

The Lea Valley Growers' Association on behalf of members take this opportunity to register their deep disappointment with the draft local plan and believe it does not meet the tests of soundness as set out within paragraph 182 of NPPF for the following reasons.

The Associations objection to the local plan is of national significance when considering the Lea Valley as one of the largest food producing Glasshouse areas in the UK.

There exists a conflict with national policies and in particular in this case protection of food production.

Although the Lea Valley Glasshouse industry predominately falls within the boundary of Epping Forest District Council, the Business owners and a large proportion of their workforce reside just one mile away in the neighbouring authority of Broxbourne in Hertfordshire.

This presents a significant effect beyond the immediate locality and epitomises a cross boundary controversy, demonstrable of how the council have failed to consider the long term impacts on economic growth across a wider area than a single local authority.

Therefore we believe that the plan has not been prepared in accordance with the Duty to Co-operate under section 33A of the 2004 Act.

Previous submissions to the EFDC Local Plan consultation by the LVGA are dated 17th September 2012 & 12th December 2016.

Draft Policy E 3 Food production and glasshouses in its current form will disadvantage growers in the Lea Valley over their competitors from other locations who are not subject to specific Glasshouse development policies which go above the NPPF.

In view of this members are unable to understand the council's vacuous statement of support for the industry.

Members have concerns with the integrity and credibility of the Lea Valley Regional Park Authority and Epping Forest District Council co funded "One Epping Forest" and it's Food Task Force who the council refer to within One Epping Forest 3.28.

It is incomprehensible how the Lea Valley Food Task Force will create a production base by 2035 that exceeds 2014 levels of production by a minimum of 20% in any event, however, it is simply ridiculous to suggest this if growers are placed at a disadvantage to competitors when proposed planning policy reduces investment confidence and growers ability to secure finance.

This statement is simply without substance.

The Association has had no involvement with the Food Task Force for several years following the removal of their representative by the chairman without explanation.

The only grower who retained involvement will be land locked by housing proposals within the draft local plan.

The Association also has no involvement with the Epping Forest District Council part funded “One Epping Forest” Food Task force or the council part funded “London Stansted Cambridge Consortium” and considers their AgriFood sector priority as meaningless.

Members have concerns regarding the purported engagement with the Lea Valley Growers Association as stated within Other Forms of Engagement 3.10 as the council have ignored all of the Associations submissions, suggestions and representations.

The council have failed to allow the Association to meet with or present its case to authority members and excluded the Association from the Nursery Workers taskforce.

This plan demonstrates a misuse of evidence and bias towards the council funded “One Epping Forest” and “London Stansted Cambridge Consortium” reports and actively ignores their own Key Evidence contained within “The Lea Valley Glasshouse Industry”: Planning for the Future (Laurence Gould Partnership Ltd., 2012) report.

The 2012 Report by the Laurence Gould Partnership, which was commissioned by the Council to inform the policies of the new Local Plan, presented three scenarios for the area of land that would be required for new glasshouse development in the future.

To cater for growth over the next 10 years (i.e. from 2012 to 2022) Laurence Gould’s three scenarios were as follows: -

1. Continuation of Current Trend – 20 to 100 hectares of land required.
2. Large and Medium Scale Grower Expansion – 120 to 300 hectares of land required.
3. Large Scale Single Site Development – 120 to 240 hectares of land required.

Policy E3 is not supportive of either scenarios and indeed will have the opposite affect if implemented.

EFDC have already approved housing developments on viable Horticultural sites such as Knolly’s Nursery in Pick Hill and the draft Local Plan allocates a number of existing viable nursery sites for development at Parklands, Waltham Abbey (SR-0104) & Lee Valley Nurseries, previously allocated for glasshouse development, has been reallocated for housing development.

The Association suggested a move towards a criteria based planning policy in 2012 with the intention of freeing up land within existing E13 Greenbelt areas where landowners were holding onto low value land for the hope value of housing development.

The Association would not have suggested this had they known that the council would use this as an opportunity to build housing on those greenbelt areas, Landlock & condemn the adjacent existing greenbelt growing businesses.

Growers within an E13 area adjacent to (SR-0104) in Waltham Abbey will be landlocked by housing and denied the future opportunity to expand.

The Association is disappointed and concerned that the Council are granting planning permissions and allocating viable existing and potential horticultural sites for housing and rewarding dereliction whilst lacking any proposals for new horticultural development sites to support growers.

The LVGA supports a criteria based approach for land outside the remaining glasshouse areas. But to meet the forecasts made by Laurence Gould and to make up for the potential land lost it is imperative that any criteria are not too restrictive.

However the LVGA considers the suggested E3 policy criteria to be onerous and too detailed.

This is also at odds with paragraph 3.98 of the LP which says: -

“The NPPF clearly sets out in paragraphs 87 – 92 (inclusive) the approach to planning applications for development proposals within the Green Belt.

There are no locally specific matters which would warrant Green Belt policies over and above Draft Policy SP5, the approach to the delivery of Rural Exception affordable housing sites as set out in Chapter 4 (Draft Policy H3), and the site specific draft policies set out in Chapter 5.”

In the Green Belt section of the NPPF the planning policy for agricultural buildings is limited to that in paragraph 89, which says that “buildings for agriculture” are not “inappropriate in Green Belt”.

Although the Council says there are no locally specific matters which warrant Green Belt policies which go beyond the terms of the NPPF, policy E3 includes a long list of detailed criteria which go well beyond paragraph 89 of the NPPF.

The criterion is contrary to the NPPF. It says: “the height, overall size and bulk of the development [should] not adversely affect the openness of the Green Belt or the character or sensitivity of the adjoining landscape including long-distance public views.”

In *R. (on the application of Lee Valley Regional Park Authority) v Epping Forest District Council and Valley Grown Nurseries Limited [2015] EWHC 1471 (Admin)* the Court of Appeal said, inter alia: -

“The category of exception in paragraph 89 with which we are concerned, ‘buildings for agriculture and forestry’, is entirely unqualified. All such buildings are, in principle, appropriate development in the Green Belt, regardless of their effect on the openness of the Green Belt and the purposes of including land in the Green Belt, and regardless of their size and location”...

“Of course, as a matter of fact, the construction of such buildings in the Green Belt will reduce the amount of Green Belt land without built development upon it. But under NPPF policy, the physical presence of such buildings in the Green Belt is not, in itself, regarded as harmful to the openness of the Green Belt or to the purposes of including land in the Green Belt.

This is not a matter of planning judgment. It is simply a matter of policy. Where the development proposed is an agricultural building, neither its status as appropriate development nor the deemed absence of harm to the openness of the Green Belt

and to the purposes of including land in the Green Belt depends on the judgment of the decision-maker. Both are inherent in the policy.”

The LVGA have requested that any reference to an assessment of the impact on the openness or purposes of the Green Belt of horticultural development should be removed from this policy.

These criteria deal with material planning issues which could be relevant to any planning application, i.e. visual impact, landscaping, trees, highways impact, surface water drainage and availability of water, but the level of detail is unacceptable.

The Government says “all Local Plans should be as focused, concise and accessible as possible” (see *PPG, Paragraph: 010 Reference ID: 12-010-20140306*) and members believe that this is not the case in the local plan.

For the aforementioned reasons, The Association believe the Local Plan has not been prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.

Furthermore the Plan is not the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence from the LVGA and the Councils own 2012 Report by the Laurence Gould Partnership.

The Plan is simply not deliverable over its period or consistent with national policy.

Member’s regret that representations made by them and the Association within previous correspondence and numerous meetings with the Council have been ignored.

LVGA Members (as one of the largest employers in the district) feel they have received extremely poor treatment from the council during this process and will challenge the draft local plan as written, in order to protect growers and the continued uninterrupted supply of Healthy British Fresh Produce.