

Epping Forest District Council Representations to the Draft Local Plan Consultation 2016 (Regulation 18)

Stakeholder ID	2413	Name	Lee	Stiles	Lea Valley Growers Association
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Letter or Email Response:

Established in 1911, today the Lea Valley Growers Association represents over 100 members and 95% of protected Horticultural growers in the Lea Valley. The Lea Valley is the UK's largest Cucumber & Sweet Pepper producer accounting for over 200 Million pieces per annum representing up to 75% of the UK's total Cucumber Production and over 60% of the UK's total Sweet Pepper production. Lea Valley Horticultural businesses generate around £500million to the British economy and create and sustain around 2,500 jobs annually. The Lea Valley today and historically is a vibrant area of Protected Horticultural production, producing food entirely for the UK market to arguably the highest food safety standards in the world. The Lea Valley Growers produce edible crops such as Tomatoes, Aubergines, Lettuce, Baby Leaf Salads & Herbs as well as ornamental crops such as Bedding Plants, Trees, Shrubs & Flowers. Members of the Association grow edible and ornamental produce under approximately 300 acres of glass, over half of which falls within the Epping Forest District. The LVGA's comments in this response represent the views of Growers and other rural business owners, rural families and landowners. The LVGA became a specialist Glasshouse branch of the National Farmers Union in 1926 whose members represent the bedrock of the rural economy. They need a simplified planning system that promotes the rural economy, reduces risk and allows them to react to the external challenges faced by their businesses. It should support them in maintaining sustainable rural businesses and deliver new efficient buildings, operations and homes. Renewable energy installations also have a key role to play on farm and within modern farming businesses with planning policy that recognises this. Ultimately, the planning system should enable businesses to be viable and vibrant, ready to pass on to future generations. Fundamentally, we need to produce more food for our growing population and reduce our reliance on imports. This needs to be achieved both profitably and sustainably. The EFDC Local Plan should contribute to this need by helping to create conditions for a strong sustainable Horticultural and rural economy and be able to provide evidence that it is doing so. We are all part of a competitive and complex world economy in which we need world class planning policy that promotes our farming and wider rural economies. Our key message has consistently been that the rural planning system needs to be informed, updated and properly resourced to promote the crucial role of modern farming in the rural economy. Everyone involved in the planning system should be able to understand and demonstrate how they are supporting farming and the rural economy and productivity in their decision making. The Lea Valley Growers Association provided content for the National Farmers Union Consultation Response to the Governments 2016 Rural Planning Review as follows: Constraints within AONB's, National Parks and local landscape designations: "Within the Lea Valley, the current policies of the Lee Valley Regional Park Authority and their remit interpretation regarding Horticultural

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businesses demonstrate a failure to recognise the economic importance and potential of the glasshouse industry within the park area, and this is stifling the sustainable development and competitiveness of the important glasshouse businesses in this region who grow up to three quarters of some of the UK's Salad crops. Although Epping Forest District Council have generally been supportive to Glasshouse expansion inside and outside of the Lee Valley Regional Park they remain opposed to the development of Agricultural tied purpose built workers accommodation, which, is becoming increasingly important for Horticultural businesses to attract permanent and seasonal workers". The full NFU response to the Rural Planning review can be viewed here: <https://www.nfuonline.com/assets/62032> & Appendix A for the NFU's top ten housing asks for Government. The Association submits the following representation in response to the draft Local Plan consultation as they did in 2012 for the issues and options consultation on behalf of members.

1.0 Paragraphs 4.52-4.59: 1.1 The Lea Valley Growers' Association ("LVGA") welcomes the Council's statement of its intention in the objectives on page 31 of the draft Local Plan ("LP"):- "to support the diversification of the agricultural economy, including the expansion of the glasshouse horticulture industry, subject to appropriate environmental considerations". 1.2 Paragraphs 4.52-4.59 provide background to draft policy E3. 1.3 The LVGA requests the inclusion of this objective or a reference to it in paragraphs 4.52-4.59 to make clear the Council's support for the expansion of the glasshouse horticulture industry. 2.0 Policy E3 2.1 The LVGA welcomes the positive statement in the first line of this policy but requests that low carbon energy generation facilities and combined heat and power systems proposed in association with horticultural developments are added to the list of horticultural developments to be permitted. 2.2 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. 2.3 To cater for growth over the next 10 years (i.e. from 2012 to 2022) Laurence Gould's three scenarios were as follows:-

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

2.4 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 north and south of Old House Lane, Roydon, and the large site at Parklands, Waltham Abbey (SR-0104) & Lee Valley Nurseries, previously allocated for glasshouse development, has been reallocated for housing development. 2.5 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. 2.6 As you will see below (paragraph 7.3) 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 at Old House Lane and Parklands it is imperative that any criteria are not too restrictive. 2.7 However the LVGA considers the suggested E3 policy criteria to be onerous and too detailed. 2.8 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." 2.9 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". 2.10 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. 3.0 Criterion A (i): 3.1 This 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." 3.2 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:- "19. 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"... "20... 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

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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.” 3.3 The LVGA therefore requests 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. 4.0 Criteria A(ii) to A(vi) 4.1 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. 4.2 The Government says “all Local Plans should be as focused, concise and accessible as possible” (see PPG, Paragraph: 010 Reference ID:12-010-20140306). 4.3 The LVGA therefore requests that part A of the policy should be reworded as follows: - A. New or replacement glasshouses, associated packhouses and other developments ancillary to glasshouses such as low carbon energy schemes and CHP systems will be permitted subject to: - i) the visual impact of the development; ii) the impact on landscaping, trees and biodiversity; iii) the impact of traffic on highways safety, the rural character of local roads and residential amenity; iv) suitable arrangements for the disposal of surface water drainage; and v) incorporation of arrangements for recycling rainwater, where possible. 5.0 Criterion A (vii) 5.1 The LVGA requests that this criterion should be deleted because:- It is unreasonable and unfair of the Council to single out the horticultural sector for this treatment. The Council cannot grant planning permission for new horticultural development subject to conditions affecting an existing site elsewhere. 6.0 Criteria B (i) & (ii): 6.1 The LVGA requests that this section be deleted. 6.2 The Council says there are no locally specific matters which would warrant Green Belt policies over and above the NPPF yet this section would impose another layer of controls on proposals for major development which would be well in excess of the Green Belt planning policy in the NPPF. 6.3 The policy does not define “major” development. In Article 2 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 “major development” includes:- “the provision of a building or buildings where the floor space to be created by the development is 1,000 square meters or more”. 6.4 Using this definition almost all glasshouse developments would be major ones. 6.5 The policy seeks to discriminate against glasshouse horticulture and therefore in favour of all other forms of non-glasshouse horticulture and agriculture. As such it could provide competitors in allied sectors with an unfair competitive advantage. 6.6 Criterion (ii) is unnecessary as any grower undertaking new glasshouse development would be dependent on investment from a financial institution which would not be forthcoming if the development had not been planned on a sound financial basis. 7.0 Criteria Based Approach v Defined Areas Approach: 7.1 The LVGA supports a criteria based approach which would enable growers to consider opportunities for new horticultural development in areas outside the established designated glasshouse areas. 7.2 However inside many of the currently designated glasshouse areas there will be a requirement in the future to replace or improve existing glasshouses and related facilities and also, in some cases, to expand on to currently undeveloped land within the designated areas. 7.3 For this reason the LVGA supports the second alternative option in the table following draft policy E3, i.e. a criteria based approach for new development outside of glasshouse areas, but a continuation of the existing policy E13 approach within the currently designated areas. 7.4 As an alternative the LVGA would welcome the Council’s views on the making of a Local Development Order (LDO), as has been adopted by Arun District Council in West Sussex, which sets out a simplified procedure for obtaining planning permission for horticultural development in designated areas. 8.0 Part C: Re-Use of Glasshouse Sites: 8.1 In the Green Belt section of the NPPF the planning policy for the change of use of agricultural buildings is limited to that in paragraph 90, which says that “the re-use of buildings provided that the buildings are of permanent and substantial construction” is not inappropriate development “provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”. 8.2 Although the Council says at paragraph 3.98 that there are no locally specific matters which warrant Green Belt policies which go beyond the terms of the NPPF (other than a few stated exceptions) part C of policy E3 goes well beyond paragraph 90 of the NPPF. 8.3 The LVGA requests the removal of part C as it would apply criteria to proposals for the re-use of glasshouses that would not apply to other types of rural building. 8.4 Criterion (vi) in particular is contrary to the NPPF and there should be no requirement to justify the non-viability of a nursery site before permitting the re-use of an existing building. 8.5 Part C would unfairly discriminate against growers and the application of the NPPF and normal planning criteria would provide sufficient controls. 9.0 Accommodation for Horticultural Workers: 9.1 The LVGA agrees with paragraph 4.52 of the LP, which states:- “The industry continues to rely significantly on migrant/seasonal labour for most of the glasshouse and packhouse jobs. However, the cost of local accommodation is too great for many employees, so some growers have made provision on site - a mix of permanent, temporary (caravan/mobile home), or building conversions, a number without permission.” 9.2 The LVGA

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also notes that in June 2016 the Council granted planning permission for 12 units of new build horticultural workers' accommodation at "Tomworld" in Pecks Hill, Nazeing (ref: EPF/0152/16). In granting planning permission the Council accepted the need for such accommodation due to the horticultural sector's dependence on migrant labour and the prohibitively high cost of local accommodation.

9.3 The LVGA therefore requests that policy E3 should be amended to include support for the provision of horticultural workers' accommodation in association with glasshouse developments, subject to appropriate criteria. It is recommended that a new paragraph should be added to at the end of policy E3 as follows: - Proposals for living accommodation specifically designed for workers in the horticulture and glasshouse industries will be supported where they meet a proven identified need.

10.0 Site SR-0151: Birchwood Industrial Estate

10.1 Land at Birchwood Industrial Estate in Hoe Lane, Nazeing is identified in paragraph 5.174 of the LP and on figure 5.19 as a potential new employment site (see site SR-0151). Draft policy E1 supports the development of these sites.

10.2 Recent periodical fires at this particular site have resulted in considerable harm and major financial loss to surrounding growers. The Association intends to send a letter to the council containing the following content in this respect. **...Redacted...**

10.3 The LVGA therefore objects to the identification of SR-0151 as a potential new employment site and urges the Council to do all in its power to ensure the cessation of the existing bad neighbour uses at this site which cause such harm to surrounding nurseries.

11.0 Redevelopment of Derelict Nursery Sites

11.1 In its responses to the 2012 Issues and Options consultation the LVGA argued that there were a number of derelict or near derelict nursery sites in the District which were either too small, too landlocked or otherwise constrained for their owners to contemplate redevelopment or expansion for horticultural purposes.

11.2 It was pointed out that in the West Cheshunt area in the 1980s and 1990s Broxbourne Borough Council was faced with similar glasshouse dereliction and dealt with it by designating such areas for residential development.

11.3 The sites put forward by the LVGA and additions (with their site references) are as follows:-

- Sewardstone Nursery, Sewardstone Road (SR-0084)
- Mott Street Nursery, Sewardstone Road (SR-0236)
- Sedgeway Nursery, Sedgeway Green (SR-0010)
- Leaside Nursery Sedgeway Green (SR-0246)
- Northfield Nursery, Sewardstone Road (SR-0337)
- Hannah Nursery, Sewardstone Road (SR-0337)
- Fernbank Nursery, Nazeing, (SR-0160)

11.4 These sites occupy sustainable locations either on the edge of or close to existing settlements, and there are opportunities for the combination of some of these sites into larger developments which would support higher levels of service provision.

11.5 The LP proposes that 200 hectares of Green Belt land will be allocated for housing development. Most of this is open, undeveloped land. Although the above nursery sites do not fall within the NPPF definition of brownfield land they are nevertheless covered with existing substantial buildings and their redevelopment for housing would enable the Council to avoid the allocation and development of more sensitive sites.

11.6 Therefore the LVGA requests that the Council allocates the above 7 sites for alternative development in the LP.

11.7 The LVGA notes the draft site allocations for housing adjacent to Harlow on land west of Katherine's (Site R, Figure 3.6). This land includes many existing glasshouses in the Old House Lane area. Our membership in the area is split roughly 50/50 between those who support development and those who do not.

11.8 The LVGA therefore requests that the Council takes account of those growers in the Old House Lane area who do not wish their land to be redeveloped for housing and ensures that those who wish to remain in horticultural production are able to do so and are not land locked by development.

Conclusion The Association's conclusion to the 2012 Issues & Options consultation remains as valid today and for the next twenty years. The Lea Valley business model is based upon several packhouses marketing Lea Valley produce on behalf of growers directly to the main supermarkets & retailers. The Supermarkets will not deal directly with individual growers and constantly demand increased volume and specialist varieties to keep pace with consumer demand. The reality is that unless these marketing companies are encouraged and allowed to expand, the supermarkets will place their orders elsewhere in the UK and abroad, which, will effectively lead to the demise of the whole of the Lea Valley Glasshouse industry. Epping Forest District Council has for centuries enjoyed the advantage of a vibrant horticultural industry in its district providing employment & Economic growth. This is now the time for the Council to demonstrate its commitment to the future of the Lea Valley Glasshouse Industry by shaping its planning policy to meet the current and future demands of the industry and ensure the industry continues to grow for the next century.

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