

# **Report to Overview & Scrutiny Committee**

**Date of meeting: 10<sup>th</sup> February 2015**

**Portfolio: Planning Policy**

**Subject: Lee Valley Regional Park Authority – Park  
Development Framework – Areas 6, 7 and 8  
Consultation**

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**Committee Secretary: Adrian Hendry**



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## **Recommendations/Decisions Required:**

- (a) To support the overall approach of the proposals in the context of the statutory functions of the Park Authority, ie in relation to sport and recreation, leisure, education and landscape, heritage and nature conservation;**
- (b) To express concern about the possible extent of new building being proposed in the Green Belt, especially in Area 6;**
- (c) To object to proposals, as currently worded, concerning the use of compulsory purchase powers in relation to a number of glasshouse sites and other long-standing commercial uses within the Park;**
- (d) To encourage the Park Authority to work more closely with the Lea Valley Growers Association and individual growers to advance schemes for land swaps to benefit both the Park and the glasshouse industry;**
- (e) To encourage the Park Authority to reconsider its attitude towards the glasshouse industry in the light of the National Planning Policy Framework, the on-going work of the Lea Valley Food Task Force, the Authority's stated support for continued agricultural use of land, and the potential educational and heritage resource which the industry could represent within the Park.**

## **Report:**

1. The Regional Park and the Park Authority were established by the Lee Valley Regional Park Act 1966. The Authority is required by statute to encourage or work with others to provide and manage facilities for "leisure, recreation, sport, games or amusements or any other similar activity, the provision of nature reserves and for the provision and enjoyment of entertainments of any kind." While it is not a planning authority, there is also a duty to prepare plans for the management and development of the Park. Under section 14 (2)(a) of the 1966 Act, a local planning authority must include in its development plan relevant parts of the park plan. Section 14 (2)(b) clarifies that such inclusion "shall not be treated as indicating the approval of the local planning authority to such plan".
2. The most recent Park Plan was adopted in 2000 and the Park Development Framework (PDF) is intended to replace it. For the purposes of the PDF consultation, the Park has been split into 8 areas with 1 being the southern end at East India Dock on the River Thames and 8 being the northern end at Ware in Hertfordshire.
3. The current consultation runs from 11<sup>th</sup> December 2014 to 12<sup>th</sup> February 2015 and can be viewed through the link [www.leevalleypark.org.uk/go/678consult](http://www.leevalleypark.org.uk/go/678consult). The

consultation proposals are divided into 6 themes – Visitors, Sport & Recreation, Biodiversity, Community, Landscape & Heritage and Environment.

4. Area 6 (Waltham Abbey to Broxbourne) runs north from the M25 and the A121 at Waltham Abbey to Nazeing Road and Nazeing New Road (B194) at Lower Nazeing. It includes four sub-areas – Town Mead and Waterways (6.A.1); Royal Gunpowder Mills (6.A.2); Lee Valley White Water Centre (6.A.3), which is partly within Broxbourne Borough; River Lee Country Park (6.A.4) – which includes all of Area 6 except the sub-area 6.A.1; and Wharf Road inset (6.A.4.1) which is entirely within Broxbourne Borough. Significant parts of this area are formally designated for their heritage and wildlife importance. It also includes a glasshouse area on Paynes Lane, Nazeing, designated in the Local Plan Alterations.
5. Area 7 (Spitalbrook to Roydon) runs north from the B194 to the London to Cambridge rail line west of Roydon. It is divided into 3 sub-areas – Spitalbrook, Admiral Walk Lake and Dobbs Weir (7.A.1) – almost all of this is west of the River Lee navigation and is therefore mostly in Broxbourne Borough; Nazeing Meads and Carthagea (7.A.2) – the northern boundary is Dobbs Weir Road and the eastern boundary is Sedge Green and the rear garden boundaries of properties on the west side of North Street, Nazeing. This sub-area therefore includes two employment sites identified in the 1998 Local Plan – Nazeing Glassworks and the Hillgrove Business Park on Nazeing Road, and a designated glasshouse area off Nursery Road to the west of Peck’s Hill; Glen Faba and Roydon (7.A.3) – the eastern boundary includes parts of Sedge Green, Netherhall Road, Low Hill Road and the western edge of Roydon. The consultation document includes the following description – “The area suffers from a fragmented character caused by plant nurseries and extensive glasshouse development (particularly to the east) and suburban and industrial development and pylon lines that pass through the centre of the area.”
6. Area 8 runs north from Rye Meads to Ware and is therefore within East Herts District.
7. The proposals in the consultation document are generally in line with the statutory duties of the Park Authority – eg (i) encouraging access to the Park with segregated and enhanced routes for pedestrians, improved signage, and improved connectivity and public transport provision; (ii) developing and enhancing sport and recreation facilities including canoe trails, coarse angling, sailing and rowing; (iii) working with the Environment Agency, the Canal and River Trust, the Royal Gunpowder Mills and Natural England to manage and enhance designated wildlife areas and the wide mosaic of other habitats in the Park, also involving the removal of non-native invasive species; (iv) supporting community uses and local events in various locations throughout the Park, making ongoing improvements to the educational offer within the Park in line with the national curriculum, and continuing to support and encourage development of volunteer activities and programmes; (v) conserving and enhancing the many heritage features, particularly associated with the Royal Gunpowder Mills (RGM), and the general landscape of the Park; (vi) exploring opportunities for heritage themed trails based on the industrial past, wartime, and the gravel extraction and glasshouse industries; and (vii) resolving land contamination issues throughout the Park resulting from previous land uses.
8. Subject to the detail of individual projects, the Council should be supportive of these proposals, as they are in line with the original purposes of the Park and relevant policies of the current Local Plan and Alterations, and the National Planning Policy Framework.
9. However, there are two matters within the proposals which are of concern. Firstly, a significant number of new buildings are being suggested to support implementation of the proposals, particularly in Area 6 – these include (within or close to the boundary

of this district):

- a. a hotel, café or restaurant on the Hazlemere Marina in Broxbourne;
- b. a café/restaurant on the RGM site;
- c. an “adrenaline sports hub” in the vicinity of the White Water Centre (potentially to include a “state of the art” gym and physiotherapy suite, additional changing rooms, a café and climbing wall);
- d. a new visitor centre at Abbey Farmhouse;
- e. a new Bittern Information Point at Fishers Green – possibly to include indoor observation areas and classroom facilities;
- f. a redesigned/enhanced visitor centre at Holyfield Hall Farm to include an “indoor soft play centre” with classroom provision, restaurant and new visitor accommodation; and
- g. an equestrian centre in the Nazeing Marsh area; and in area 7
- h. sustainable visitor accommodation at Carthagena;

The consultation document generally acknowledges the need to take account of Green Belt location for most of these suggestions, but the proposals could still amount to a significant amount of development with implications for the openness of the Green Belt.

10. Secondly, the Environment theme of the proposals states that land in non-Park compatible uses should be returned to parkland when current uses cease. More specifically, the relevant section of 6.A.4 (River Lee Country Park) states “Existing glasshouse sites within the RLCP at (i) Paynes Lane, Nazeing, (ii) Stubbins Hall Lane (off Holyfield Road, Waltham Abbey), and (iii) Langley and Mile Nurseries (west side of Crooked Mile, north of Marle Gardens) to continue in the short to medium term until the land can be brought into recreational or leisure use, through the use of the Authority’s land purchasing powers if necessary.” The document also indicates that it is likely that the Authority will resist major redevelopment or expansion of new large-scale glasshouse uses.
11. For sub-area 7.A.2, the document proposes (a) preparing feasibility studies for Park Act-compliant commercial uses that could be located on disused or untidy former horticultural sites along the eastern part of this area in Lower Nazeing, where planning permission is more likely to be granted for leisure/recreational built development; (b) exploring the option of using the Authority’s powers of compulsory purchase where opportunities are identified, including industrial sites; and (c) removal over the long term of non-Park compatible intrusive uses or mitigating their adverse impact through land purchasing powers. Specific glasshouse areas are again mentioned – sites at Sedge Green, Nursery Road, North Road, Dobbs Weir Road and Netherhall are proposed to be brought into recreational or leisure use in the longer term through land purchasing powers. The document also states however that “The Authority may consider proposals for land swaps which could allow expansion of glasshouses providing there is an overall increase in land devoted to Park compatible uses, and other Park Development Framework objectives are not prejudiced.”
12. Members will be aware of the Lea Valley Food Task Force which is chaired by the Portfolio Holder for Planning Policy. This was established about two years ago to consider the future of the glasshouse industry and to work with adjoining authorities (including the Park Authority), commercial growers, their umbrella organisations including the Lea Valley Growers Association to consider new policy approaches for supporting and encouraging the industry, taking into account factors such as food security and food miles. The intention is to develop a standard policy approach in new Local Plans, supportive of the glasshouse industry, across local authority boundaries as an example of positive co-operation. Links have also been established with the London Stansted Cambridge Consortium and the West Essex Alliance.
13. The Park Authority has been consistent in its stand against glasshouse expansion

within the boundary of the Park, on the grounds that support for food production is not a statutory duty in the 1966 Act. However, the very specific nature of the section 6.A.4 and 7.A.2 proposals (and the fact that Authority officers have been regular participants in the Food Task Force meetings), coupled with the timing of the consultation, has caused considerable surprise. The Lea Valley Growers Association and the chairman of the Food Task Force have both formally asked for the consultation to be withdrawn. The Park Authority has declined these requests but has advised that, once the current consultation process has been completed, the draft proposals will be reviewed, taking on board the comments of the industry and all other stakeholders. A second round of consultation will be held in the summer of this year.

14. The Authority has also advised that it is not its intention to use compulsory purchase powers to undermine existing businesses. The powers will be used to prevent areas which may become redundant from being lost to inappropriate built development within the Park. While this may be the case, the words used in the consultation are not clear on this point – eg Paynes Lane (Nazeing) is the location of Valley Grown Nurseries where permission was granted last year for a 9ha expansion to the existing glasshouse. That decision, which was called in by the Secretary of State although he decided to take no action on it, is currently the subject of judicial review (to be heard in late March).
15. The likely approach of the new Local Plan will be to support and encourage the glasshouse industry in line with NPPF policies on sustainable economic development and food production. A criteria-based policy approach is being promoted by the Food Task Force, moving away from the designated area approach in the current Local Plan and Alterations. The Council recognises the potential conflict between the statutory duties of the Park Authority and the economic pressures facing the growers, with increased competition from elsewhere in Britain and abroad. It is considered, however, that the proposals concerning potential compulsory purchase of glasshouse sites are unclear and unhelpful, and possibly disadvantageous to viable businesses. This approach could be seen as contrary to the more strategic aims of the NPPF, and is likely to conflict with policies in the new Local Plans of authorities which are members of the Food Task Force.

**Reason for decision:** The consultation has already proved to be very controversial, particularly in relation to the potential compulsory purchase of glasshouse nurseries. It is essential that the Council responds, giving the wider perspective of national planning policy and the regional work of the Food Task Force.

**Options considered and rejected:** Not to respond to the consultation.

**Consultation undertaken:** Discussed at a Lea Valley Food Task Force meeting in mid-December

**Resource implications:**

Budget provision: From existing resources

Personnel: From existing resources

Land: N/A

Community Plan/BVPP reference:

Relevant statutory powers:

Lee Valley Regional Park Act 1966

Planning and Compulsory Purchase Act 2004

Background papers:

Park Development Framework – Draft Areas 6, 7 and 8 Proposals for Consultation December 2014

National Planning Policy Framework March 2012

Epping Forest District Local Plan 1998 and Alterations 2006

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)