Lee Valley Regional Park Authority

LEE VALLEY REGIONAL PARK AUTHORITY

REGENERATION AND PLANNING COMMITTEE

19 09 2024 AT 11:30

Agenda Item No:

Report No:

RP/86/24

# PLANNING CONSULTATION BY EPPING FOREST DISTRICT COUNCIL

INSTALLATION OF HARDSTANDING FOR USE OF LAND IMMEDIATELY TO THE EAST OF MEADGATE WORKS FOR A MIX OF CLASS B2 (GENERAL INDUSTRIAL) AND CLASS B8 (STORAGE AND DISTRIBUTION) USE WITH ASSOCIATED HARD AND SOFT LANDSCAPING; NEW PLANTING AND OTHER SOFT LANDSCAPING ON THE LAND IMMEDIATELY TO THE NORTH OF MEADGATE WORKS; AND THE PROVISION OF A NEW NORTH-SOUTH PEDESTRIAN/BICYCLE ROUTE TO THE EAST OF THE NORTH LAGOON.

AT MEADGATE WORKS, MEADGATE ROAD, NAZEING, WALTHAM ABBEY, EN9 2PD REF: EPF/1330/24

Presented by Head of Planning

# **SUMMARY**

This is a full application for the extension of an existing industrial/employment area at Meadgate Works within the Regional Park for the purposes of storage. The applicant Lignacite Ltd proposes to extend its business onto land immediately to the east of its existing operations in order to provide additional outdoor storage of concrete blocks, involving the laying of hardstanding but with no permanent structures. The additional space will allow for the provision of new on-site waiting areas for delivery and collection vehicles and staff parking, a substantial landscape buffer to the north and east with additional planting to bolster the existing hedgerow/tree line along the southern edge of the site. An area of biodiversity net gain offset is also proposed within the Park to the north west of the application site.

Although the development proposed would see an expansion of an industrial/employment area within the Regional Park the proposals to increase the storage area and provide improved circulation and parking at Meadgate Works have the potential to remove the need for vehicles to wait and park up on Meadgate Road and the negative consequences of that activity for visitors trying to gain access into the Regional Park at a key entrance point. The Park Development Framework (PDF) Area Proposals are very clear about the need to "Enhance the visual and

environmental quality of Meadgate Road as a key route into the Park particularly at the eastern entrance to the Park." Given the industrial use already exists within the Park, this improvement together with the proposed landscape and habitat enhancements, providing they are secured by condition are considered sufficient to enable the Authority to offer no objection to the current application.

#### RECOMMENDATIONS

Members Approve:

- (1) that Epping Forest District Council be informed that the Authority does not object to the application for the installation of hardstanding for the use of land immediately east of Meadgate Works for industrial and storage purposes provided that conditions are attached to any grant of consent to ensure:
  - a) all business activity is contained within the application site as shown on the Operational Site Plan DWG13 submitted with the application;
  - b) lorries and other vehicles associated with the business are prohibited from parking or waiting along Meadgate Road;
  - c) contributions are sought via a S106 agreement to undertake environmental improvements along Meadgate Road as far west as the anglers car park, to repair and make good the road surface and footway condition in order to provide safe access into the Regional Park for visitors:
  - d) the provision of a more detailed landscape plan including clarity as to whether a 3m noise attenuation barrier is to be provided. A maintenance plan should also be provided to ensure the longevity of the scheme and the protection and maintenance of existing features such as the boundary hedgerow/tree line, particularly given its location within the Regional Park;
  - e) the stacked height of the blocks within the site do not exceed 5m as proposed and are set back 5m from the site boundary;
  - f) the provision of a Construction and Environmental Management Plan; and
- the Authority would wish to be consulted on the above matters and the Biodiversity Gain Plan and Habitat Management and Monitoring Plan. In

particular the Authority would wish to see that the trading rules are met in terms of the identified shortfall of -4.87 grassland units as referenced in the Biodiversity Net Gain report.

#### **DESCRIPTION OF SITE**

- The application site, Meadgate Works, fronts on to both Sedge Green Road and Meadgate Road and forms part of the Green Belt. It is located within the Regional Park south of Dobbs Weir Road and to the east of Nazeing Mead Central/North Lagoon. To the south and east of the site lies a mix of horticultural, residential and industrial uses both within and outside the Park boundary. To the north and west are areas of mixed dense scrub, some grassland, and scattered ruderal growth and the Nazeing Mead Lagoons, please refer to the location plan at Appendix A to this report.
- Meadgate Works is operated by Lignacite Ltd for the manufacture of concrete building blocks. Raw materials such as aggregates are delivered for storage within the yard area whilst the factory building manufactures the blocks. After manufacture the blocks are stored in stacks in the yard before being loaded on to lorries for delivery to the construction industry.
- The application boundary is made up of the existing operational site area and part of the applicant's wider ownership to the east; a site area of 3.27ha. It is understood that Lignacite Ltd intend the increased operational area will support the continued growth of the business. Lignacite Ltd.'s wider ownership extends north all the way to Dobb's Weir Road and towards the North Lagoon and Nazeing Mead in the west, a total with the application site of 12 ha. Please refer to the context plan at Appendix B to this report.
- The application site is positioned adjacent to an important eastern entrance point into the Regional Park with Meadgate Road extending west into the main body of the Park providing access to the Nazeing Meads Lagoons and small angler's car park, the Broxbourne Sailing Club, and a number of interconnecting footpaths and Public Right of Way (PRoW). The Authority recently obtained planning permission for the installation of a new section of the Lee Valley Pathway to connect Meadgate Road in the south with Dobbs Weir Road in the north opening up a new area of the Regional Park. The route and associated habitat and landscape enhancements passes through an area of land which wraps around the Nazeing Meads North Lagoon, part of the Nazeing Meads complex of water bodies. This places the new section of Pathway just to the west of both the application site and the applicant's wider ownership, the line of the new route is shown on the plan at Appendix B to this report.
- It should be noted that the land currently owned by Lignacite (the area outlined in blue wider ownership and the extension to the application site) was previously owned by the Authority. It formed part of a larger site known as St Paul's Field previously used as gravel workings, and subsequently landfilled. This land was sufficiently contaminated by the landfill lying under its surface as to have precluded its intended use as open space for the public to enjoy, with the cost of remediation to enable this to be possible prohibitive. It was against this background that Members approved that this land to be no longer required for Park purposes and surplus to Authority requirements at the Authority meeting on 27 April 2017 (Report no. A/4242/17). The site was offered for sale on the open market and purchased by Lignacite Ltd in 2018. The capital funds

derived from this sale are being used to create a new section of the Lee Valley Pathway through the retained area of St Paul's Field as described above.

# **POLICY BACKGROUND**

- The National Planning Policy Framework (NPPF) (December 2023) provides a framework for achieving sustainable development and this means that the planning system has three overarching objectives economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways. The application site includes an existing employment site which together with the wider associated area that sits within the Green Belt. Epping Forest District Council's (EFDC) Local Plan Policy DM4 (B) 'Green Belt' states that "Within the Green Belt planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national planning policy". Under Policy E1 'Employment Sites' the Local Plan also seeks to retain and enhance existing designated and undesignated employment sites and premises. The policy says that proposals for the redevelopment, renewal, intensification, or extension of existing employment sites and premises for their existing use will be encouraged (E1 B).
- Cocal Plan policy DM3 'Landscape Character, Ancient Landscapes and Geodiversity' seeks to ensure development proposals are "sensitive to their setting in the landscape in particular in settlement edge locations, and to its local distinctiveness and characteristics" and expects proposals to take into account existing landscape features from the outset with careful landscaping of the site and sensitive use of design, layout and materials. Policy DM5 A. 'Green and Blue Infrastructure' states that development proposals must "demonstrate that they have been designed to: (i) retain and where possible enhance existing green and blue infrastructure assets, including trees, hedgerows, woods and meadows, green lanes, wetlands, ponds and watercourses and improve connectivity of habitats;.."
- 8 Policy DM1 'Habitat Protection and Improving Biodiversity' states that all development should seek to deliver net biodiversity gain, integrating biodiversity within the development, and protecting and enhancing natural habitats. It also states that "Development proposals must seek to avoid harm to, protect and enhance natural habitats, species, areas and corridors for biodiversity".
- The Local Plan is recognised as having an important role in terms of the protection, enhancement, development and management of the Lee Valley Regional Park (LVRP) and the public enjoyment of its leisure, ecological, heritage, and sporting resources. The Local Plan 2023 recognises and supports the Regional Park, its vision and remit as a key asset for the District, and as a component of the region's green and blue infrastructure (para 2.23). It also recognises the Park Development Framework (PDF), and its specific proposals for the future use and development of the Regional Park including the importance of improving access into and through the Park for pedestrians and cyclists.

# 10 Park Development Framework

Park Development Framework (PDF) Area Proposals 7.A.2 "Wetland Park Central and East: Nazeing Meads and Carthagena" apply in this case. These are focused on promoting circular walks within the Wetland Park and improving key pedestrian and cycle paths such as the Lee Valley Pathway, and routes that link with it such as the towpath/Lee Valley Walk, Meadgate Road and PRoW.

Habitat improvements and access to nature are to be delivered throughout the Wetland Park.

- 11 The Landscape & Heritage Proposals under 7.A.2 seek to "Enhance the visual and environmental quality of Meadgate Road as a key route into the Park particularly at the eastern entrance to the Park." Proposals also identify the need to work with stakeholders to improve the impact on the Regional Park of industrial sites, structures and buildings through measures that contribute to a reduction in noise, traffic generation, visual impacts and intrusion. High quality development is to be sought and particular attention is to be paid to enhancing the boundaries with open space.
- The Lee Valley Regional Park Landscape Strategy identifies the application site as forming part of Landscape Strategy Character Area A3 'Glen Faba and Nazeing Meads' part of a broad valley floor containing a series of wetlands. This area provides an important landscape resource in terms of the rich range of flora and fauna it supports and has a largely cohesive landscape character. The strategy is to conserve and enhance these valued qualities, specifically its wildlife value and opportunities for people to access and enjoy the landscape and appreciate its historic and ecological dimensions.
- 13 The Authority's Strategic Policies which provide guidance for land use change and development both within and outside the Park state under E2 Effective Use and Management of Land:

"Development proposed on sites either within or outside the Park which could adversely impact on its amenity will be resisted or planning obligations sought in line with other policies within the Plan."

#### **DESCRIPTION OF DEVELOPMENT**

- 14 The development proposals comprise the expansion of the site into undeveloped land next to the existing premises with the installation of hard surfacing for the movement and storage of concrete blocks. This additional storage space will allow for the provision of new on-site waiting areas for delivery & collection vehicles, improved internal circulation and additional space for staff parking within the site. The area to be developed will be capped and contained by the proposed hardstanding, meaning this land which is known to be contaminated will be better controlled as a result of the proposed development.
- The existing factory and office buildings will remain on site in their current locations within the existing operational area. Points of access from and egress to the public highway will remain the same with vehicles entering the site from Meadgate Road and departing via Sedge Green Road. The Transport Statement submitted with the application is clear that the proposals are not expected to result in an increase in vehicle activity at the site but seek to reduce the negative highway impact caused by the current operation. In combination these measures are expected to remove the need for vehicles to extend back and wait on the public highway. The Site Operations Plan DWG13 is attached as Appendix C to this report.
- The applicant proposes to increases the setback of stacked block storage to Sedge Green along the southern boundary in comparison to existing the scenario. The height of the stacked blocks is also stated as being reduced;

from 7m down to a height of 5m. Additional tree planting to bolster the existing hedgerow/tree line along Sedge Green is also proposed giving a 5m wide planted buffer. The potential erection of a 3m noise attenuation barrier is also referenced, as recommended in the noise report submitted with the application.

- 17 The Site Wide Masterplan included in the Design & Access Statement (DAS) also shows a potential extension to what is described as the 'Lee Valley Park Proposed Landscape Path'. A new path is shown passing south from Dobbs Weir Road through land owned by the applicant. It then turns west across the Authority's ownership so as to connect with the route of the new section of Lee Valley Pathway. This route is shown on the Plan attached as Appendix B to this report.
- To the north of the application site a 20m landscape buffer is to be provided to improve the screening of the existing factory building and expanded operation when viewed from the north. Details of the planting buffer are described as layered/scattered tree planting of a range of species to provide a natural appearance and mixed native scrub planting. A similar treatment is proposed along the eastern boundary with a planting buffer of varying width to improve the screening between the expanded operational site and the adjacent residential property Hossana Lodge. The planting buffer is to consist of retained existing trees and hedgerows, tree planting of a range of species and mixed native scrub planting.
- 19 An Ecological Assessment report is provided covering the application site and the land in the applicant's wider ownership. It has found the application site to comprise of rough grassland habitats, with a single hedgerow and that the wider survey area includes areas of scrub, grassland and a ditch network.
- The report concludes that the proposed development is not likely to give rise to any significant adverse impacts on any statutory or non-statutory designated sites, and that subject to the adoption of the mitigation measures outlined within the report, there are no overriding constraints to the site coming forward from an ecological perspective. These mitigation measures include high-quality planting and enhancements with species-rich scrub, grassland and hedgerow to be implemented across the wider survey area, the provision of pole mounted bird and bat boxes, provision of a Construction and Environmental Management Plan (CEMP), and as a purely precautionary position, the proposals for the application site have provisionally been granted a Natural England District Level Licence for Great Crested Newt.
- 21 The applicant is also proposing additional planting and habitat enhancements on land to the north west of the application site within its ownership in order to achieve a BNG of 14.29%, please refer to Appendix D Proposed Site Plan DWG11 to this report.
- 22 The Flood Risk Assessment and SUDs strategy which accompanies the application has concluded that the proposed land at St Paul's Field, Meadgate Road, development site is at a low risk of flooding from all sources.

## PLANNING APPRAISAL

23 Although the application site and the wider area proposed for biodiversity net gain off set, were declared to be no longer required for Park purposes the current proposal still falls to be considered against the Authority's PDF

proposals and the extent to which it impacts upon the Regional Park, its landscape and ecology. The application site is also wholly within the Green Belt and the extension of the employment and storage use, as acknowledged in the Planning Statement, would by definition be inappropriate development. The applicant has stated there would be some limited harm to openness caused by the development but that Very Special Circumstances (VSC) exist that would outweigh the limited harm arising to the Green Belt.

#### 24 Green Belt

Taking the Green Belt matter first it is evident that the proposal will have spatial and visual impact on the openness of the Green Belt, albeit that the existing operational site is already located in the Green Belt. This harm to openness could be considered limited, as argued by the applicant. The concrete blocks are not permanent structures, and the extended area for storage enables the height of the stacked blocks across the whole application site to be reduced to 5 metres. This visual impact on openness is then reduced or mitigated by new landscaping and green buffers to the front of the site on Sedge Green and to the north, within the Park, with a further area of land set aside for habitat enhancements as part of the Biodiversity Net Gain (BNG) provision.

- The VSC case provided by the applicant to outweigh the harm to the Green Belt includes the retention and improvement of an established local business providing employment for local people, highway safety improvements which remove lorries from parking up on the local highway, improved views of the site from the within the Regional Park due to new tree planting, a biodiversity net gain of 14.29% exceeding the legal requirement and the provision of a north—south pedestrian / bicycle route to the east of the North Lagoon.
- There are merits in a number of the elements described above in particular the highway safety improvements and the provision of additional buffer planting and habitat enhancements all of which are relevant to mitigating impacts upon the Park, and these are considered below. The Local Planning Authority will need to decide whether on balance these outweigh the identified harm to the openness of the Green Belt.

# 27 PDF Proposals and Impacts on the Park

# **Meadgate Road Entrance**

The current proposals to expand the storage area and provide improved circulation and parking at Meadgate Works have the potential to address a long standing issue concerning the status and poor condition of Meadgate Road as a key access into the Regional Park, and help rectify the existing negative impacts created by existing activity (lorries parking up and waiting along the road and footway) at Meadgate Works.

The PDF Area Proposals are very clear about the need to "Enhance the visual and environmental quality of Meadgate Road as a key route into the Park particularly at the eastern entrance to the Park." Access into the Park via Meadgate Road whether on foot or by vehicle has been an issue for some time due to lorries waiting, manoeuvring and queuing for entrance to Meadgate Works blocking or restricting access. The poor condition of the road surface, the footway and verges as a result has also raised concerns about the safety of this route for visitors walking and cycling or trying to access the area for sailing and angling.

- The Planning Statement is clear that by extending the employment site into the adjacent land, all of the business activity can take place on site and the "public highway will be unblocked; there will no longer be any need for lorries to reverse out of the site; and cycle parking for employees can be provided within the site which will help to encourage a more sustainable mode of transport". This is confirmed by the Transport Statement which concludes that the proposals are expected to deliver a net benefit in respect of their impact on the public highway, removing the need for vehicles to wait on Meadgate Road and the negative consequences of that activity.
- This would be a positive outcome from the development that would help mitigate for the expansion of the industrial use within the Park, but a condition should be attached to any grant of consent to ensure these highway improvements are secured as part of any expansion of Meadgate Works. S106 contributions should be sought towards environmental and road surface and footway improvements along Meadgate Road itself. This is needed to make good the damage caused by the existing operations and to upgrade this route for pedestrians and cyclists and as an entrance to the Regional Park and Nazeing Meads.

# 31 Landscape and Ecological Enhancements

The existing operational site at Meadgate Works sits on the edge of the Regional Park at an important east west entrance point into the Park and as such landscape enhancements are an important consideration when evaluating the proposed expansion of the site. The industrial nature of the site is evident form the stacked blocks clearly visible from Sedge Green Road and upon entry along Meadgate Road with views into the site from within the Park partially screened by existing mature scrub vegetation. Proposals to increase the setback of stacked blocks to Sedge Green and enhance the existing hedgerow/tree line with additional tree planting is welcomed as is the proposal to provide a 20m landscape buffer to the northern boundary. This will assist in screening the existing factory building and areas of new storage to the east whilst also contributing to habitat creation.

- A more detailed landscape plan and planting list should be provided including a maintenance plan to ensure the longevity of the scheme and the protection and maintenance of existing features such as the boundary hedgerow/tree line, particularly given its location within the Regional Park. Native species should be used wherever possible. A condition should also be included, should the Council be minded to grant consent, to ensure the stacked height of the blocks do not exceed 5m as proposed. Clarity is also required as to whether a 3m noise attenuation barrier is to be erected as referenced and recommended in the noise report submitted with the application.
- 33 The mitigation measures outlined in the ecological assessment would ensure the wider biodiversity of the Regional Park is not impacted and that ecological connectivity between areas are maintained. These measures are supported and should also be delivered. A Construction and Environmental Management Plan should therefore be provided, secured via an appropriately worded condition to ensure:
  - Precautionary engineering protocols are in place to ensure no pollution.
  - Vegetated buffer zone.
  - Control of dust.

- Sensitive lighting strategy no light spill onto the adjacent park/our landholdings.
- Vegetation clearance protocol (two stage clearance) for nesting birds and reptiles.
- The provision of a 14.29% biodiversity net gain is noted and the fact that most of this is to be provided within the Park adjacent to the operational site and along the norther and eastern boundaries is considered appropriate given the nature of the industrial activity taking place on site. The Authority should be consulted on the Biodiversity Gain Plan and the Habitat Management and Monitoring Plan (HMMP). The BNG report notes that whilst there is a +14.29% net gain in the habitats the trading rules have not been met with a shortfall of -4.87 grassland units. It is understood the application was made after BNG became mandatory so this matter should be addressed.

# 35 New Pedestrian/Cycle Path

The applicant is proposing to provide a north-south pedestrian/cycle route to the east of the North Lagoon, which would pass through part of the land owned by Lignacite but then need to cross the Authority's landholding to link with the Lee Valley Pathway due to be delivered in the next few months. Whilst the provision of improved pedestrian and cycle access would normally be supported by officers, this additional pathway does not now appear to be necessary, given the route already permitted and due to be constructed by the Authority. Furthermore, the proposed path starts/finishes at a point on Dobbs Weir Road that officers consider is dangerous for crossing and does not actually link to any other path or crossing point. It includes a relatively long section on the Authority's land for which the Authority would not wish to be responsible and finally this additional section could also cause disturbance or litter issues along the ditch which feeds into the lagoon (main river). This element of the scheme is not therefore supported but improvements to the footway and safety of cyclists using Meadgate Road would be considered appropriate and this is proposed as part of the recommendation.

#### 36 Conclusion

The reconfiguration and extension of the existing industrial site at Meadgate Works provides an opportunity to secure highway safety improvements at a key entrance into the Regional Park and provide a scheme of integrated landscape planting and habitat creation to both buffer and enhance the adjoining areas of open space and parkland. These elements will need to be secured by appropriately worded conditions should the Council be minded to approve the application. Contributions should also be sought towards making good Meadgate Road and associated footway so that it is safe to use by pedestrians and cyclist as well as vehicles. This is important given the Authority's own proposals to open up access into this area of the Park by delivering a new section of the Lee Valley Pathway between Meadgate Road and Dobbs Weir Road. The Authority should also be consulted on the Biodiversity Gain Plan and Habitat Management and Monitoring Plan in due course.

# **ENVIRONMENTAL IMPLICATIONS**

37 These are addressed in the body of the report.

#### FINANCIAL IMPLICATIONS

38 There are no financial implications arising directly from the recommendations in

this report.

#### **LEGAL IMPLICATIONS**

- 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 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.
- 40 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**

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

#### **EQUALITY IMPLICATIONS**

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

Author: Claire Martin, 01992 709828, cmartin@leevalleypark.org.uk

# **BACKGROUND REPORTS**

Application Papers 24.069

August 2024

#### **APPENDICES ATTACHED**

Appendix A	Location Plan of the application site
Appendix B	Context Plan showing applicants wider ownership
Appendix C	Site Operations Plan DWG13

Appendix D Proposed Site Plan showing area for Biodiversity Net Gain

## **LIST OF ABBREVIATIONS**

EFDC	Epping Forest District Council
LVRPA	Lee Valley Regional Park Authority
PDF	Park Development Framework
DAS	Design & Access Statement

PRoW Public Right of Way

NPPF National Planning Policy Framework

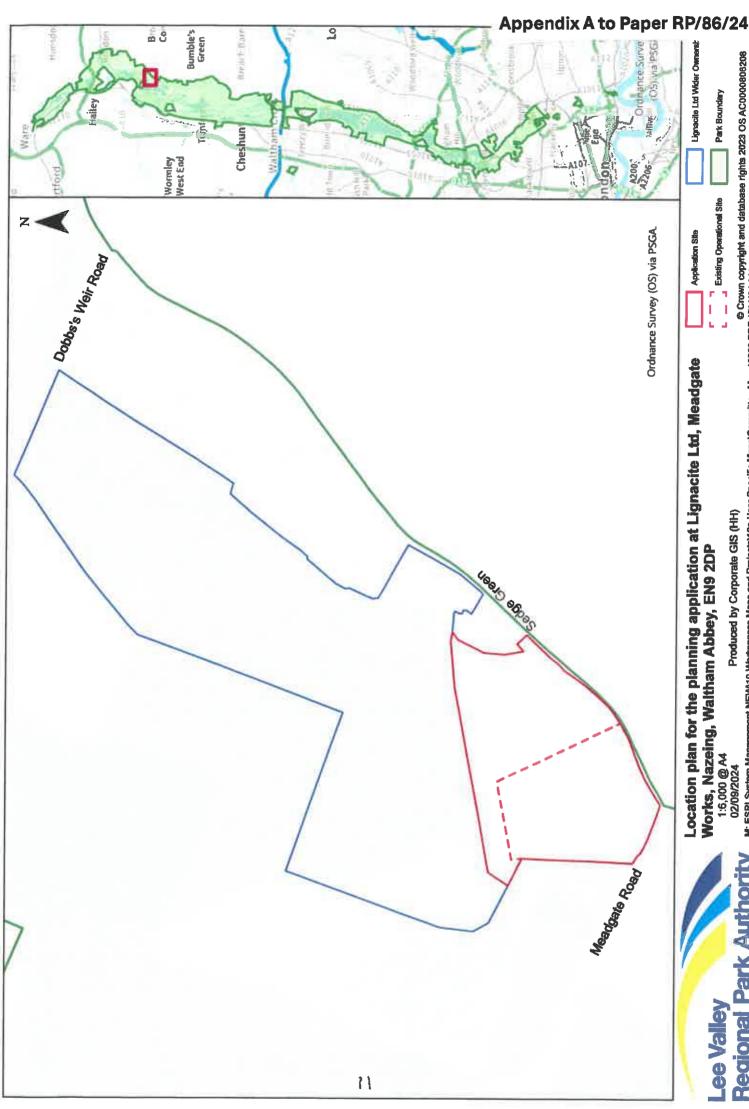
CEMP Construction and Environmental Management Plan

VSC Very Special Circumstances

BNG Biodiversity Net Gain

HMMP Habitat Management Monitoring Plan

SUDs Sustainable Drainage Systems



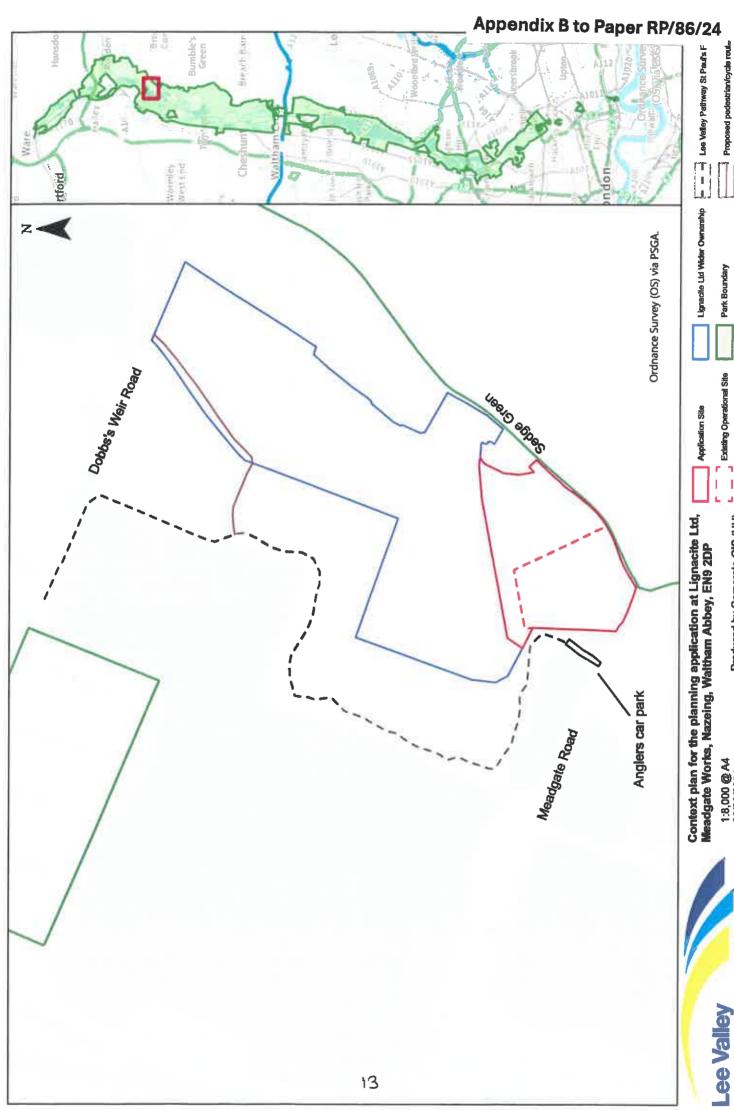
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M: ESRI System Management NEWA10 Workspaces Maps and Projects/10a User Specific Maps/Committee Maps/2023 PDFs/PLN24,011 Location plan for the planning application at Lignacite Ltd, Meadgate Works, Nazeing, Waltham Abbey, EN9 2DP
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# Appendix C to Paper RP/86/24

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# Appendix D to Paper RP/86/24

DOBB'S WEIR ROAD LEGEND Meadgate Works, Nazeing DRAW TITLE: Proposed Site Plan DRAW NO: BWG11 JOB NO: 468016 **URBAN DESIGN** STUDIO

