

**Regeneration & Planning Committee – 19 November 2020**

**Addendum to Paper RP/44/20 (agenda item 5)**  
**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

Further details have been forwarded to the Authority in relation to the application to extend Roydon Marina (EFDC Ref: EPF/2036/20) Paper RP/44/20. This follows discussion with the applicant's agent. The additional information covers two points.

**1. Boatyard**

The applicant has reviewed the design and location of the boatyard. It is understood that relocating the boatyard away from the south western end of the lake is not possible due to insufficient bankside space being available. The design of the proposed slipway has been reviewed and realigned to allow access from the north east of the island which would enable boat movements to avoid passing to the west of the island. Please see the Plan attached 'Slipway Option' dated 12 November (Appendix D). This can be compared to the Original Plan of the boatyard and slipway extracted from the Design and Access statement.

**2. Ecological Surveys**

The committee report notes (paras 35 to 37) that a number of the ecological surveys submitted alongside the application were undertaken over four years ago and as such are outside the recommended timeframe for such work. A similar point has been raised by Essex Place Services (the organisation that provides ecological advice to Epping Forest District Council) who are concerned about insufficient ecological information regarding birds. The applicant's ecologists TMA have responded to Essex Place Services on this matter via a letter dated 12 November 2020, which has also been forwarded to the Authority in response to the concerns raised in the committee report. Please see letter attached at Appendix E.

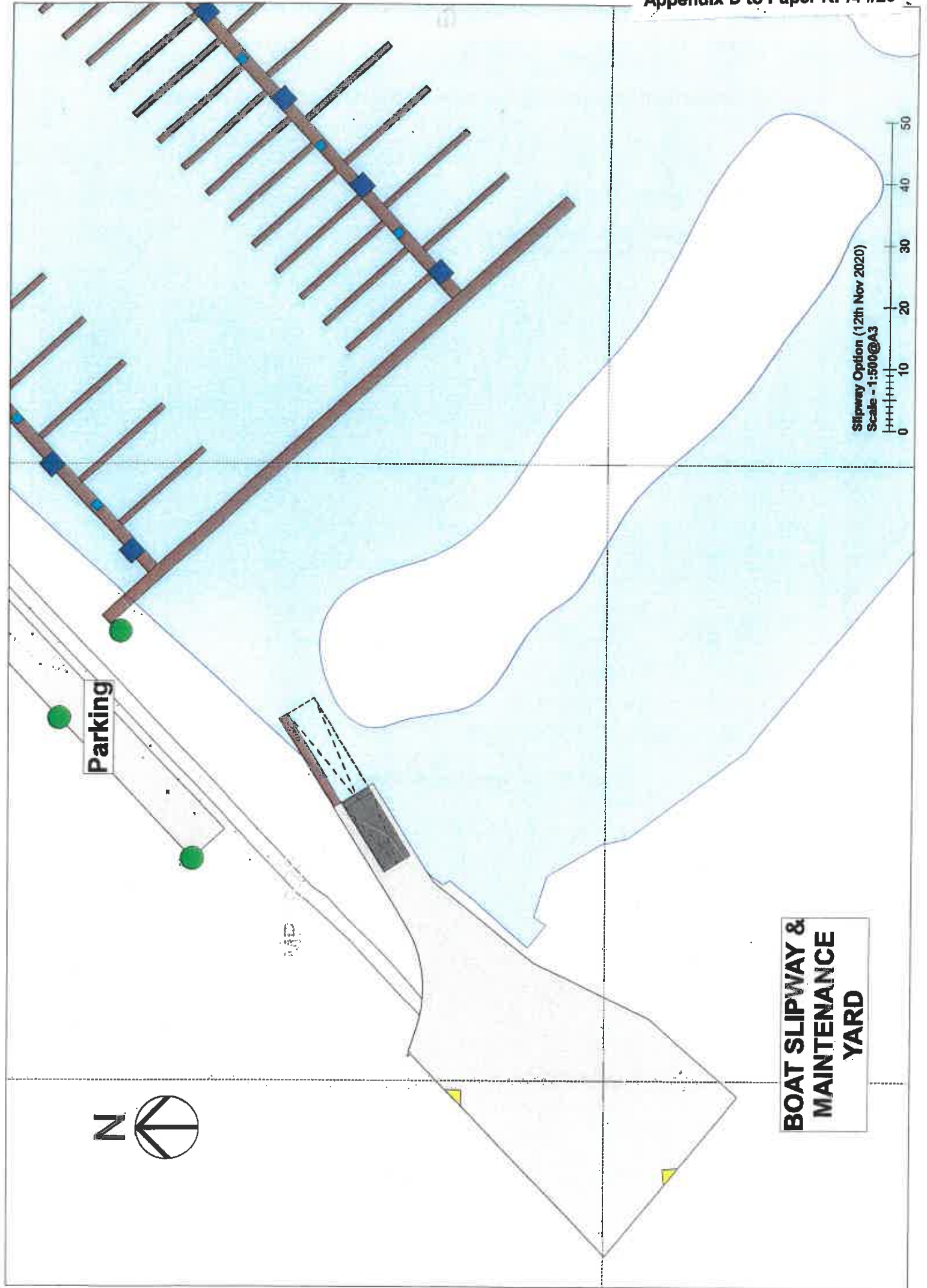
Officers have considered the content of the letter and make the following comments:

*The Winter Bird Survey is perhaps the key survey here, this is due to the application site's close proximity to the Lee Valley Special Protection Area (SPA) and Ramsar site boundary and the potential role that waterbodies outside of the SPA play in supporting its key features. The report states that the habitat on the lake and surrounding area were essentially unchanged, in particular with respect to their suitability for overwintering and breeding birds and that therefore there is no need for repetition of surveys, however this was not placed within the context of the wider landscape and no evidence was provided on external influencing features that may have impacted upon the current value of the site.*

*There are concerns therefore, that the importance of the site has continued to be undervalued due to the limitations of the existing wintering bird survey methodology. This concern could have been addressed by engaging with stakeholders when revising and revisiting the survey.*

*The wintering bird survey (2015/16) recorded no species included in the SPA designation (Gadwall and Shoveler) however in 'The wetland resource of the Lee Valley' (pg.55 White & Harris 2010), Roydon Gravel Pit was noted as an important area (along with other adjacent waterbodies such as Glen Faba) for bird movement in the north of the Lee Valley. The report also concluded that the key sites in the north of the valley for Gadwall include Amwell, Rye Meads and Glen Faba, all in the immediate vicinity of the application site. The same is true for Shoveler which are known to use a variety of sites throughout the day for roosting and feeding. The current level of survey may not have fully assessed the potential impact of the development on these key species.*

*Concerns also remain with regard to the location of the boatyard, even with the revised slipway, as it is considered that the passage of and subsequent work on the boats has the potential to cause on-going disturbance to the open water habitat of the 'refuge area' between the island and western end of the lake and may impact the mitigation proposed in the vicinity.*



Slipway Option (12th Nov 2020)  
Scale - 1:500@A3

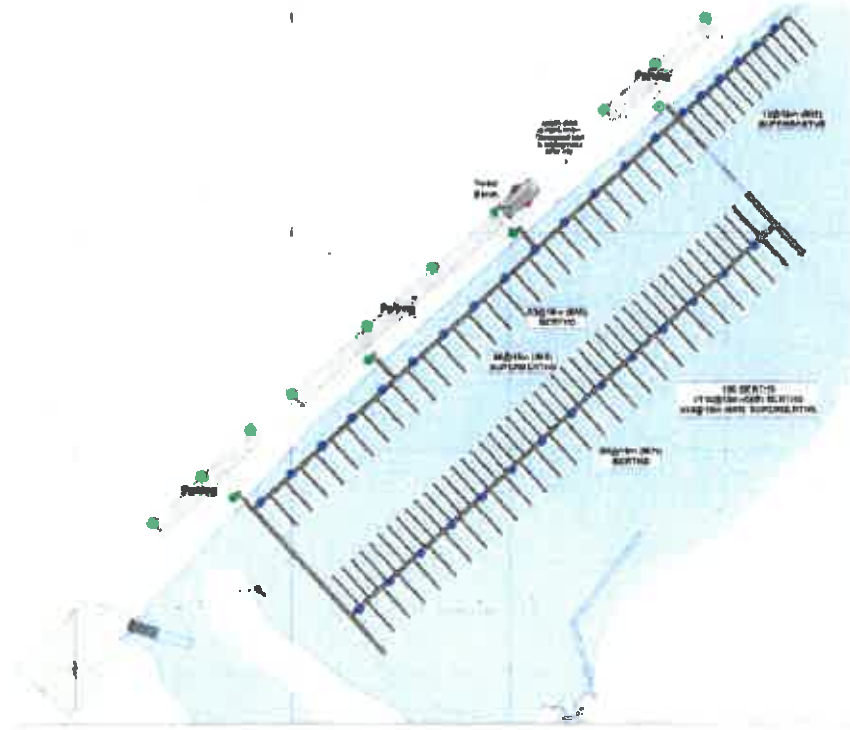


Parking



**BOAT SLIPWAY &  
MAINTENANCE  
YARD**

# Original Plan of boatyard and slipway extracted from Design and Access Statement



**Fig 6.27.**  
*A snapshot of the proposed additional mooring layout & associated infrastructure.*



To:

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Epping Forest District Council

Civic Office

323 High Street

Epping

CM16 4BZ

Date: 12<sup>th</sup> November 2020

By email only

**Application: EPF/2036/20**

**Roydon Marina Extension**

**Dear Francis,**

This letter provides further information regarding the validity of ecological survey reports prepared for the Roydon Marina development, in response to the holding objection from Essex Place Services. My professional opinion is that the reports submitted are sufficient to allow the LPA to determine the planning application.

The objection states that Essex Place Services consider the Winter Bird Survey Report (Tim Moya Associates, January 2020, ref. 150511-ED-08a) and Breeding Bird Survey Report (Tim Moya Associates, January 2020, ref. 150511-ED-09b) to be out of date to support this application.

*As stated in both reports, although the surveys are now some 4 [now 5] years old, there is no reason to expect that the broad usage of the site by overwintering birds would have changed significantly during this period. The habitats of the lake and its surroundings are essentially unchanged, particularly with respect to their suitability for overwintering and breeding birds. We therefore consider that the repetition of the surveys at this time would be unlikely to yield results significantly different from those undertaken in 2015/16, since the assessments constitute broad appraisals of the value of these habitats for overwintering and breeding bird species.*

Please bear in mind that the pertinent consideration when reviewing the validity of the reports is not whether update bird surveys may feasibly produce different results – of course a survey of this type will never produce the same result twice. Rather, it is important to consider whether repeating the surveys would have a reasonable likelihood of producing results so different from those previously recorded, that not only would the proposed mitigation measures be ineffective, but that they would need to be amended

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so fundamentally that a material amendment would be needed to the consented development. My professional opinion is that repeating the surveys at this time is not necessary to provide the appropriate level of detail for the LPA to determine the planning application.

We acknowledge Essex Place Services reference to the CIEEM advice note on the lifespan of ecological reports and surveys. My view is that our reports remain compliant with this advice note. The advice note states that "Ecological consultants should give careful consideration to which, if any, surveys need to be updated; design their data collection in a way which maximises the benefits of early surveys whilst minimising the costs to developers; and provide clarity on the likely lifespan of surveys in their reports." This is what we have aimed to achieve, both within the wording of our reports and within this letter. The advice note states that data more than three years old should be subject to an assessment by a professional ecologist, including an update site visit and desk study followed by a review of the validity of the report. As such, our review of the validity of the survey data was informed by a full Extended Phase 1 Habitat Assessment (Tim Moya Associates, October 2019, ref. 150511-ED-06c) including an updated desk study, to reassess the habitats present within the proposed development site. Subsequently, where it was considered necessary, update surveys were recommended and undertaken, as is the case for water voles and otters.

Surveys for wintering or breeding bird assemblages are notably distinct from presence/absence surveys for species such as roosting bats, reptiles and water voles. These types of bird surveys assess the broad suitability and importance of habitats within a site, with the aim of mitigating impacts on important habitats, to safeguard their value to the bird assemblages identified. In contrast, species-specific presence/absence surveys essentially produce a binary result, with the aim of ensuring that individuals of the species concerned are not harmed. In the space of a year, a species could go from 'absent' to 'present' and therefore completely change the conclusions of the report. Therefore presence/absence surveys must be updated regularly in order to avoid an offence being committed. It is important to consider this distinction when making use of published guidance about the lifespan of ecological reports and surveys. The example scenarios given within the CIEEM advice note all refer to species-specific presence/absence surveys, indicating that the advice note is targeted to those types of survey rather than broad assemblage surveys.

A key reference guiding planning and development in relation to biodiversity is *British Standard BS42020: 2013: Biodiversity – Code of practice for planning and development*. The code of practice (section 9.2.1) includes guidance on the adequacy of ecological information to inform the decision-making process. We consider our reports to comply with this guidance, which includes the wording "The shelf life of any given survey depends on the type of survey undertaken and whether environmental conditions within the study area were "normal" or unusual at the time undertaken (e.g. extreme weather), or are likely to have changed or remained the same. The greater the recent change, the greater the need for up-to-date information".



I hope that the additional justification I have provided here shows clearly why we consider the reports submitted to be sufficient to allow the LPA to determine this planning application.

Yours sincerely,

**Simon Thomas BSc (Hons) MSc**

**Principal Ecologist**

**CIEEM Full Member**

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**For and on behalf of Tim Moya Associates**