

**EPPING FOREST DISTRICT COUNCIL
EXAMINATION OF THE DISTRICT LOCAL PLAN, 2011-2033**

MATTER 12: EMPLOYMENT

**PRE-HEARING STATEMENT ON BEHALF OF
EPPING FOREST DISTRICT COUNCIL**

April 2019

INTRODUCTION

Epping Forest District Council ("the Council") submits this statement in response to the Inspector's Matters, Issues and Questions ("MIQs") (ED5). This statement addresses Matter 12: Employment and provides the Council's response to all of the Inspector's questions associated with Issues 1 to 4 (ED5, pp 21-23).

This statement has been prepared with the assistance of Hardisty Jones Associates.

Where appropriate, the Council's responses in this statement refer to but do not repeat detailed responses within the hearing statements submitted by the Council concerning other Matters.

Key documents informing the preparation of this statement to which the Council may refer at the hearing sessions include:

- [EB603 Employment Review \(2017\)](#);
- [EB610 West Essex and East Hertfordshire Assessment of Employment Needs \(2017\)](#);
- [EB602 Employment Land Supply Assessment \(2017\)](#);
- [EB1008 Town Centres Review \(2017\)](#); and
- [EB609 Epping Forest District Visitor Accommodation Needs Assessment Phase 2 \(2017\)](#).

All documents referred to in this statement are listed in Appendix A of this statement together with links to the relevant document included within the Examination Library.

Examination Library document references are used throughout for consistency and convenience.

Issue 1: Are the requirements of Policy E1 justified, particularly in respect of financial contributions?

Inspector's Question 1

Is Policy E1 (and, in consequence, the employment sections of Policies SP2 and Policies P1-P15) intended to apply to employment sites for B Class uses? If so, is it justified to prevent the change of use of such sites to other employment generating uses outside the B classes? Would this be consistent with the requirements of paragraph 28 of the NPPF to support the diversification of rural businesses?

Response to Question 1

1. The following response addresses both the Inspector's Question 1 and Question 2.
2. Policy E 1 (and, in consequence, the employment sections of Policies SP 2 and Policies P 1 - P 15) is intended to apply to employment sites primarily, but not exclusively, in B Class uses. The Council proposes an amendment to the existing supporting text within paragraphs 3.48 and 3.49 in order to clarify the approach to employment sites as follows:

3.48 The Local Plan makes provision for the District's employment needs in accordance with Policy SP 2. Policy E 1 sets out the Council's approach in relation to meeting future employment needs for B Use Classes. Policy E 1 also recognises that some uses fall outside of the B Use Classes but nevertheless are of an employment character.

3.49 Uses on employment sites which provide an essential facility or service will be considered in accordance with Policy D 2 Essential Facilities and Services. Policies elsewhere in the Plan address the need for non-B Class employment generating uses. This includes Policy E 2 relating to Town and Small District Centres, E 3 Food Production and Glasshouses and E 4 The Visitor Economy. Jobs will also be generated through the provision of future infrastructure, services and facilities, such as schools and health care. Furthermore, Policy D 5 supports the future provision of jobs which are primarily undertaken through homeworking and peripatetic working.

3.50 Recognising the crucial role that existing employment sites play in meeting the District's employment needs tThe Local Plan designates 5356 existing employment sites, equating to approximately 409149 hectares of land for

future employment use. In addition, the following new employment allocations are made in order to provide sufficient land to meet future needs and ensure sufficient flexibility. Further details are provided in Policies SP 2, SP 5, Chapter 5 and in Appendix 6. In addition, other small-scale employment uses are expected to be provided as part of the development mix within the new Garden Communities, and other appropriate locations, including Debden London Underground Station Car Park.

3. The primary role of Policy E 1 is to provide for B Class use employment sites to meet identified needs up to 2033. This is to be achieved through the protection and enhancement of existing B Class use employment sites, together with the delivery of new allocations as set out in Policies SP 2, SP 5 and Chapter 5 of the Plan. However, the Council also considers that it is appropriate for the policy to recognise the potential role of sui generis uses of an employment character, in addition to uses which are complementary and supporting to B Class uses.
4. The Council therefore proposes amendments to Policy E 1 as outlined below:

Policy E 1 Employment Sites

A. Existing Employment Sites (designated and undesignated)

- (i) The Council will seek to retain and enhance existing employment sites and premises for their existing uses or for Class B or Sui Generis Uses of an employment character.
- (ii) Proposals for the redevelopment, renewal, intensification, or extension of existing employment sites and premises for ~~their existing use~~ Class B or Sui Generis Uses of an employment character will be encouraged.
~~(iii) Proposals which will result in loss of employment space will be expected to provide mitigation measures in the form of contributions to local employment training and small business growth programmes supported by the Council.~~
- (iii) Complementary and supporting uses may be considered acceptable where they will not individually, or cumulatively with other non-B Class uses, result in a material change to the site's employment character and function.
- (iv) ~~The change of use of existing employment sites or premises (whether designated or undesignated) to other uses~~ Proposals that do not conform with A (i - iii) above will not normally be permitted unless the applicant it can be demonstrated through evidence, including marketing of the site, that there is no longer a reasonable prospect of the site being used for the existing employment use or alternative Class B or Sui Generis Uses of an employment character.

B. New Employment Sites

- (i) The Council will meet the identified need for employment sites through new allocations as summarised in Table 3.1 and set out in Policies SP 2, and SP 5 and Chapter 5.
- (ii) Proposals on allocated employment sites must accord with the relevant requirements set out within Table 3.1, Chapter 5 and Appendix 6.

~~C. The Council will support and encourage the development of flexible local employment space to meet the employment and economic needs of the District.~~

5. The Council considers that its approach to employment provision is consistent with paragraph 28 of the NPPF and indeed, this is referenced within paragraph 3.35 of the LPSV.

6. To assist the examination, the Council has produced an Employment Note as Appendix B to the Council's Matter 12 Hearing Statement. The note consolidates proposed amendments as referred to within the Council's Hearing Statements and a number of further amendments which the Council proposes to make in order to ensure consistency and clarity in relation to employment matters throughout the Plan.

Inspector's Question 2

If it is justified to limit the definition of "employment uses" for the purpose of Policy E1 (and SP2 & P1-P15) to B-Class uses, should this be clarified in the policy wording?

Response to Question 2

7. The Council addresses this in its response to Question 1 above.

Inspector's Question 3

Are the requirements of Part A(iii) concerning contributions to local employment training and small business growth programmes justified by reference to the tests in paragraph 204 of the NPPF? In particular, would they be justified in cases where an applicant had successfully demonstrated that there is no reasonable prospect of the site being used for employment purposes?

Response to Question 3

8. Upon reflection, the Council considers that Part A (iii) of the Policy in the LPSV may be considered to be confusing and potentially contradictory. As a result, the Council is proposing an amendment to Part A of Policy E 1 to remove existing paragraph (iii), as follows:

~~"(iii) Proposals which will result in loss of employment space will be expected to provide mitigation measures in the form of contributions to local employment training and small business growth programmes supported by the Council."~~

Issue 2: Will Policy E2 be effective in protecting the vitality and viability of the District's identified centres? Does it support the role of retail warehousing, if appropriate?

Inspector's Question 1

Will the application of the nationally set threshold of 2,500sqm for requiring an impact assessment of out of centre proposals be effective in protecting the vitality and viability of town centres? Having regard to the scale of the District's defined centres, should this threshold be lowered?

Response to Question 1

9. The Council considers that the nationally set threshold of 2,500 sqm for requiring an impact assessment of out of centre proposals will be effective in protecting the vitality and viability of the District's town centres and does not have evidence to justify an alternative approach at this stage. The Council will keep this matter under review and there may be justification to propose locally derived thresholds in the future and this will be factored into the future review of the Local Plan as appropriate.
10. Whilst acknowledging that flexibility is afforded through the NPPF (paragraph 89) to lower thresholds locally and that the scale of the District's defined centres might suggest such an approach is appropriate, the Council considers at present that sufficient protection to resist out of centre development is provided through the sequential testing requirements within Part H of Policy E 2 (page 67). The Council also considers that there is very little scope for such out of centre proposals to come forward given the absence of potential sites which are not in the Green Belt or not designated/allocated for other uses in the LPSV.

Inspector's Question 2

Is it necessary to recognise the contribution made by retail warehousing areas to customer choice and local employment opportunities? Will the Plan support the continued operation of these businesses and, if necessary, their growth and development. See representation 19LAD0014 concerning Homebase in Loughton.

Response to Question 2

11. The Council recognises that existing retail warehousing areas, such as Highbridge Retail Park in Waltham Abbey, Epping Forest Shopping Park in Loughton and single stores such as Homebase in Loughton, provide an important contribution to customer choice and local employment opportunities. However, the Council does not consider it necessary to provide greater support to the growth and development of retail warehousing areas in the District within the Local Plan.
12. The overarching strategy for retail is to focus on the growth of established centres in order to maintain their vitality and viability over the Plan period. This is consistent with the approach advocated in national guidance in terms of “town centre first” and that local planning authorities should “recognise town centres as the heart of their communities and pursue policies to support their viability and vitality” (Planning Practice Guidance Ensuring the Vitality of Town Centres, 2014 & NPPF, 2012). In addition, there is no compelling evidence to support that the growth of retail warehousing areas over the Plan period is required to meet the future retail needs of the District. Policy E 2 sub paragraphs H. and I. provide the framework within which any proposals for new retail warehouse provision would be assessed.

Issue 3: Will Policy E3 help to support the growth of the locally important glasshouse industry? Is the approach to this type of development consistent with that of surrounding authorities so that no disadvantage will result to operators in the District?

Inspector's Question 1

- 1. Is the approach of having a specific policy in the Plan concerning glasshouse development different from that employed by other nearby Planning Authorities facing similar issues? What cross-boundary working has taken place in relation to this matter and is it subject to the Duty to Cooperate? Does the inclusion of such a policy have the potential to disadvantage growers in the locality?**

Response to Question 1

13. Yes, the approach of having a specific policy in the Plan concerning glasshouse development is different from that employed by other nearby Planning Authorities facing similar issues. A number of the Councils' neighbouring authorities also contain glasshouse development that forms part of the Lea Valley Glasshouse industry. The policies of the emerging Broxbourne Local Plan, currently under examination, are different to those within the LPSV. In brief, Policy GB2 of the Broxbourne Local Plan relates to the re-use of sites, not the criteria for dealing with applications for glasshouse development. Other neighbouring authorities do not have specific policies aimed at managing glasshouse development in their Local Plans.
14. The objective of supporting food production is cross boundary in nature given that the Lea Valley Glasshouse industry is located within a number of local authority areas. EFDC has sought to work with neighbouring authorities to take a common corporate approach including through the Lea Valley Food Task Force. The Lea Valley Food Task Force is a consortium of organisations in the public and private sectors working together to secure a future for the glasshouse industry of the Lea Valley. The work undertaken by the Task Force which has been identified as the food arm of the London Stansted Cambridge Consortium (now known as the Innovation Corridor) is set out in 'Closing the Gap – The Final Report of the Lea Valley Food Task Force – A strategic review of opportunities for intensive growing', May 2018 (EB615) (page 3). The South East Strategic Food Board is expected to take this work forward.

15. The Council seeks to support the food industry as far as is possible through planning policy. It does not intend to disadvantage growers and does not consider that Policy E 3 will do so. The criteria within Part A of the Policy are material considerations that would be applied to any such development. Part B of the Policy applies because associated residential development will be within the Green Belt and the criteria are intended to comply with this policy constraint whilst enabling appropriate horticultural development to thrive by permitting suitable housing for workers where it is needed.
16. The Council has engaged positively and proactively on an ongoing basis with the Lea Valley Growers Association during the production of the Local Plan.

Inspector's Question 2

2. Is the aim of the Lea Valley Food Task Force to create a production base by 2035 which exceeds 2014 production levels by at least 20% realistic?

17. As explained above, the Lea Valley Food Task Force is a group of organisations with an interest in the future of food production in the area. The Council set up the Task Force in 2013 and is one of the members of this group. The aim regarding future production targets was set by the Lee Valley Food Task Force as a whole and was informed by specialists in food production.
18. It is the Council's understanding that this aim is considered by the Task Force to be realistic due to increasing productivity from less land area and contemporary methods of food production that are increasingly driven by technological advances.

a. Will Policy E3 enable an increase in production in the Plan area to contribute towards this target?

19. Policy E 3 is expected to enable an increase in production in response to market demand, for the reasons set out below.

b. Is the Council pursuing any of the three growth scenarios suggested by the report of the Laurence Gould partnership, 2012; and will a criteria based policy (as opposed to a site allocations policy) secure sufficient land for future development?

20. The criteria-based approach to Policy E 3 has been informed by the findings of the Laurence Gould partnership report (EB604) and is considered to provide a practical, effective and, most importantly, flexible, approach, which is consistent with national policy. This approach is justified and is to be preferred over the former site allocations approach within the adopted Local Plan.
21. The LPSV does not seek to designate areas for horticultural glasshouses because the approach would be too prescriptive and would not allow sufficient flexibility to the industry in the future. The industry is subject to rapidly changing demands and technological innovation. For example, the size of sites required is now far larger than previously and the height of glasshouses is taller than in the past, whilst productivity by land area is far greater than in the past.
22. The Laurence Gould Partnership report (EB604) noted that, if allocations are made, they should be at a rate of three to four times that of the projected land required (see page 98, paragraph 11.3). The Council considers that approach to be unjustified, impractical and likely to result in the sterilisation of land suitable for other appropriate uses of the land within the Green Belt.
23. The replacement of designated areas in the current development plan with a criteria based policy in the LPSV is therefore considered to be the most suitable contemporary approach to policy for the location of glasshouse and related development by providing the flexibility necessary to support the industry into an uncertain future and providing the signals to the market that alternative uses of glasshouse sites in the Green Belt would be purely for appropriate uses in the Green Belt.

c. What is the Council's response to the suggestion of the Lea Valley Growers' Association that land suitable for glasshouse development is being lost to residential development and that some glasshouse sites are becoming landlocked by such development (e.g. Abbey View Produce in Waltham Abbey)?

24. The Council recognises that some former glasshouse sites have been 'lost' to residential development through windfall development in recent years in cases where, to the best of the Council's knowledge, the sites were no longer suitable for modern glasshouse operations, and where the proposed development met the very special circumstances test for approval of inappropriate development in the Green Belt.

25. However, this has occurred in the past in the context of a severely constrained housing land supply without the benefit of allocations in an up to date Local Plan to meet objectively assessed housing needs. With an adopted up to date Local Plan, the vast majority of new housing will be provided on sites allocated for development, significantly reducing the potential for further sites in glasshouse use to be lost to residential development.
26. With the exception of one site (Water Lane Area) existing operational glasshouse sites in the District will be protected by virtue of their location within areas designated as Green Belt. Alternative uses on these sites would constitute inappropriate development, meaning that any proposals for alternative uses would be required to demonstrate very special circumstances. Two other sites formerly used as glasshouses (NAZE.E7 and WAL.R7) are allocated within the LPSV for alternative uses.
27. The Water Lane Masterplan Area is proposed as a new Garden Town Community within the Harlow and Gilston Garden Town. Land within the Masterplan Area has been consistently promoted by the landowners for inclusion within the Plan and for future residential-led development.
28. The Strategic Site Allocation SP 5.2 Water Lane Masterplan Area contains an area of existing operational glasshouses. Under the circumstances and on balance the loss of glasshouses on the site is considered to be justified given the strategic objectives to promote the growth and regeneration aspirations of the Harlow and Gilston Garden Town.
29. With regard to the assertion that some existing glasshouse sites have become landlocked, the Council considers that this argument is overstated in that there is one instance in this respect. The proposed allocations WAL.R1 Land West of Galley Hill Road, and WAL.R3 Land Adjoining Parklands that are contained within the Waltham Abbey North Masterplan Area (cited by representations) place a boundary around the site of Abbey View Nursery and therefore restrict the future expansion potential of this glasshouse site for glasshouse development.

d. Conversely, should consideration be given to releasing some derelict glasshouse sites for housing? (Reps 19LAD0062)

30. The release of derelict glasshouse sites for housing has been considered through the site selection process. A blanket approach in policy was rejected to avoid the risk of incentivising dereliction. Any derelict sites and indeed operational sites, that have been promoted for housing through the Local Plan call for sites process have been scrutinised through the site selection process, in the same manner as all other sites. There are sites proposed for designation/allocation in the LPSV that were once used for glasshouse and nursery development for example, NAZE.E7 Land at Winston Farm and WAL.R 7 Land at Pine Tree Nursery.

Inspector's Question 3

3. How will proposals for glasshouse and associated development in the Green Belt be assessed?

31. Proposals for glasshouses and associated development in the Green Belt will be assessed against all relevant Local Plan policies, in particular Policy DM 4: Development in the Green Belt and Policy E 3: Food Production and Glasshouses. In addition, all material planning considerations relevant to the application will be balanced in the decision-making process.
32. In accordance with the 2012 NPPF, (paragraph 89) buildings for the purposes of agriculture and forestry are not inappropriate in the Green Belt. LPSV Policy E 3 enables development associated with glasshouses which is a necessary part of the commercial food production such as ancillary packhouse development, low carbon energy generation facilities and combined heat and power facilities. These are likely to be considered subordinate to the glasshouse development. Should the circumstances arise where the applicant needs to prove very special circumstances for 'inappropriate development' in the Green Belt (NPPF 2012, paragraph 87), then the importance of food production to food security is considered by the Council to be a relevant consideration in the matters to be balanced against the potential harm to the Green Belt and any other harm in the determination of planning applications.
33. The Council recognises that modern glasshouse structures have a greater footprint and height than their predecessors and that the openness of Green Belt land is not material in these instances given case law. An appeal against the Lee Valley Regional Park Authority's unsuccessful claim for judicial review of the Council's decision to grant planning permission for modern glasshouse development clarified this issue and concluded that because agricultural development is not inappropriate development as such it cannot be harmful to the openness of the Green Belt, see: ***R (Lee Valley Regional Park Authority) v Epping Forest DC*** [2016] EWCA Civ 404 (EB614).

Inspector's Question 4

4. Is it envisaged that glasshouse and associated development could take place within, or otherwise affect, the Lee Valley Regional Park? If so, does the policy offer sufficient environmental protection to the Park, particularly in respect of the potential effects of low carbon energy generation facilities and Combined Heat and Power facilities? Are modifications required to secure the necessary protection? (Reps LVRPA).

Response to Question 4

34. Yes, it is envisaged that glasshouse and associated development could take place in the Lee Valley Regional Park. The Council considers that by virtue of the criteria contained in Policy E 3: Glasshouse Development and particular provisions in other policies, that the Local Plan offers sufficient environmental protection to the Park including in respect of low carbon energy generation and Combined Heat and Power facilities.

35. These provisions are as follows:

(a) Policy E 3 Glasshouse Development:

"A [...]

(i) *the scheme does not have a significant visual impact upon the character of the landscape particularly with regard to long-distance views;*

(ii) *the planning application includes full details of landscaping, including trees and other vegetation which will be retained or removed;*

(iii) *the land is capable of being developed without major changes to existing contouring [...]"*;

(b) Policy DM 2: Epping Forest SAC and the Lee Valley SPA notes at Part A that:

"A. *The Council will expect all relevant development proposals to assist in the conservation and enhancement of the biodiversity, character, appearance and landscape setting of the Epping Forest Special Area of Conservation (SAC) and the Lee Valley Special Protection Area (SPA)"*;

and

- (c) Policy DM 3: Landscape Character, Ancient Landscapes and Geodiversity makes provision for mitigation at Part A:

"A. [...]

Proposals should:

[...]

- (ii) *use techniques to minimise impact on, or enhance the appearance of, the landscape by:*

- *Taking into account existing landscape features from the outset;*
- *Careful landscaping of the site;*
- *Ensuring the sensitive use of design, layout, materials and external finishes; and*
- *Having regard to protecting, and where possible, enhancing long views to distant landmarks and landscapes of interest."*

36. The Council does not, therefore, consider modifications to Policy E 3 to be necessary in this regard.

Inspector's Question 5

5. Is Part B(i) of the policy clear in respect of whether or not proposals to convert existing buildings to on-site accommodation for nursery workers must demonstrate that the lack of such accommodation is rendering the use unviable?

Response to Question 5

37. The Council accepts that Part B (i) of Policy E 3 is not as clear as it could be in this respect. Proposals for new accommodation and the conversion of existing buildings are expected to be subject to this Policy. To clarify the intent of the policy, and for further clarity generally, the following amendments are proposed to Part B (i), (v), and (vi):

- "(i) There is clear and robust evidence which shows that the lack of on-site accommodation is rendering the existing glasshouse use unviable. This includes ~~the possibility for converting/ extending proposals to convert or extend~~ existing onsite structures to provide for such accommodation.

[...]

- (v) any relevant structure will be removed or demolished once the need for such accommodation ~~ceased to continue~~ ceases and the site will be reinstated to agricultural use; “

- (vi) Where applicable, any permission will require the removal of existing caravan accommodation and prevent caravan accommodation on the site in future ~~long established, but inappropriate caravan accommodation within the site, where applicable.~~

Issue 4: Is Policy E4 justified in terms of how it relates to tourism-related development in the Green Belt; and should it include specific provisions to support the expansion of the Lee Valley White Water Centre which lies outside the District?

Inspector's Question 1

- 1. The Lee Valley White Water Centre in Broxbourne District is seen as a potential catalyst for sport and other tourism-related activities in the District (para. 3.70). Does the Plan do enough to support its expansion and development? Specifically, the Lee Valley Regional Park Authority has suggested that an “opportunity area” for expansion should be identified in the Plan – but would this be outside the District boundary? Is the Council working with Broxbourne in relation to this matter and are modifications required to the Plan to reflect any necessary actions?**

Response to Question 1

38. A number of proposed amendments to the LPSV in relation to Lee Valley Regional Park (LVRP) have already been identified through the Examination process. Of particular relevance to this question, is the Council's response to Matter 2, Question 4, in which the Council proposed an amendment to include LVRPA's updated Vision and Strategic Objectives (after paragraph 2.22 of the LPSV). Also, the Council's Matter 15 Hearing Statement (Policy P 3, Response to Question 2) which outlines proposed amendments to Policy P 3 and supporting text in order to support the improvement of links between Waltham Abbey and LVRP.
39. The Council considers that the LPSV provides sufficient support to the expansion and development of the Lee Valley White Water Centre (LVWWC) through Policy E 4. However, the Council proposes an addition to the supporting text in paragraph 3.70 to reflect the ambition of Lee Valley Regional Park Authority (LVRPA) in respect of expansion and development at the LVWWC, as follows:
- “3.70 Both Epping Forest (4.3 million visits each year) and the Lee Valley Regional Park (LVRP) provide green links into the area from London and offer a wealth of leisure and recreation activities. The District also boasts an enviable built heritage with for instance, Waltham Abbey Church and Gardens, North Weald Airfield, Epping Ongar Railway, Greensted Church, the Royal Gunpowder Mills and the market towns of

Ongar, Epping and Waltham Abbey. The Lee Valley White Water Centre, constructed for the 2012 Olympics, and just over the district border in Broxbourne near Waltham Abbey, could also be a catalyst in the medium to long-term to encourage sport and other tourism-related activities in the locality. Lee Valley Regional Park Authority has a vision for the Centre as a major family leisure destination in the south east. There is a comparatively low supply of visitor accommodation in relation to potential demand.”

40. The Council is aware of the LVRPA’s aspirations to designate an “opportunity area” focused on the LVWWC. This is addressed within Appendix D of LVRPA’s Regulation 20 Representation (19STAT0006). The extent of the proposed “opportunity area” within Epping Forest District is all land to the east of the River Lee Navigation within the outline.
41. The Council does not consider that an “opportunity area” is required to bring expansion/development forward at the LVWWC and contends that the LPSV, with the inclusion of the additions noted above, and in particular Policy E 4 provides an appropriate framework to support any such proposals.
42. The Council holds ongoing and regular discussions with neighbouring local authorities through the Co-operation for Sustainable Development Member Board (EB1323A provides the latest terms of reference for the Board) and Officer Group. Both Epping Forest District Council and Broxbourne Borough Council are core members and representatives from the Lee Valley Regional Park Authority are invited to attend meetings.
43. The Co-operation for Sustainable Development Board supports Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. This is achieved by identifying and managing spatial planning issues that impact on more than one local planning area. Discussions to date through the Board have not identified the potential designation of an “opportunity area” for the LVWWC as a significant cross-boundary spatial planning issue in relation to emerging Local Plans. A proposed “opportunity area” was not included in LVRPA’s Park Development Framework draft Area Proposals in 2018, upon which the Council provided comment, or in the final version which is being presented to LVRPA for adoption on 25 April 2019.
44. The Council will continue to engage positively and proactively with both Broxbourne Borough Council and the Lee Valley Regional Park Authority to consider how the aims and aspirations for the Lee Valley Regional Park should be reflected in plan-making.

Inspector's Question 2

2. How will proposals for tourism development in the Green Belt be assessed under the Plan generally and this policy specifically? Is it intended that proposals which might comply with Policy E4 would need to demonstrate very special circumstances under Policy DM4? If so is this justified? Has consideration been given to whether sites for tourism development in the Green Belt should be allocated, or otherwise supported? (Reps 19LAD0033).

Response to Question 2

45. Proposals for tourism development in the Green Belt will be assessed against all relevant policies in the Local Plan and with reference to the National Planning Policy Framework (NPPF). In addition, any material considerations relevant to the application will be balanced in the decision making process.
46. Any proposals for tourism development in the Green Belt which might comply with Policy E 4 would need to demonstrate very special circumstances under Policy DM 4.
47. In the course of preparing the Local Plan the Council has given due consideration as to how it can support the local visitor economy, including conducting a Visitor Accommodation Needs Assessment (EB609). The Council does not consider it necessary to allocate sites to support the visitor economy but rather the positively prepared Policy E 4, which is consistent with the NPPF (and paragraph 28 in particular), provides a positive framework that will enable suitable proposals to come forward. All such proposals will then be considered on their individual merits.

APPENDIX A: Examination documents referred to in this statement

Reference	Name	Author	Date
EB603	Employment Review	Hardisty Jones Associates	2017
EB610	West Essex and East Hertfordshire Assessment of Employment Needs	Hardisty Jones Associates	2017
EB602	Employment Land Supply Assessment	Arup	2017
EB1203	Memorandum of Understanding on the Distribution of Objectively Assessed Employment Need across the West Essex-East Hertfordshire Functional Economic Market Area	Cooperation for Sustainable Development Officer Group	May 2018
EB1008	Town Centres Review	Arup	2016
19LAD0014	Representation on behalf of HHGL Ltd	GR Planning Consultancy Ltd	2018
19STAT0006	LVRPA's Regulation 20 Representation	LVRPA	2018
EB615	Closing the Gap- The Final Report of the Lea Valley Food Task Force – A strategic review of opportunities for intensive growing	Lea Valley Food Task Force	2018

EB604	The Lea Valley Glasshouse Industry - Planning for the Future Report	Laurence Gould Partnership	2012
EB1401	Harlow and Gilston Garden Town Expression of Interest	Epping Forest, East Herts and Harlow District Councils	2016
EB1500	Harlow Strategic Site Assessment	AECOM	2016
EB1202	Memorandum of Understanding on Distribution of Objectively Assessed Housing Need Across the West Essex/ East Hertfordshire Housing Market Area	East Herts, Epping Forest, Harlow and Uttlesford District Councils	2017
EB805AK	Appendix A Site Selection Methodology	Arup	2018
EB805AJ	Appendix B1.3 Results of Stage 1 and Stage 6.1 A/B Assessment	Arup	2018
EB614	Lee Valley Regional Park Authority V Epping Forest District Council CO/4557/2014	High Court of Justice- Mr Justice Dove	2014
EB609	Epping Forest District Visitor Accommodation Needs Assessment Phase 2	Hotel Solutions	2017

**Matter 12: Employment
Statement by Epping Forest District Council
April 2019**

19LAD0033	<u>Representation on behalf of Land at Norton Field Farm</u>	Phase 2 Planning & Development Ltd	2018
-----------	--	------------------------------------	------

Appendix B

Matter 12

APPENDIX B: Council Note on Employment Matters

1. To assist the examination, the Council has produced this Employment Note as Appendix B to the Council’s Matter 12 Hearing Statement. The note consolidates proposed amendments to the LPSV as referred to within the Council’s Hearing Statements and a number of further amendments which the Council proposes to make in order to ensure consistency and clarity in relation to employment matters throughout the Plan.

2. Specifically, this note outlines:
 - a. Proposed amendments to the supporting text of Policy SP 2 and Policy E 1 and its supporting text to clarify the Council’s approach to employment sites;
 - b. The proposed amendment to remove employment designation WAL.E7 (Providence Nursery, Avey Lane);
 - c. Proposed amendments in relation to the designation of existing employment sites and improving clarity in the instances where new employment allocations are effectively extensions to existing designated employment supply; and
 - d. Further collated proposed amendments to employment matters.

3. Consequential changes to Appendix 6 of the LPSV to reflect the changes outlined in this note are also proposed.

Proposed amendments to the supporting text of Policy SP 2 and Policy E 1 and its supporting text to clarify the Council’s approach to employment sites

4. The Council’s Hearing Statement for Matter 3 Issue 3 proposed several amendments to the supporting text to Policy SP 2 in relation to the Council’s approach to the economy as follows:

Policy/Location of text	Proposed Amendment
Paragraph 2.50	<i>[This proposed amendment is outlined in the Council’s Matter 3 Hearing Statement paragraph 41]</i>

Policy/Location of text	Proposed Amendment				
	<p>This equates to a requirement of approximately 465 new jobs per annum for the FEMA. This was then translated into employment land floorspace requirements. This has identified that between 2016-2033 there is a need for between 9-22 ha of new office space and 65ha of new industrial space, across the area. These figures take account of the fact that approximately half of the future accommodation needs <u>at the FEMA level</u> will be provided through the regeneration of existing office and industrial sites.</p>				
<p>Paragraph 2.71</p>	<p><i>[This proposed amendment is outlined in the Council's Matter 3 Hearing Statement paragraph 39]</i></p> <p>The Council's approach to supporting the economy is to plan to provide a marginally higher amount of employment land than that identified in the October 2017 Functional Economic Market Area Assessment.</p> <p><u>[Insert new break to paragraph]</u></p> <p>The Council is keen to ensure through this Plan that there is sufficient flexibility to respond to unforeseen demands and to provide for a range and choice of sites in terms of typology, location, mix and phasing. <u>Table 2.5 below outlines the employment land requirements for the District as reported in the October 2017 Functional Economic Market Area Assessment. These requirements take into account what has been delivered in the early part of the Plan period between 2011 and 2016.</u></p>				
<p>Table 2.5</p>	<p><i>[This proposed amendment is outlined in the Council's Matter 3 Hearing Statement paragraph 38]</i></p> <p><i>[Proposed amendment to move Table 2.5 to directly following additional sentence outlined in the row above]</i></p> <p>Table 2.5: Employment <u>Land</u> Requirements 2011-2033 <u>2016-33</u></p> <table border="1" data-bbox="568 1776 1382 1982"> <tr> <td colspan="2" data-bbox="568 1776 1382 1877">The components of employment land requirement over the period 2011-2033 <u>2016-2033</u> are as follows:</td> </tr> <tr> <td data-bbox="568 1877 1059 1982">Employment land (B uses) required 2016-2033 for offices</td> <td data-bbox="1059 1877 1382 1982">2-5ha</td> </tr> </table>	The components of employment land requirement over the period 2011-2033 <u>2016-2033</u> are as follows:		Employment land (B uses) required 2016-2033 for offices	2-5ha
The components of employment land requirement over the period 2011-2033 <u>2016-2033</u> are as follows:					
Employment land (B uses) required 2016-2033 for offices	2-5ha				

Policy/Location of text	Proposed Amendment	
	Employment land (B uses) required 2016-2033 for <u>industrial</u>	14ha
	<u>Residual Remaining</u> requirement to be provided	16-19ha
Policy SP 2	<p><i>[This proposed amendment is outlined in the Council's Matter 3 Hearing Statement paragraph 34]</i></p> <p>E. Within the period 2011-2033 the Local Plan will <u>maximise opportunities provide for employment needs by jobs growth, with the aim of achieving a minimum of 10,800 new jobs in the District up to 2033. This will include making provision for:</u></p> <p><i>[Existing sub-paragraphs (i) to (iii) which follow from E remain unchanged]</i></p>	

5. The Council proposes a number of amendments to Policy E 1 and supporting text to clarify the Council's approach to employment sites. These are outlined to a large extent in the Council's Hearing Statement for Matter 12, Issue 1, Question 1 as referenced below.

Policy/Location of text	Proposed Amendment	
Paragraph 3.43	<p>Evidence suggests the need for over 10,000 jobs to be generated over the course of the Plan period. To achieve this, it will be necessary to protect and enhance existing employment sites where appropriate, in addition to identifying at least 16-19 hectares of land for B class uses</p>	
Paragraphs 3.48 and 3.49	<p><i>[This proposed amendment is outlined in the Council's Matter 12 Hearing Statement paragraph 2]</i></p> <p>3.48 <u>The Local Plan makes provision for the District's employment needs in accordance with Policy SP 2. Policy E 1 sets out the Council's approach in relation to meeting future employment needs for B Use Classes. Policy E 1 also recognises that some uses fall outside of</u></p>	

Policy/Location of text	Proposed Amendment
	<p><u>the B Use Classes but nevertheless are of an employment character.</u></p> <p><u>3.49 Uses on employment sites which provide an essential facility or service will be considered in accordance with Policy D 2 Essential Facilities and Services. Policies elsewhere in the Plan address the need for non-B Class employment generating uses. This includes Policy E 2 relating to Town and Small District Centres, E 3 Food Production and Glasshouses and E 4 The Visitor Economy. Jobs will also be generated through the provision of future infrastructure, services and facilities, such as schools and health care. Furthermore, policy D5 supports the future provision of jobs which are primarily undertaken through homeworking and peripatetic working.</u></p> <p><u>3.50 Recognising the crucial role that existing employment sites play in meeting the District's employment needs</u> †The Local Plan designates 5356 existing employment sites, equating to approximately 409<u>149</u> hectares of land for future employment use. In addition, the following new employment allocations are made in order to provide sufficient land to meet future needs and ensure sufficient flexibility. Further details are provided in Policies SP 2, SP 5, Chapter 5 and in Appendix 6. In addition, other small-scale employment uses are expected to be provided as part of the development mix within the new Garden Communities, and other appropriate locations, including Debden London Underground Station Car Park.</p>
Policy E 1	<p><i>[This proposed amendment is outlined in the Council's Matter 12 Hearing Statement paragraph 4]</i></p> <p>A. Existing Employment Sites (<u>designated and undesignated</u>)</p> <p>(i) The Council will seek to retain and enhance existing employment sites and premises <u>for their existing uses or for Class B or Sui Generis Uses of an employment character.</u></p> <p>(ii) Proposals for the redevelopment, renewal, intensification, or extension of existing employment</p>

Policy/Location of text	Proposed Amendment
	<p>sites and premises for their existing use <u>Class B or Sui Generis Uses of an employment character</u> will be encouraged.</p> <p>(iii) Proposals which will result in loss of employment space will be expected to provide mitigation measures in the form of contributions to local employment training and small business growth programmes supported by the Council.</p> <p>(iii) <u>Complementary and supporting uses may be considered acceptable where they will not individually, or cumulatively with other non-B Class uses, result in a material change to the site's employment character and function.</u></p> <p>(iv) The change of use of existing employment sites or premises (whether designated or undesignated) to other uses <u>Proposals that do not conform with A (i - iii) above will not normally be permitted unless the applicant it can be demonstrated through evidence, including marketing of the site, that there is no longer a reasonable prospect of the site being used for the existing employment use or alternative Class B or Sui Generis Uses of an employment character.</u></p> <p>B. New Employment Sites</p> <p>(i) The Council will meet the identified need for employment sites through new allocations as <u>summarised in Table 3.1 and set out in Policies SP 2, and SP 5 and Chapter 5.</u></p> <p>(ii) <u>Proposals on allocated employment sites must accord with the relevant requirements set out within Table 3.1, Chapter 5 and Appendix 6.</u></p> <p>C. The Council will support and encourage the development of flexible local employment space to meet the employment and economic needs of the District.</p>
Table 3.1	<p>[Change header of 3rd column]</p> <p>Allocated <u>Primary</u> use</p>

Proposed amendment to remove employment designation WAL.E7 (Providence Nursery, Avey Lane) in LPSV

6. The LPSV includes the designation of employment site WAL.E7 at Avey Lane in Waltham Abbey. The Council has ascertained through further work undertaken since the LPSV was submitted for examination that WAL.E7 is not suitable for designation for B Use Class employment purposes and accordingly proposes an amendment to remove site WAL.E7 from the Plan. The Council further explains and justifies this proposed amendment below.
7. In undertaking the Employment Land Supply Assessment (ELSA, EB602) the B Use Class uses present on existing sites were ascertained primarily through on-site observations and supplemented by desk based evidence such as planning application records. In addition, there was an assumption that while planning history may not have existed for all existing employment sites, they may be lawful as a result of the number of years they had been operating.
8. It was not possible to gain access to Providence Nursery (referred to as site SR-0945 in the ELSA) and therefore it was assessed from the site boundary. The site was determined to be predominantly in B8 use (comprising a number of external storage units). The planning application information included on the ELSA proforma for this site did not verify the B8 uses but, as above, it was considered that the site might still be lawful and this detail was still included for completeness.
9. The ELSA recommended that all existing employment sites were designated unless there was no reasonable prospect of the sites being used for employment purposes in the future (for example, if there was an extant residential planning permission on the site).
10. It has come to light that planning enforcement activity at SR-0945 in 2016/2017 had not been factored into the assessment of this site within the ELSA.
11. The Council has also established that the planning history listed within the proforma for SR-0945 (p C62, ELSA 2007) in fact refers to the adjacent site known as Felicia Nursery. This mistake arose from the fact that both Providence and Felicia Nurseries have the same postcode address.
12. In re-appraising SR-0945 in the light of the planning enforcement activity in 2016/2017 and the correct planning history, the Council concludes that this site is not suitable to be designated as an employment site in the Local Plan. The Council therefore seeks its removal.
13. For completeness, the Council has undertaken an appraisal of the adjacent Felicia Nursery site. Having regard to the planning history, a significant proportion of the Felicia Nursery site is in horticultural use. Whilst a small amount of floorspace was approved for B1 Use Class uses not associated with the site's horticultural function,

this falls below the size threshold adopted by the ELSA and therefore is not sufficient to warrant any B Use Class employment designation of the site in the LPSV. There is no known enforcement history at Felicia Nursery.

Proposed amendments relating to the designation of existing employment sites and proposed amendments to improve clarity in cases where new employment allocations are extensions to existing designated employment sites

14. The LPSV designates a number of existing employment sites for future employment use, as outlined in paragraph 3.49 of the LPSV and Appendix 4 (p226-7). The Council proposes to make a small number of amendments to clarify the quantum of existing designated sites. These amendments are outlined below:

Policy/Location of text	Proposed Amendment
Paragraph 3.50	<u>Recognising the crucial role that existing employment sites play in meeting the District's employment needs</u> The Local Plan designates 5356 existing employment sites, equating to approximately 409 <u>149</u> hectares of land for future employment use. In addition, the following new employment allocations are made in order to provide sufficient land to meet future needs and ensure sufficient flexibility. Further details are provided in Policies SP 2, SP 5, Chapter 5 and in Appendix 6. In addition, other small-scale employment uses are expected to be provided as part of the development mix within the new Garden Communities, and other appropriate locations, including Debden London Underground Station Car Park.
Table titled 'Employment designations (existing employment sites)' in Appendix 4 (p226-7)	[Addition to include the following existing employment sites which had been omitted] <u>LOU.E2 - Langston Road Industrial Estate</u> <u>NWB.E4 - North Weald Airfield</u> <u>RUR.E19 - Dorrington Farm</u> <u>WAL.E6 - Galley Hill Road Industrial Estate</u>
Paragraph 5.141; Policy P 10 C. (vii); and	[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 10 paragraph 337]

Policy/Location of text	Proposed Amendment
Policies Map and extracts within the LPSV and Appendix 6	Redraw the site boundary of NAZE.E7 to reflect that planning permission has been granted for residential use on part of the site (EPF/2271/16).

15. The Council is proposing the following amendments to improve the mapping of employment sites in particular, to make it clearer where new employment allocations are extensions to existing designated employment sites:

Policy/Location of text	Proposed Amendment
Policies Map and extracts within the LPSV and Appendix 6	The Policies Map currently refers to designated employment sites and new employment site allocations as 'Employment site allocations'. This will be amended so that existing employment (as per table in Appendix 4 of the LPSV (p 226-227)) are correctly referenced as ' <u>Designated employment sites</u> '.
Policies Map and extracts within the LPSV and Appendix 6	To update Policies Map to visually differentiate between 'Employment site allocations' and 'Designated employment sites'. Referenced in paragraphs 128 and 228 of the Council's Matter 15 Hearing Statement. This amendment affects the mapping contained within the LPSV, Policies Map and Appendix 6 relating to WAL.E6, LOU.E2, NWB.E4 and RUR.E19.

16. The Council is proposing amendments to the text in the LPSV to ensure consistency in reference to units (i.e. hectares) and to clarify what type of B Use Class uses a site is allocated for. The proposed amendments also provide greater clarity where an employment site allocation is an extension to a designated employment site as follows:

Policy/Location of text	Proposed Amendment
Paragraph 2.126	Approximately 1 hectare ha of B1 Use Class employment land will be provided at Dorrington Farm. <u>Alongside the existing 1 hectare ha of designated employment land,</u> This will provide opportunities for <u>comprehensive redevelopment and the provision of high quality employment uses</u> to be incorporated within the Garden Town, helping to promote sustainability whilst also linking to Harlow town centre.
Policy SP 5 Latton Priory F(ii) (p 43):	<u>Approximately 1 hectare of employment land provided in addition to the 1 hectare of existing designated employment use</u> at Dorrington Farm;
Paragraph 5.37	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 2 paragraph 100 & paragraph 231]</i></p> <p>There is also an existing employment site that is <u>identified for designation allocated with an allocation</u> for a further 4,000sqm <u>1 hectare of expansion of B2 class use (general industrial):</u></p> <ul style="list-style-type: none"> • LOU.E2 – Langston Road Industrial Estate (30.06ha)
Policy P 2 Part D	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 2 paragraph 101]</i></p> <p>Policy P 2 Loughton:</p> <p>D. In accordance with Policy SP 2 and Policy E 1 the following site is designated for employment uses with a further allocated expansion for <u>B2 Use Class employment uses:</u></p> <p style="padding-left: 40px;">(i) LOU.E2 – Langston Road Industrial Estate</p>
Paragraph 5.53	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 3 paragraph 144 & paragraph 231]</i></p> <p>There is also an existing employment site that is <u>identified for designation allocated with an allocation</u> for a further 5,120sqm <u>approximately 1 hectare of B2/B8 class use (general industrial/storage and warehousing):</u></p> <ul style="list-style-type: none"> • WAL.E6 – Galley Hill Road Industrial Estate (3.89ha)

Policy/Location of text	Proposed Amendment
Policy P 3	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 3 paragraph 126]</i></p> <p>D. In accordance with Policy SP 2 and Policy E 1 the following sites are allocated for B Use Class employment uses: <u>the following site is designated for employment uses with a further allocated expansion for B2/B8 Use Class employment uses:</u></p> <p>(i) WAL.E6 – Galley Hill Road Industrial Estate</p> <p>[NEW PART]</p> <p><u>E. In accordance with Policy SP 2 and Policy E 1 the following site is allocated for B1c/B2/B8 Use Class employment uses:</u></p> <p>(ii) WAL.E8 – Land north of A121</p>
Paragraph 5.96	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 6 paragraph 230]</i></p> <p>There is also an existing employment site that is <u>identified for designation allocated with an allocation</u> for a further 40,000sqm <u>10 hectares</u> of B1/B2/B8 class use (business use/general industrial/storage and warehousing):</p> <ul style="list-style-type: none"> • NWB.E4 – North Weald Airfield (40.8ha)
Policy P 6	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 6 paragraph 251]</i></p> <p>D. In accordance with Policy SP 2 and Policy E 1 the following site is designated for employment uses with a further allocated expansion for <u>B1/B2/B8 Use Class</u> employment uses:</p> <p>(i) NWB.E4 – North Weald Airfield</p>
Paragraph 5.54	<p><i>[This proposed amendment is outlined in the Council's Matter 15 Hearing Statement for Policy P 3 paragraph 144]</i></p> <p>A further allocation site of <u>10 hectares</u> for 40,000sqm of B1c/B2/B8 class uses (business use/general industrial/storage and warehousing) has also been made:</p> <ul style="list-style-type: none"> • WAL.E8 – Land north of A121 (27.84)

Policy/Location of text	Proposed Amendment
Paragraph 5.168	<p><i>[Amend the beginning of the paragraph]</i></p> <p>“There are twenty <u>nineteen</u> existing rural Employment Sites...”</p> <p><i>[Delete RUR.E19 paragraph 5.168]</i></p>
Paragraph 5.169	<p><i>[This proposed amendment is outlined in the Council’s Matter 15 Hearing Statement paragraph 231 & within section Policy P 13-15 paragraph 441]</i></p> <p>There is also an existing Employment Site that is <u>identified for designation allocated with an allocation</u> for a further 5,120sqm of B2/B8 <u>approximate 1 hectare of B1a/B1b</u> class use (general industrial/storage and warehousing):</p> <ul style="list-style-type: none"> • RUR.E19 – Dorrington Farm, Rye Hill Road (1.85ha)
Policy P 13	<p>Employment Sites Part C. delete sub-paragraph (xv): (xv) RUR.E19 – Dorrington Farm (see Policy SP 5 and allocation SP4.1)</p>
Policy P 13	<p><i>[This proposed amendment is outlined in the Council’s Matter within section Policy P 13-15 paragraph 443]</i></p> <p>D. In accordance with Policy SP 2 and Policy E 1 the following site is designated for employment uses with a further allocated expansion for <u>B1a/B1b</u> Use Class employment uses:</p> <p>(i) RUR.E19 – Dorrington Farm, Rye Hill Road – (see Policy SP 5 and allocation SP 4.1 <u>5.1)</u></p>

Further collated proposed amendments to employment matters

17. The Council proposes an amendment to Policy SP 5 and supporting text in relation to employment provision. The purpose of this amendment is to provide flexibility, subject to ongoing discussions between landowners and changing circumstances, to consider the optimum location for employment uses within the masterplan area to ensure any employment provision contributes positively to wider placemaking objectives. The specific proposed amendments are as follows:

Policy/Location of text	Proposed Amendment
Paragraph 2.126	Approximately 1ha hectare of B1 Use Class employment land will be provided at Dorrington Farm. <u>Alongside the existing 1 hectare of designated B Use Class employment land, this will provide opportunities for comprehensive redevelopment and the provision of high quality employment uses to be incorporated within the Garden Town, helping to promote sustainability whilst also linking to Harlow town centre. "The Council recognises that through the detailed masterplanning process at Latton Priory it may become apparent that the required B Use Class employment uses may be better located elsewhere in the masterplan area.</u>
Policy SP 5	Latton Priory F(ii) (p 43) 1 hectare of <u>B Use Class</u> employment land provided in addition to the 1 hectare of existing designated B Use Class employment use at Dorrington Farm. <u>The Council recognises that through the detailed masterplanning process at Latton Priory it may become apparent that the required B Use Class employment uses may be better located elsewhere in the masterplan area;</u>

18. The Council is proposing some minor amendment to the Trajectory for Employment Allocations table in Appendix 5 (p245) as follows:

Allocation Reference	Site Address	Total Supply (ha)	2017/18-2021/22	2022/23 – 2026/27	2027/28-2031/32	2032/33
LOU.E2	Langston Road Industrial Estate	1	1			
NWB.E4	North Weald Airfield	10		5	5	
RUR.E19	Dorrington Farm	4.85 <u>0.93</u>	0.94 <u>0.93</u>			
WAL.E6	Galley Hill Road Industrial Estate	1.28	1.28			
WAL.E8	Land North of A121	10		5	5	
Total		23.22 <u>23.21</u>	3.22 <u>3.21</u>	10	10	0