation at the Marina, such as those proposed by the applicant. They also seek to protect and enhance the biodiversity value of wetland and water areas within this part of the Park, and their role in supporting the wider Lee Valley SPA and providing connectivity

between Glen Faba and Rye Meads.

- 16 The proposed scheme offers an improved outcome for biodiversity compared to the previous proposal, whilst extending a popular and attractive visitor facility within the Park. It has also been found that the revised scheme is not likely to impact on the wider Lee Valley SPA and Ramsar site.
- 17 Whilst it is not possible to fully mitigate for the loss of the remaining open water on site the applicant is proposing to safeguard an area as a nature refuge and implement a comprehensive scheme of habitat enhancement around the lake. Providing these elements and their future management can be secured via conditions by the Local Planning Authority then the Authority can withdraw its holding objection. The list of proposed conditions included in the recommendation for the November report can be revised a part of the Authority's response in this respect.
- 18 As previously discussed, given the small size of the water behind the island, and the overall loss of open water habitat, it remains relevant to propose that contributions are sought towards the provision of mitigation on the adjacent Glen Faba site where the Authority has already implemented some measures to improve its biodiversity. This could be secured through a Planning Obligation/Section 106 agreement. The works could include:
 - scrub management around the shores of the lake to enable egress by grazing birds such as Wigeon to the grassland (indicative cost £5K);
 - removal of scrub around the margins of the lake to enable growth of marginal plant species providing habitat for Water Vole (indicative cost £15K);
 - creation of a new reedbed to compliment that proposed on the development site and the wider area (indicative cost £60K); and
 - enhancement works to the existing Heronry on site (indicative cost £5K).

ENVIRONMENTAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

- 21 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.
- 22 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

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

EQUALITY IMPLICATIONS

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

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BACKGROUND REPORTS

Application Papers 20.100 Oct 2020
Updated Survey reports, Ecological and Mitigation July 2021
enhancement Scheme 20.100

PREVIOUS COMMITTEE REPORTS

Regeneration & RP/44/20 Planning Consultation By 19/11/20
Planning Epping Forest District Council
Committee Roydon Marina, Roydon Marina Village,
Roydon, Essex, CM19 5EJ

Extension to Existing Marina to Provide an
Additional 168 Berths, 99 Parking Spaces,
Additional Associated Facilities and
Widening and Improvement to Existing
Vehicular and Pedestrian Access

APPENDICES ATTACHED

Appendix A Previous Committee Report: RP/44/30
Appendix B Letter to EFDC with Authority response
Appendix C Ecological mitigation and enhancement summary table
Appendix D Ecological mitigation and enhancement plan

LIST OF ABBREVIATIONS

SSSI Site of Special Scientific Interest
SPA Special Protection Area
BAP Biodiversity Action Plan
CEMP Construction Environment Management Plan
LEMP Landscape Ecological Management Plan
HRA Habitats Regulation Assessment
PDF Park Development Framework
the Park Act Lee Valley Regional Park Act 1966

 <p>Lee Valley Regional Park Authority</p> <p>LEE VALLEY REGIONAL PARK AUTHORITY</p> <p>REGENERATION AND PLANNING COMMITTEE</p> <p>19 NOVEMBER 2020 AT 11:30</p>	<p><u>Agenda Item No:</u></p> <p>5</p> <p><u>Report No:</u></p> <p>RP/44/20</p>
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**PLANNING CONSULTATION BY
EPPING FOREST DISTRICT COUNCIL**

**ROYDON MARINA, ROYDON MARINA VILLAGE, ROYDON,
ESSEX, CM19 5EJ**

**EXTENSION TO EXISTING MARINA TO PROVIDE AN ADDITIONAL 168
BERTHS, 99 PARKING SPACES, ADDITIONAL ASSOCIATED FACILITIES
AND WIDENING AND IMPROVEMENT TO EXISTING VEHICULAR AND
PEDESTRIAN ACCESS**

Presented by Head of Planning

SUMMARY

This application seeks permission to create an additional 168 berths as an extension to the existing marina at Roydon Marina Village, an established leisure facility located in the Regional Park north of the River Stort Navigation. The additional berths would be located on the western portion of the lake, together with a new boat yard, new facilities building, parking for 99 vehicles, improved vehicular and pedestrian access, ecological enhancements and landscape improvements.

A previous application for a much larger scheme of 240 berths covering the remaining area of water was refused in 2016 by Epping Forest District Council (Ref EPF/0934/16). The Authority did not object to this application, recognising the benefits of an extended marina in terms of visitors to the Park, but it did seek a reduction in the number of berths by 50%, the conditioning of an ecological mitigation and landscape enhancement plan, to include details on lighting and sought to secure the westernmost section of the lake including the island as a 'wildlife refuge'.

The current proposal has reduced the number of berths so that the southern portion of the remaining open water would be retained. It also includes a detailed ecological mitigation and enhancement scheme. Whilst these changes provide a more balanced scheme that benefits both visitors to the Park and its biodiversity, there are limitations associated with the ecological surveys and concerns as to whether the location of the boatyard will undermine the establishment of a refuge area within the westernmost portion of the lake. A holding objection is recommended to allow more time to resolve these issues.

RECOMMENDATIONS

Members Approve:

- (1) that Epping Forest District Council be informed that the Authority places a 'holding' objection to the current application to extend the marina at the Roydon Marina Village in order that:
 - a) further ecological surveys can be undertaken to update the wintering and breeding bird surveys and that a full assessment of the bat roost potential of the trees on site can be completed;
 - b) the location of the boatyard can be re-examined in relation to its likely impact on the island at the western end of the lake and the creation of an 'out of bounds area' or undisturbed wildlife refuge on the water behind, so as to help mitigate for the loss of open water;
 - c) the Authority would wish to be consulted on the outcome of the additional survey work, the mitigation measures that follow and a revised scheme for the western end of the lake;
- (2) 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) the production of a Construction Environmental Management Plan (CEMP) to ensure best practice construction measures and avoid harm to sensitive habitats and species, including pollution incidents and noise disturbance;
 - b) provision of the Ecological Mitigation and Enhancement Scheme and roadside planting scheme as detailed in the application;
 - c) the retention of the remaining lake area as open water habitat free of moorings to protect the areas of ecological enhancement;
 - d) submission of a Landscape and Ecological Management Plan (LEMP) prior to the commencement of the development to ensure the on-going management and maintenance of the

Ecological Mitigation and Enhancement Scheme, in particular the new areas of reedbed, the wildflower meadow and planting belt alongside the access road/towpath;

- e) a lighting strategy for biodiversity, both for the construction period and once the site is occupied to take account of protected species such as bats, and use of the water by wintering and breeding birds;
- f) an invasive non-native species protocol detailing the management strategy for the Himalayan Balsam on site and biosecurity measures to avoid introducing non-native species into the area;
- g) Section 106 contributions to off-site works at the adjacent Glen Faba waterbody in accordance with details set out in paragraph 42 of this report as mitigation for the loss of open water at Roydon lake and to help enhance and establish a viable refuge for wildlife; and

- (3) that Epping Forest District Council be informed that the Authority would wish to be consulted on the above.

SITE CONTEXT AND DESCRIPTION

- 1 The application site is located wholly within the Regional Park and forms part of the existing and well established Roydon Marina Village complex. This comprises approx. 23ha of land which includes a 12.9ha lake and approximately 2.5km of river frontage. The eastern portion of the Roydon Marina Village is a mix of holiday homes/lodges, a hotel, restaurants, fishing stances, and parking. The existing 315 berth inland waterways marina sits adjacent and covers the eastern half of the lake between the north and southern banks.
- 2 Access to the Marina is via a long tarmac track which runs parallel to the River Stort Navigation and forms part of the towpath; both the towpath and access track are owned by the Canal & River Trust (CRT). It forms a junction with the B181 Roydon High Street, south of the river and the level crossing over the railway. This track continues through the Marina complex and along the north bank of the lake to the western edge of the site. The access road along the towpath is also a PROW and part of the Stort Valley Way, bounded to the south by a row of mature trees for part of its length. The application site includes this access road/towpath and a strip of farmland to the south to allow for widening the access road and new planting. The Stort Valley Way continues outside the boundary of the site alongside the southern boundary of the Stort Navigation. There are no public rights of way through the site.
- 3 To the north of the site lies the West Anglian main railway line which runs on an elevated bund and forms the northern boundary of the site. Roydon Station lies

just to the north east of the Marina complex. Beyond the railway lies the Rye Meads sewage works, the Rye Meads Nature Reserve and Site of Special Scientific Interest (SSSI) (part of the Lee Valley Special Protection Area (SPA)/Ramsar site) and other wooded lakes within the Regional Park.

- 4 The application shows the new moorings extending across approximately half of the open water of the lake from the northern bank. This northern section of lakeside bank is grassed and edged with scattered sections of scrub and a number of fishing stands. Beyond this lies the access track and then an area of dense scrub and trees which form a barrier between the site and the railway, although there have been some recent cutting back where trees impact the railway line. The southern bank of the lake is fringed with mature vegetation and a broad grassy strip with a pathway that runs between the lake and the densely vegetated bank of the River Stort Navigation, which together with the Mill stream form the southern boundary to the Marina site. Beyond this lie arable fields, part of Roydon Park to the south east and in the south the Glen Faba lake where an area of new reedbed habitat has recently been created by the Authority.
- 5 To the west of the proposed moorings there is a narrow wooded island separating a strip of water beyond, which forms the western edge of the lake. This edge is well vegetated and contains a path and fishing platforms; further to the west is an area of scrub and woodland habitat known as River Fields. In the south west there is the lock entrance from the Navigation into the Marina lake. Please refer to the Plans at Appendices A and B to this report.
- 6 **Planning History**

The existing Marina which lies within the eastern half of the lake was granted permission in 2009 (EPF/2113/08), and consists of 315 berths, associated facilities building, workshop, parking (77 spaces) and the new lock linking the marina into the Stort Navigation. At that time the Authority objected to the proposal due to concerns about the lack of detailed information including ecological surveys for the protection of the waterside environment and about the impact on habitats for water birds and species. These matters were dealt with by planning conditions, as was the request to ensure power boats no longer use the lake.
- 7 In 2016 an application to extend the Marina was submitted but refused permission (EPF/0934/16). This proposed an additional 240 berths, 120 parking spaces and additional facilities. The whole of the remaining lake would have been used for the moorings. The grounds for refusal included the loss of attractive open water area, an increase in traffic movements along a narrow towpath access road together with increased parking around the lake and the adverse impact these changes would have on the openness, character and visual amenity of the area. It was stated that this would undermine the recreational value of the lake, including for visitors to the Regional Park and was cited as inappropriate development in the Green Belt.
- 8 Whilst the Authority did not object to this application, recognising that extending the Marina would improve the appeal of the site for visitors to the Park, it did seek a reduction in the number of berths by 50%, the conditioning of an ecological mitigation and landscape enhancement plan, further details on lighting and sought to secure the westernmost section of the lake including the island as a 'wildlife refuge' subject to an ecological management plan in line with the Authority's Biodiversity Action Plan (BAP). An additional condition was also

sought to ensure the berths would be used for visitor accommodation only.

- 9 Ownership of the site changed in 2018 when the applicant, Lakeland Leisure Estate Ltd, took over the Marina complex and commenced works to upgrade the lodges and other facilities.

POLICY BACKGROUND

- 10 Local Plan policy both in the Combined Policies of Epping Forest District Local Plan 1998 and Alterations 2006 (published 2008) and the Submission Version 2018 is supportive of the Lee Valley Regional Park, recognising its role as a key asset for the District; and an important component of the region's green infrastructure. Green Belt policy seeks to protect the openness of the Green Belt; planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy. Provision of appropriate facilities for outdoor recreation are considered an exception to this as long as any development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it (SP6 and DM4, Local Plan Submission Version).
- 11 The Local Plan Submission Version Policy E4 'Visitor Economy' supports "the development of high quality visitor accommodation, in particular accommodation linked to outdoor sport and activity hubs in the Lee Valley Regional Park,...". It also seeks to support the upgrading of existing visitor attractions, visitor centres and development of appropriate new ones, encouraging sustainable tourism in rural areas.
- 12 Development Management Policy DM1 seeks to ensure all development delivers biodiversity net gain in addition to protecting existing habitat and species – proposals should integrate biodiversity through their design and layout. Policy DM1 (G) also states that where a Protected or 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 and inform appropriately designed mitigation measures and plans. The significance of and need to protect the Lee Valley SPA is also recognised (Policy DM2).
- 13 Park Development Framework (PDF) proposals place the Roydon Marina within Area 7.A.3 Wetland Park Central and North: Glen Faba and Roydon. This is an important area for informal recreation, angling, walking and cycling based on the enjoyment of the waterside environment, open farmland and wildlife. Visitor and biodiversity proposals are relevant. Ongoing improvements to visitor accommodation at Roydon Marina Village, including the holiday lodges, hotel and marina, are to be supported. Proposals also seek to protect and enhance visitor moorings.
- 14 Habitat improvements are to be delivered on the gravel pits and waterways within the wetland park northern area, and the management of waterbodies should take account of their proximity to and role in supporting the wider Lee Valley SPA. The biodiversity value of wetland and water areas south of the railway is to be protected to maintain ecological connectivity between Glen Faba and Rye Meads and along the Lee and Stort Navigations. The Landscape Strategy emphasises the need to continue positive conservation and management of the diverse and valuable wetland habitats, re-creating lost habitats, and balancing this with provision of recreation and enjoyment of the

landscape (LCA A3).

DESCRIPTION OF DEVELOPMENT

15 Marina Extension and Associated Facilities

The application proposes to extend the existing Marina by constructing a series of floating jetties out from the northern bank of the lake to accommodate 168 inland waterway berths and moorings. The jetties are floating to allow for the rise and fall in river levels as the lake is connected to the River Stort Navigation. Access onto the new moorings is to be via four 2m wide walkways fixed to the lake embankment.

16 A single storey timber clad facilities building (circa 19.5l x 7.4w x 5.8m high) is also proposed located on the northern bank of the lake opposite the proposed moorings. This provides toilets, shower block, laundry and Eisan disposal facilities. The finished floor level sits above the recognised flood level with a void beneath and large openings along all walls to allow free flow of flood waters.

17 The existing access track that currently provides access to the northern side of the lake will be improved and upgraded with three layby parking bays constructed on its northern side between the roadway and the railway line providing 99 car parking spaces.

18 An existing hardstanding area at the end of the access track west of the island will be extended and a slipway constructed into the lake to provide a boat yard for the maintenance and repair of boats. The Design and Access Statement (DAS) proposes this will be lit only during working hours in the winter when required and that the lighting will be downward facing compliant with the Bat Conservation Trust's 2018 lighting guide. Please see Appendix C to this report for the layout of the proposed Marina.

19 The DAS states that the proposal will include the minimal amount of new lighting required for safety; with low wattage motion sensor operated lights on the building, 3-4 low level lighting bollards for each parking block, a lighting bollard adjacent to each of the four platforms leading from the lakeside onto the walkways and jetties, and lighting (with downlight diffusers) incorporated into the pedestal type bollards installed on the jetties which provide water and power.

20 Access into the site

A number of options have been considered to improve and widen the access road/towpath into the site to enable two vehicles to pass and provide a dedicated footpath for pedestrians. The northern portion of the access road is considered to be of sufficient width at 4.8m to allow 2 way flow of traffic. The application has therefore focused on widening the southern section of the roadway which is currently the narrowest section (minimum width of 3.3m). A vehicular carriageway of 5m will be provided (sufficient to allow a car to pass a delivery vehicle) together with a separate 0.9m wide footway. This will require the removal of a row of mature trees, poplar, hawthorn, field maple oak and cyprus along the southern boundary of the road. A new landscaping belt of grassland (with native grassland meadow species) and tree planting is proposed adjacent to the widened section of roadway to mitigate for this loss and will be facilitated by using a strip of the adjacent farmland.

21 The Transport Assessment submitted with the application has concluded that

the development will generate a maximum of just 14 movements during any peak hour with 13 movements in the week day am peak and 11 in the week day pm peak. This is not considered to have a significant impact on the wider network and Essex County Council Highway Authority have confirmed they do not require any vehicular improvements to the junction with the B181.

22 Ecological

The Planning Statement recognises that the proposed development has the potential to impact upon local wildlife and possibly protected species and their habitats (7.88). An Ecological Mitigation and Enhancement Scheme (August 2020) has been submitted as part of the application, informed by a suite of ecological surveys and assessments; including bat surveys, breeding and winter bird surveys, Otter and Water Vole survey, and Extended Phase 1 Habitat surveys covering the main site and access road. Although the mitigation proposals were produced in August 2020, three of the key surveys (wintering bird, breeding bird and bat activity) are dated 2016/18 and relate to the previous application. This has been justified on the basis that the habitats of the lake and its surroundings are essentially unchanged, and the surveys are considered to provide a representative sample sufficient to assess the impact of the proposed development.

23 The mitigation and enhancement scheme provides detailed information and covers a range of measures to minimise impacts of the proposed development on protected and notable species and habitats, aiming to maximise the ecological potential of the site including:

- measures to enhance and manage habitats, particularly the scrub habitat along the northern bank and at the southern corner of the lake with additional scrub planting to benefit nesting birds;
- the creation of a new reedbed of approx. 0.25ha along parts of the southern edge of the lake and along part of the western edge of the island to benefit wintering and nesting birds;
- marginal habitat enhancement;
- retention of woodland on the island and along the western and southern boundaries;
- creation of a wildflower meadow of approx. 0.25ha alongside the woodland on the south east edge of the lake;
- provision of bat and bird boxes, two wildfowl rafts, log piles, reptile hibernation refuge; and
- management and control strategies to prevent water pollution and the spread of Himalayan Balsam.

24 Landscape and Visual Impact Assessment

This assessment has been undertaken to assess any likely effects upon the landscape, specific views and visual amenity and has provided landscape mitigation and enhancement measures as part of the wider scheme.

25 The potential overall effect on the local landscape character is judged to be neutral to slightly adverse, largely because the development proposed is "congruous with the existing elements in the landscape adding additional moorings and facilities along with ecological enhancements to the marina". The loss of some open water and increase in activity and reduction in tranquillity on the northern side of the lake is noted. The replacement tree, scrub and meadow planting along the access is seen as beneficial as is the retention of the majority

of the native structure planting alongside the lake and the additional proposed planting to improve ecological interest. The assessment notes that the "balance of the view will alter to see less open water and additional moorings" and that views from the local footpath network although limited by vegetation are judged to be moderate adverse. Overall the assessment considers the loss of some open water to moorings should be seen in the context of the wider Regional Park and its large waterbodies and objectives to promote access and enjoyment of the landscape.

26 Flood Risk

A Flood Risk Assessment accompanies the application and confirms that all aspects of the development are acceptable in principle in relation to flood risk, surface water drainage, foul drainage and water resources. The applicant is also liaising with the CRT in relation to any impacts on hydrology in the area.

PLANNING APPRAISAL

27 As with the application in 2016 consideration of this proposal goes to the core of the Authority's statutory purpose which seeks to provide for leisure, sport and nature conservation in a sustainable way, balancing the sometimes conflicting needs and impacts. PDF Area Proposals support both improvements to visitor accommodation at the Marina, such as the proposed extension, and more generally the enhancement of visitor moorings. Proposals also recognise the biodiversity value of wetland and water areas south of the railway, and their role in both supporting the wider Lee Valley SPA and providing connectivity between Glen Faba and Rye Meads and along the Lee and Stort Navigations.

28 Taking account of the PDF Proposals and the Authority's comments on the previous application the main issues in considering this application relate to:

- the scale of the development and its impact on the openness of the Green Belt and landscape of the Park; and
- impact on biodiversity.

29 Impact of Development

The application has taken account of the outcome of the previous larger proposal and the current scheme is reduced in size from 240 to 168 berths. Although not the reduction of 50% as sought by the Authority, this does leave just under half the area of the remaining open water and the southern bank unencumbered by marina infrastructure. This will maintain, in part, the site's contribution to the openness of the Green Belt in this area, whilst benefiting and improving the appeal of the Park to visitors, in accordance with PDF proposals.

30 In policy terms the Green Belt position has not changed and use of the site as a marina will impact on the openness of the site. The applicant provides a convincing case for very special circumstances citing the demand and unmet need for moorings; its own waiting list for berths which now stands at 130 and has been closed, and the findings of the CRT London Mooring Strategy 2018. This shows that the number of boats on the Trust's London waterways almost doubled between 2010 and 2017 (up to 4,001) and that projections indicate an increase in demand of between 724 and 864 berths in the London region for recreational purposes alone by 2022. The Marina extension will also create employment with the need to employ an additional 8 people.

31 Views into the site from the Stort Valley Way footpath are restricted by the

existing vegetation along the southern bank of the lake, the Stort Navigation itself and the boundaries of the site. Where gaps exist the retention of the open water area to the south, closest to the footpaths, will soften the impact of the additional moorings. Views into the site from the Three Forests Way which passes through higher ground further to the south west are limited to some extent by vegetation as above, but do offer partial views over the Marina complex as a whole. This will include the proposed facilities building, car parking and boat yard, which will be seen in the context of the railway embankment behind and partially screened by vegetation along the north bank of the lake. From this footpath the loss of the open water area to moorings will be evident but given the context of the Roydon Marina as a whole this is not considered to be detrimental to the recreational amenity of visitors to the Park.

32 Widening of Access Roadway

The trees and vegetation alongside the southern boundary of the access road/towpath which will need to be removed to allow for the widening of the route have high value as an ecological corridor. The Habitat Assessment notes that the replacement mix of native trees, understorey planting and wildflower meadow is expected to have a higher ecological value. As recommended by the Habitat Assessment the tree line should be replaced prior to the removal of the existing trees to provide continuity of habitat and works will need to be undertaken outside the bird nesting season.

33 Impact on Biodiversity

The application sets out a detailed ecological enhancement and mitigation proposal that would see existing habitat improved through new planting and maintenance regimes, the creation of additional habitat, in particular along the southern bank and around the island and new features added. Whilst these proposals do not fully mitigate loss of habitat, the mitigation measures outlined including the installation of bat/bird boxes, planting of scrub and wildflower meadows are supported.

34 Of particular interest is the creation of reedbed habitat which will help to deliver targets within the Lee Valley Regional Park BAP specifically for the Grassland and Fen, Bittern, Otter and Water Vole Action Plans. The on-going management and maintenance of the mitigation measures, in particular the reedbed, will be key to their success and therefore a Landscape and Ecology Management Plan should be conditioned which outlines what management will be undertaken, how this will be monitored and rectified if not meeting agreed targets.

35 The main issue in assessing the benefits of the mitigation and enhancement proposed is that a number of key surveys supplied alongside the application (wintering bird, breeding bird and bat activity) were undertaken over four years ago and as such are outside the recommended timeframe upon which a decision can be made. Ecological information is a material consideration in the planning process and as such would need to be updated to take into account any subsequent changes. It is difficult to determine if the potential impacts are sufficiently mitigated or avoided if the mitigation plan is based on data that is out of date.

36 In particular, there is concern that the lake may have been undervalued in terms of its relationship to the Lee Valley SPA due to the limitation of the current wintering bird survey; for example, Gadwall and Shoveler (included in the SPA designation) were not recorded in the 2015/16 survey and yet the adjacent waterbodies to the lake (Glen Faba and Rye Meads) are known to be used by

both species throughout the day for roosting and feeding. Interestingly Gadwall were recorded using the lake during the breeding bird survey. The current level of survey may not have fully assessed the potential impact of the development on these key species and further survey work would be beneficial and could be undertaken this winter.

- 37 Although out of date the submitted bat surveys show that the site was used in 2016 as both a commuting and foraging site for at least four species of bat with the scrub and woodland habitats to the south west and north west considered to be of the greatest value. It is clear that trees will be removed or impacted upon through the proposals but no full assessment of the bat roost potential of these trees has been completed. The requirement for further surveys is noted for one tree (T2) which sits close to the location of the proposed boat yard, but the report also alludes to other trees. An assessment of bat roost potential needs to be undertaken prior to a planning decision being made so that the detail of current mitigation can be fully considered.
- 38 The survey report notes that there is potential for lighting to impact upon the use of the site by bats. Whilst the application provides some information on the lighting, a full plan showing locations, numbers, spill and lux levels should be supplied, this can be conditioned. There is also concern that the boaters will have external lighting which will have an additional impact on the bat use of the site – this is currently not considered in the report.
- 39 The ecological assessment states that the Water Vole and Otter update survey should be revisited three months prior to the commencement of work. A check immediately prior to work commencing would also be beneficial, this could be conditioned through the delivery of a Construction Environment Management Plan (CEMP).
- 40 The island is noted in section 6.10 of the Ecological Enhancement and Mitigation scheme as a 'key breeding habitat for wetland birds' that "should be protected from disturbance". This is welcomed as the Authority previously sought to establish a refuge at the western end of the lake including the island, creating an 'out of bounds' area for boaters with a restriction secured through either planning condition or planning obligation to prevent further development. The aim was to secure a full ecological management plan to include measures to improve habitat in line with the Lee Valley Regional Park BAP. The current plans for the Marina extension raise concerns however as to how this might be achieved due to the proximity of the moorings to the island and in particular the location of the boat yard in the south west corner of the lake with access past the island and into what should be the refuge area. The movement of boats and associated noise have potential to impact on the use of the island and undeveloped area of the lake. Ideally the boat yard should be relocated to the other side of the island but this might require a reconfiguration, or reduction in the number of moorings.
- 41 Notwithstanding the above, due to the small size of the water behind the island, it is difficult to see this functioning as a viable refuge. Another option therefore, given this fact and the overall loss of open water habitat on the main lake, would be to provide mitigation on the adjacent Glen Faba site where the Authority has already implemented some measures to improve its biodiversity. This could be secured through a Planning Obligation/Section 106 agreement.
- 42 A biodiversity net gain assessment has not been undertaken, so it is difficult to

Judge the impact of the proposed mitigation / enhancement projects in this respect. A contribution to off-site works would be reasonable however and count towards the application's biodiversity net gain assessment. The works could include:

- scrub management around the shores of the lake to enable egress by grazing birds such as Wigeon to the grassland (indicative cost £5K);
- removal of scrub around the margins of the lake to enable growth of marginal plant species providing habitat for Water Vole (indicative cost £15K);
- creation of a new reedbed to compliment that proposed on the development site and the wider area (indicative cost £60K); and
- enhancement works to the existing Heronry on site (indicative cost £5k).

43 A holding objection is therefore recommended to allow time for the above matters to be considered and additional survey work undertaken.

ENVIRONMENTAL IMPLICATIONS

44 These are addressed in the body of the report.

FINANCIAL IMPLICATIONS

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

LEGAL IMPLICATIONS

46 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.

47 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

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

EQUALITY IMPLICATIONS

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

Author: Claire Martin, 01992 709 885, cmartin@leevalleypark.org.uk

BACKGROUND REPORTS

Application Papers 20.100

October 2020

PREVIOUS COMMITTEE REPORTS

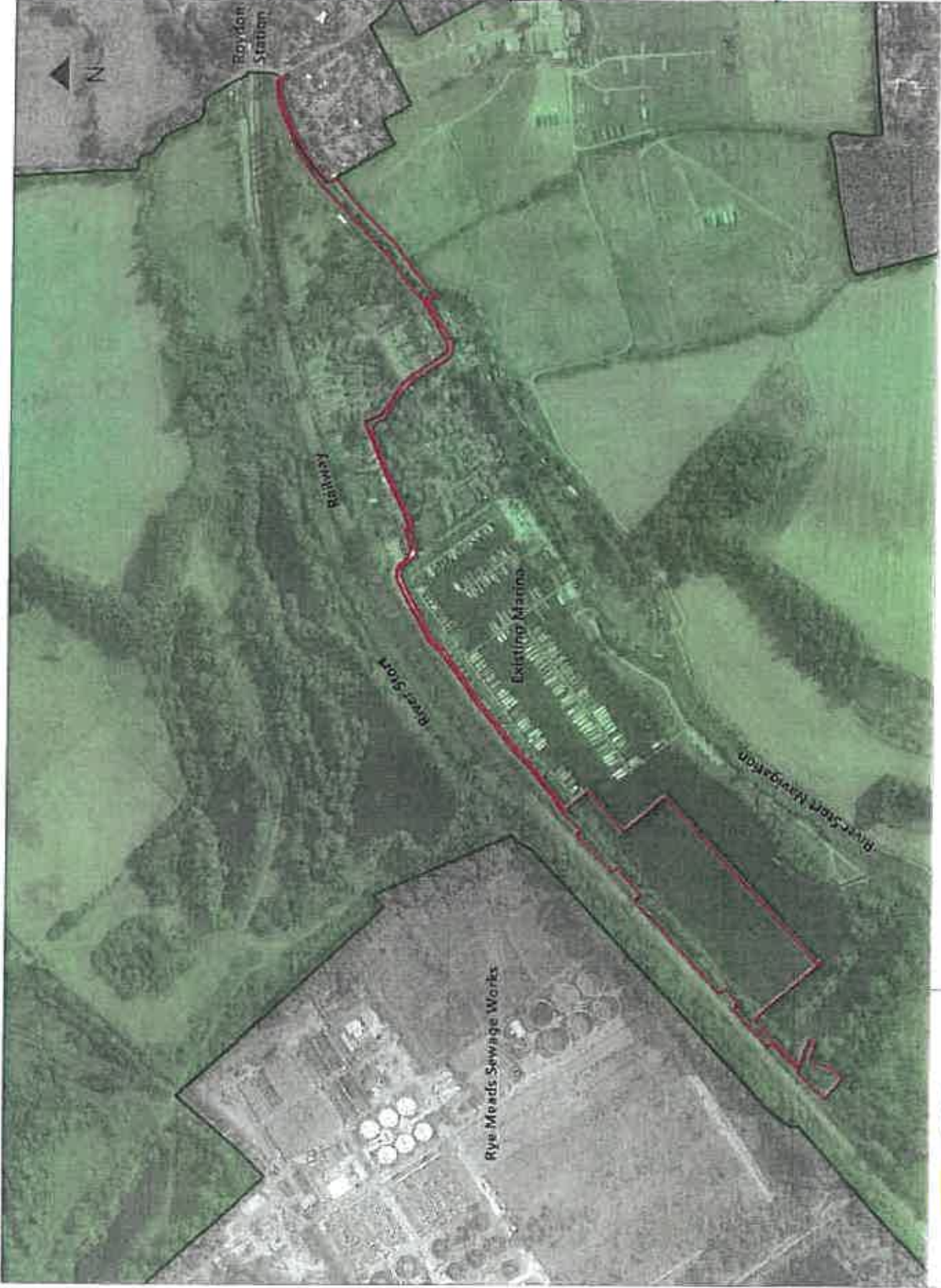
E/447/16	Update on Outcome of the Legal Challenge Against the Decision of Epping Forest District Council to Grant Planning Permission for a Major Extension to Existing Glasshouse Premises at Paynes Lane, Nazeing	Executive Committee	12 May 2016
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APPENDICES ATTACHED

Appendix A	Plan of the application site
Appendix B	Existing site plan of Roydon Marina
Appendix C	Ecological mitigation and enhancement plan

LIST OF ABBREVIATIONS

SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
BAP	Biodiversity Action Plan
CRT	Canal & River Trust
LEMP	Landscape & Ecological Management Plan
CEMP	Construction & Environmental Management Plan
DAS	Design & Access Statement
PDF	Park Development Framework



Proposed extension of existing marina, Roydon Marina Village, Roydon

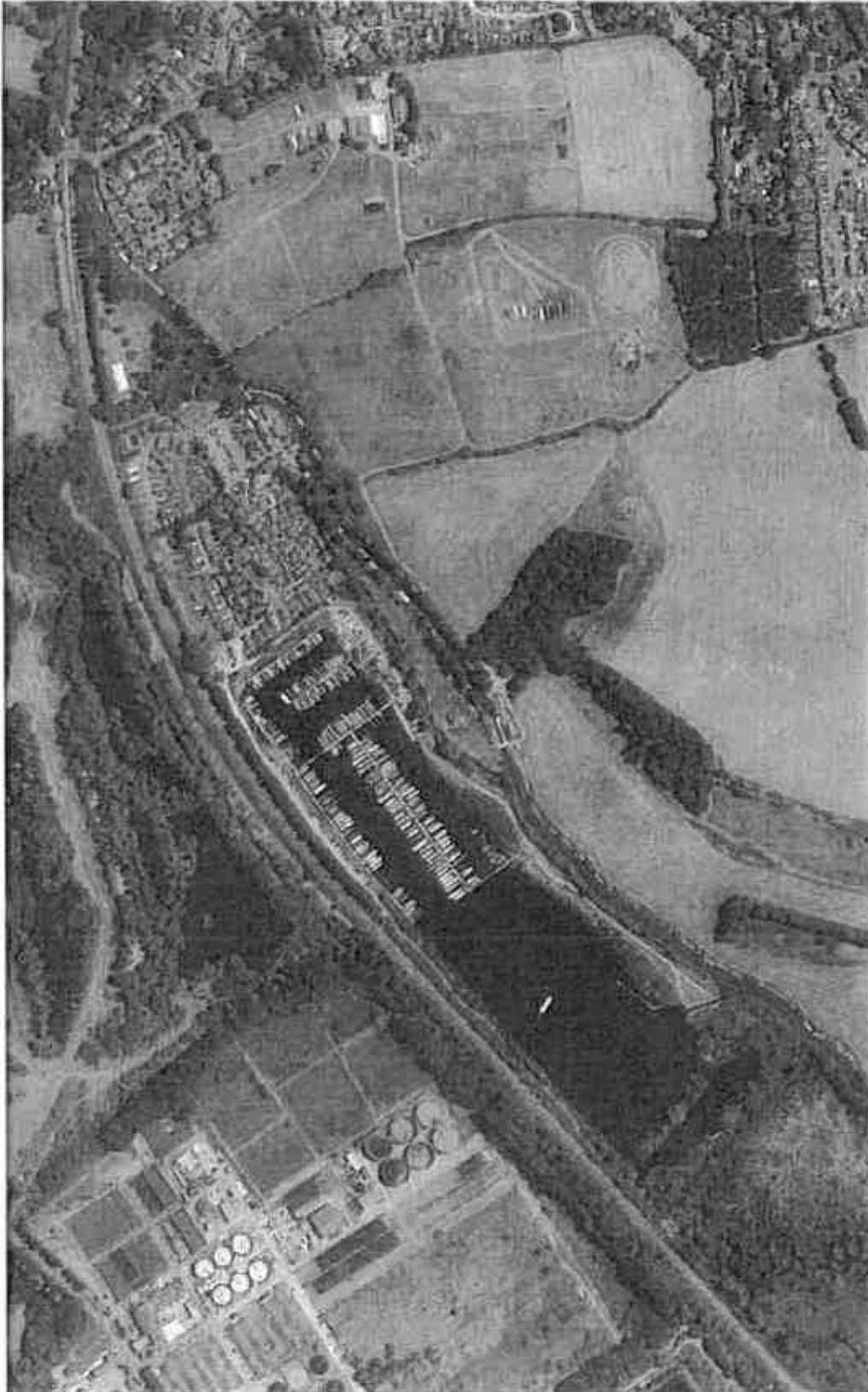
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Produced by Corporate GIS (AVAB)
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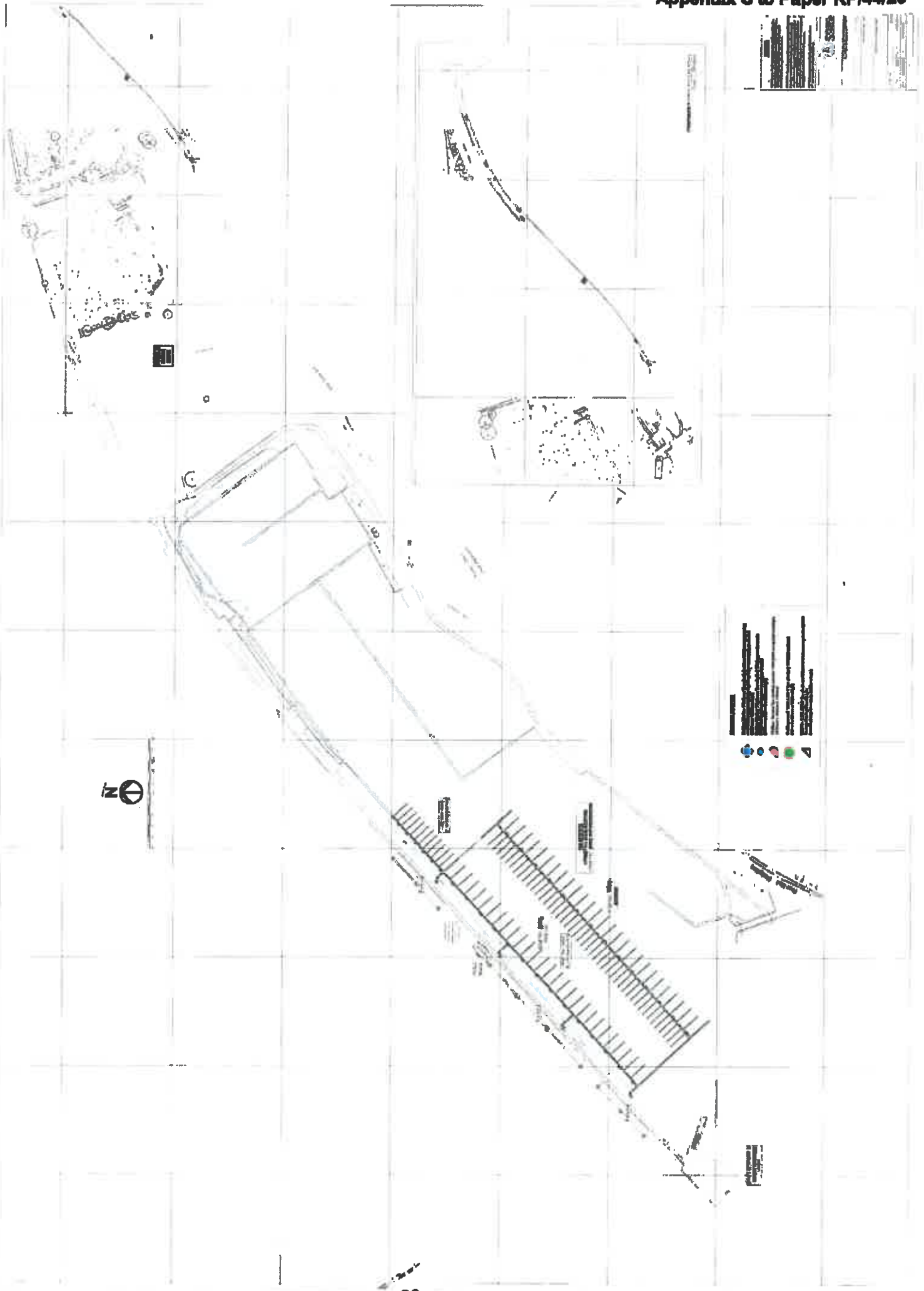
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Appendix B Plan Extract from Landscape and Visual Assessment showing existing marina



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30 November 2020

**Epping Forest District Council
Development Management
Government Directorate
2nd Floor Civic Offices
323 High Street
Epping
Essex
CM16 4BZ**

Dear Frances

RE: Planning Application Ref: EPF/2036/20 Roydon Marina Village, High Street, Roydon, CM19 5EJ – Extension to existing marina to provide an additional 168 berths, 99 parking spaces, additional associated facilities and widening and Improvement to existing vehicular and pedestrian access.

Thank you for consulting the Lee Valley Regional Park Authority on the above application. The above application has now been considered by Members at the Lee Valley Regeneration and Planning Committee held on the 19 November via video conference, at which the following recommendation was approved:

- (1) that Epping Forest District Council be informed that the Authority places a 'holding' objection to the current application to extend the marina at the Roydon Marina Village in order that:**
- a) further ecological surveys can be undertaken to update the wintering and breeding bird surveys and that a full assessment of the bat roost potential of the trees on site can be completed;**
 - b) the location of the boatyard can be re-examined in relation to its likely impact on the island at the western end of the lake and the creation of an 'out of bounds area' or undisturbed wildlife refuge on the water behind, so as to help mitigate for the loss of open water;**
 - c) the Authority would wish to be consulted on the outcome of the additional survey work, the mitigation measures that follow and a revised scheme for the western end of the lake;**

- (2) 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) the production of a Construction Environmental Management Plan (CEMP) to ensure best practice construction measures and avoid harm to sensitive habitats and species, including pollution incidents and noise disturbance;
 - b) provision of the Ecological Mitigation and Enhancement Scheme and roadside planting scheme as detailed in the application;
 - c) the retention of the remaining lake area as open water habitat free of moorings to protect the areas of ecological enhancement;
 - d) submission of a Landscape and Ecological Management Plan (LEMP) prior to the commencement of the development to ensure the on-going management and maintenance of the Ecological Mitigation and Enhancement Scheme, in particular the new areas of reedbed, the wildflower meadow and planting belt alongside the access road/towpath;
 - e) a lighting strategy for biodiversity, both for the construction period and once the site is occupied to take account of protected species such as bats, and use of the water by wintering and breeding birds;
 - f) an invasive non-native species protocol detailing the management strategy for the Himalayan Balsam on site and biosecurity measures to avoid introducing non-native species into the area;
 - g) Section 106 contributions to off-site works at the adjacent Glen Faba waterbody in accordance with details set out in paragraph 42 of this report as mitigation for the loss of open water at Roydon lake and to help enhance and establish a viable refuge for wildlife; and
- (3) that Epping Forest District Council be informed that the Authority would wish to be consulted on the above.

INFORMATIVE (PARAGRAPH 42): A biodiversity net gain assessment has not been undertaken, so it is difficult to judge the impact of the proposed mitigation / enhancement projects in this respect. A contribution to off-site works would be reasonable however and count towards the applications biodiversity net gain assessment. The works could include:

- Scrub management around the shores of the lake to enable egress by grazing birds such as Wigeon to the grassland (indicative cost £5K);
- Removal of scrub around the margins of the lake to enable growth of marginal plant species providing habitat for Water Vole (indicative cost £15K);
- Creation of a new reedbed to compliment that proposed on the development site and the wider area (indicative cost £60K); and
- Enhancement works to the existing Heronry on site (indicative cost £5k).

I would be grateful if you could send me a copy of the decision letter in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Claire Martin', with a stylized flourish at the end.

Claire Martin
Head of Planning
Lee Valley Regional Park Authority

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Extract from Ecological Mitigation and Enhancement Scheme

ENHANCEMENT	LOCATION	AREA/AMOUNT/NO.	BENEFIT OBJECTIVE/ENHANCEMENT SUMMARY
Tree & Woodland planting	SW access Road	780sqm inc 1,872 individual new plants, shrubs & trees	Additional screening, native tree planting and shrub habitat creation to provide continuity of habitat along access road and canal bank/waterside edge.
Exclusion Zone	SW Marina/lake	1.17ha	Line of buoys along the northern perimeter and fenced (1.8 high hit & miss or similar) off area to the south to create a complete boat and pedestrian exclusion zone to minimise disturbance & fully protect the existing island which is a key breeding habitat for wetland birds. Protected area provides undisturbed open water space representing circa 19% of the current lake open water area and minimising disturbance to the lake banks in this significant area will reduce risk or harm to Water Vole and Otters. The 1.8m hit & miss fence while enforcing the exclusion zone will still provide opportunity for bird watching etc.
Wildflower meadow creation	Eastern lake bankside	0.25ha	Seeded species-rich grassland to provide foraging opportunities for pollinating invertebrates, shelter for reptiles, amphibians and small mammals and encourage butterflies and bumblebees.
Infilling of native scrub	NW lake/site perimeter	As required	Additional scrub planting to create a continuous habitat with opportunities for nesting birds.
Reedbed creation	Eastern lake bankside and Exclusion Zone	0.06 ha + 0.44 ha	UK Biodiversity Action Plan priority habitat, providing key wintering and nesting habitat for a number of wetland bird species.

Appendix C to Paper RP/54/21

Plug planting aquatic vegetation	East and south lake bankside Exclusion Zone bankside	4 locations	Enhancement/infilling of sporadic sparse lakeside bank with marginal vegetation to provide shelter for birds, water voles and other wildlife.
Managed existing scrub	South of marina/lake	0.4 ha	Existing scrub managed to prevent woodland succession, maintaining scrub habitat valuable for nesting birds. Managed scrub also enhances habitat opportunities for reptiles and amphibians.
Removal of fishing platform	East Exclusion Zone	x1	Removal of fishing positions will minimise sources of disturbance to birds in the vicinity of the island and nearby scrub habitats.
Bat boxes	Trees in SW Exclusion Zone Tree in existing woodland Inbuilt into new toilet block	x3 x1 x1	Provide bats with alternative resting places and/or to encourage bats into areas where there are few existing suitable roost sites.
Log piles	SE Exclusion Zone within existing scrub habitat	x3	Provide support for hibernating reptiles and amphibians as well as diverse populations of invertebrates and small mammals.
Wildfowl rafts	SE of marina/lake	x2	Enhance the site for bird species such as Great Crested Grebes and Coots.
Starling nest box	Existing woodland, east of marina/lake	x2	Provide enhanced breeding & nesting opportunities for Starlings (If these boxes are not used by these species, they may be used by other species).
House Sparrow box	Inbuilt into new toilet block	x2	Provide enhanced breeding & nesting opportunities for House Sparrows (If these boxes are not used by these species, they may be used by other species).
Reptile Hibernaculum	Eastern corner of yard	x1	Provide refuge, basking and hibernation habitat for invertebrates, amphibians, small mammals and reptiles.

Legend

- Removal of fishing positions to minimise disturbance
- Himalayan Balsam control measures throughout site.
- Wildfowl raft created in accordance with RSPB guidelines.
- Creation of log piles.
- 2 x house sparrow boxes in-built into new toilet block.
- Plug planting of marginal aquatic vegetation in undisturbed areas (to be confirmed).
- Starting nest box installed on tree.
- Creation of reptile 'hibernaculum' mound.
- Bat box installed on tree.

HA legend

- 1 - Wildfowler meadow creation to replace empty grassland.
- 2 - Infilling of native scrub.
- 3 - New reedbed creation.
- 4 - Existing woodland retained.
- 5 - Existing Lake.
- 6 - Parking.
- 7 - Proposed boat yard.
- 8 - Existing scrub managed to prevent woodland invasion, maintaining scrub habitat valuable for nesting birds.

Line of buoys
Screenfence alongside footpath to minimise visual disturbance
Exclusion zone

Drawing title:
Ecological Enhancement Plan
Project Name:
Rorydon Marina

Date	29/06/2021	Drawn by	CF	Checked by	
Drawing No	150511-EC-01	Rev	-	Scale	1:2,000

The original of this drawing was prepared in AutoCAD - a monochrome .DWG file should not be relied upon.

The Team: Project Officer, Chris Lee / Senior Biomechanist / any
0203 004 3334 | info@tomo.co.uk
tomo ecology landscape

Refer to Ecological Mitigation and Enhancement Scheme for details



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