



**BOROUGH OF
BROXBOURNE**
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Wharf Road

Supplementary Planning Document

November 2023

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Introduction

The Council has sought the views of the residents of the Wharf Road Gypsy and Traveller site and relevant stakeholders including the Lee Valley Regional Park Authority and others on a draft masterplan for the site.

The purpose of the masterplan is to add detail to the existing Local Plan policy for the site, which seeks to provide for the needs of the existing community whilst also securing environmental benefits to the area and protecting the Green Belt.

The SPD is a material consideration in dealing with planning applications.

Site location and description

The Wharf Road gypsy and traveller site is situated within the Lee Valley Regional Park, approximately 2 km south of Broxbourne station and 3 km north of Cheshunt station. The site has grown in an ad-hoc fashion from a small number of privately owned caravans in 2003 with substantial expansions and growth in the community in the following years.

There are a two main areas of development. The first area is a cluster of caravans to the north of Wharf Road, which have to been fenced in to create pitches with parking for cars and private space. This area is set back from the riverfront, and was removed from the Green Belt in 2020 in order to provide scope for a fully authorised site with less impact on the River Lee and the enjoyment of Park visitors. The second area is a straggle of caravans fronting onto the River Lee on land designated as Green Belt.

The Wharf Road site includes a number of privately owned pitches that have been acquired by residents over a number of years.

Since the 1970s the Lee Valley Regional Park Authority (LVRPA) has been purchasing land as it comes onto the market for the purposes of achieving environmental enhancements to this part of the Park, which forms part of the Lee Valley Country Park. Some private development has encroached onto land owned by the Park Authority without permission.

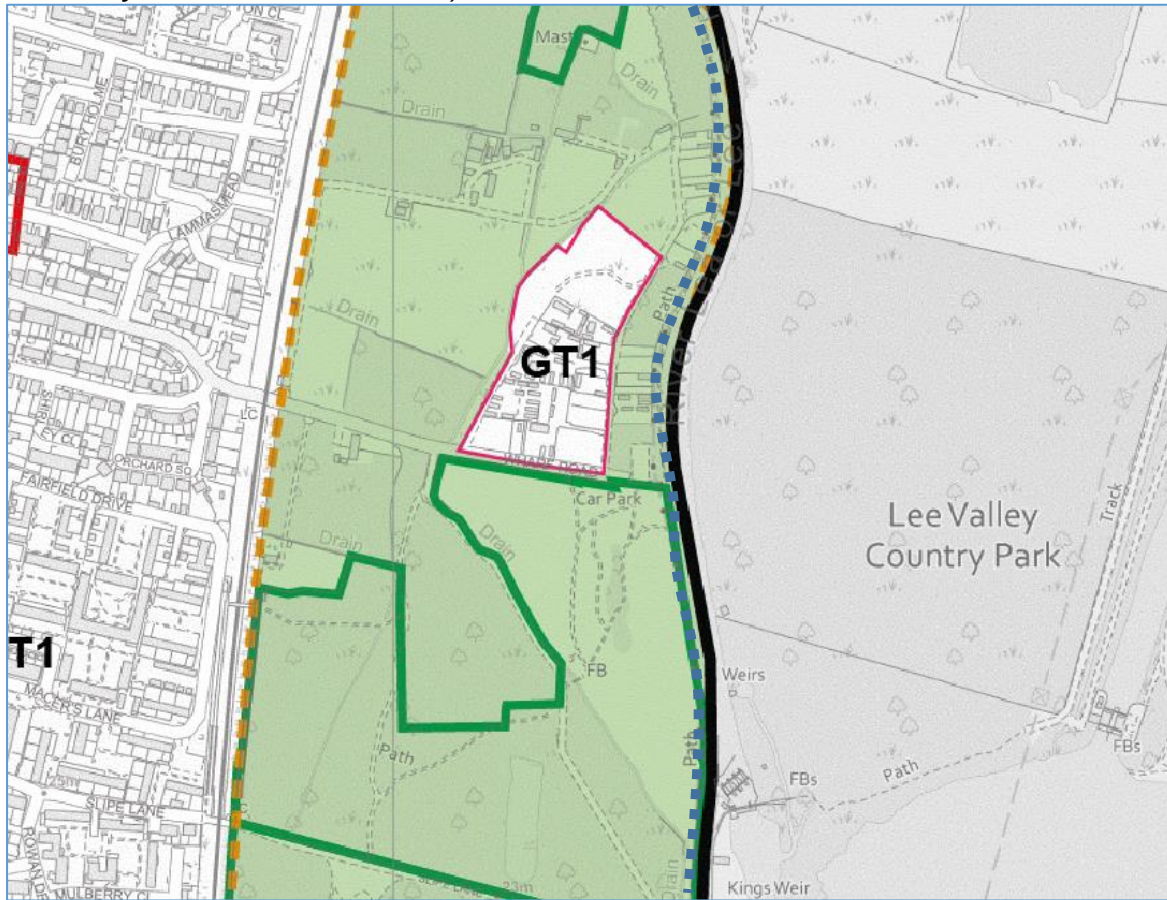
There is no management organisation for the site nor any representative body and so any changes have to be discussed directly with the affected residents.

Some of the caravans within both the main site area and along with waterfront have planning permission (through certificates of lawfulness) and a small number also have caravan licences. However there are a number that are not authorised.

Although there is a private water supply, the site is not serviced with mains gas or waste water. The site is not fully serviced by mains electricity. The facilities on site are very basic and there may be some risk to the safety and wellbeing of residents accordingly.

The site is located in an area at risk of flooding from the River Lee and there are no site-specific flood defences in place.

Figure 1: the site and the surrounding area including Green Belt land (borough boundary shown as a black line)



Source: Broxbourne Local Plan Policies Map

The River Lee towpath Public Right of Way passes along the eastern edge of the site (as shown by the blue dotted line). This is a main artery through the Park and is popular with visitors.

There is a small public car park owned and managed by the Park Authority adjacent to the towpath to the south-eastern edge of the site.

The 'Broxbourne Ditch' runs along the western edge of the site and has been identified by the Park Authority as having significant potential for ecological enhancement (see below).

There are problems with fly tipping and unauthorised expansion and erection of fencing.

Slip Lane Open Space Local Wildlife Site lies immediately adjacent to the south (encircled by a green line on the Policies Map extract in Figure 1 above) and there is also a Local Wildlife Site at Silvermeade a short distance to the north.

Flood Risk

Caravans are classed as 'highly vulnerable' to flood risk and riverfront caravans are at particular risk. The EA has advised that vehicles can start to float in flood depths of less than 60cm or less if water is fast-flowing. Residences should be designed so as to be resilient in the case of flood to ensure continued structural integrity.

The EA designates watercourses as Main Rivers those watercourses for which it carries out maintenance, improvements or construction works. A permit is required from the Environment Agency (EA) for activities within 8 metres of a Main River as shown on the EA's statutory Flood Map. Adjacent to the Wharf Road site both the River Lee and the Broxbourne Ditch are designated as Main Rivers.

Further information about permits is available here:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

Further information about flood warning and alerts is available here:

<https://www.gov.uk/sign-up-for-flood-warnings> (or call 0345 988 1188)

The River Lee Country Park

Wharf Road lies within the River Lee Country Park which includes the majority of the Park area between Nazeing New Road B194 to the north and the A121 Eleanor Cross Road and Abbey Road B194 to the south. It includes land in both the Borough of Broxbourne and in Epping Forest District which together forms Area 6 of the *Lee Valley Park Development Framework*¹.

A summary of the Park Development Framework proposals for the 'Wharf Road Inset' (Area Proposal 6.A.4.1) is as follows:

- Protect and maintain the area as a tranquil space for informal recreation, walking and cycling forming part of the wider River Lee Country Park.
- Promote the site as an access to nature area. Extend the ecological qualities of Silvermeade to the north eastern part of the site and along the Broxbourne Ditch to encourage species such as Water Vole.
- Extend the positive landscape character of surrounding areas to the south and north into the site and strengthen existing landscape features including the Broxbourne ditch and the river edge.
- Work with Broxbourne Council and other stakeholders to develop a long term strategy of removing illegal, non-conforming and non-Park compatible uses within the area.

The northern part of the Country Park is shown in **Figure 2**.

¹<https://www.leevalleypark.org.uk/park-development-framework>

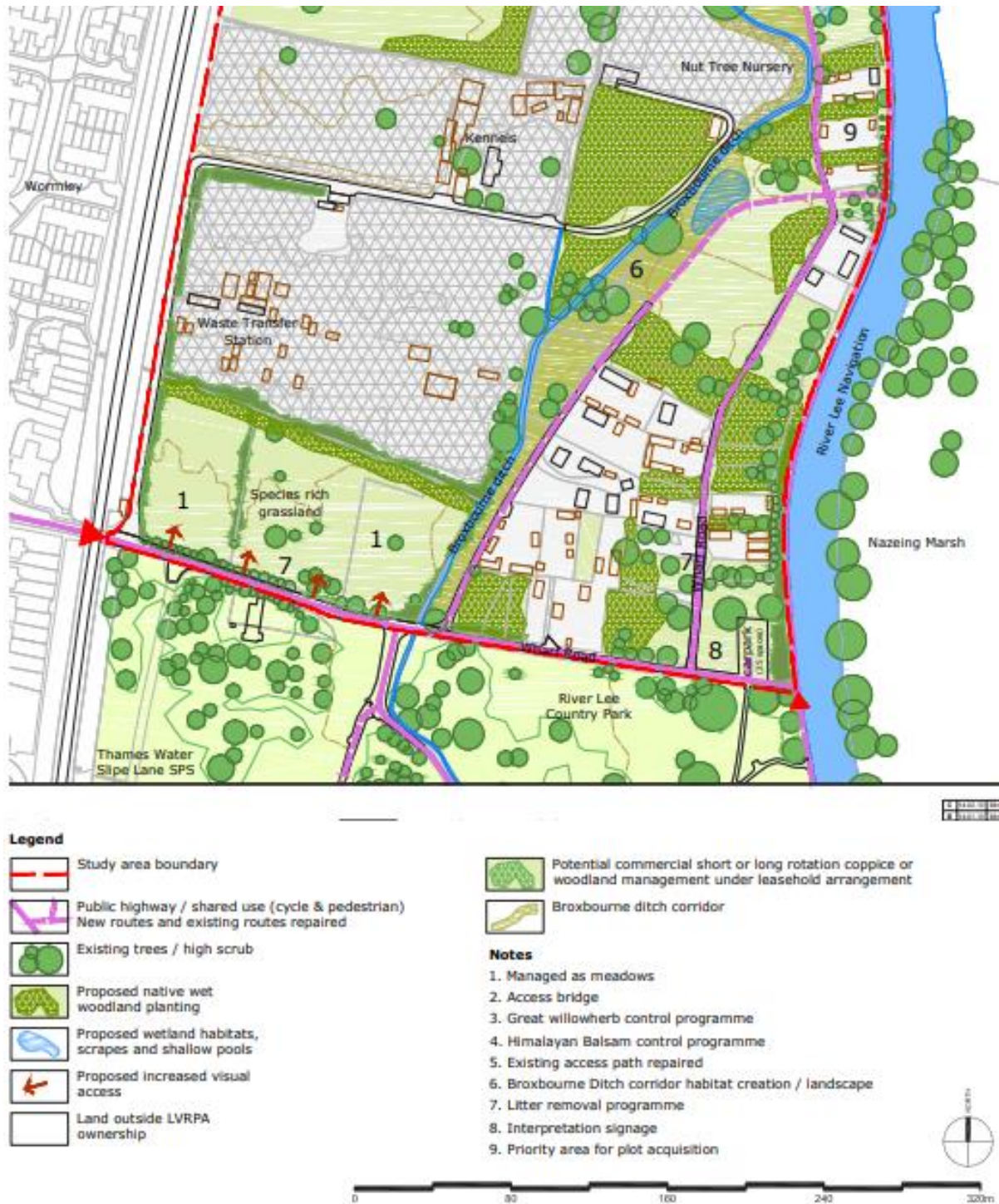
Figure 2: Northern part of the River Lee Country Park



Source: Park Development Framework

The Park Development Framework proposals for the area were in part based upon a more detailed Landscape Strategy for area, part of which is reproduced in **Figure 3**.

Figure 3: Extract from the masterplan within the Wharf Road Landscape Strategy 2013



Source: Wharf Road Environmental Strategy (LUC, 2013)

Broxbourne Council’s Approach to Wharf Road

Paragraph 16.6 of the Local Plan sets out Broxbourne Council’s approach to the site:

“Most of the identified need for 22 pitches (see above) relates to the previously unauthorised Wharf Road site. The extent of the allocation of this site addresses the needs of all the resident gypsy and traveller families over the Plan period – both within existing pitches and through the creation of new pitches. The accommodation needs of the more long standing Wharf Road travelling community are recognised by the Council. However, the situation at Wharf Road has become very complex with substantial sub-letting of caravans to individuals with no long term connection to the Borough. The Council is therefore seeking to work with the established community and the Lee Valley Regional Park Authority to create an authorised site at Wharf Road for that community. This will entail the relocation of the straggle of plots along the River Lee onto land currently owned by the Authority in the central area where most of the unauthorised plots are currently located. This will create a central integrated site that can then be authorised, licenced and properly serviced with roads, water, electricity and drainage. It will also entail the discontinuance of sub-letting.”²

This approach was endorsed by a Planning Inspector following Examination in Public of the Local Plan. An extract from the Local Plan Inspector’s Report (April 2020) in respect of the proposals for Wharf Road is contained at *Appendix 1*³.

In summary, the Planning Inspector’s key findings were as follows:

- The current ad-hoc, unplanned arrangements are potentially a risk to the safety and amenity of residents (paragraphs 261-2)
- The consolidation of all of the traveller accommodation onto one defined area, away from the river, would provide an opportunity to create clear landscaped boundaries around it and allow the implementation of the LVRPA’s environmental strategy on the surrounding land (paragraph 264-5)
- Provision of planned and formalised infrastructure and utilities, including relating to drainage, water supply, and waste management, would have further environmental as well as social benefits (paragraph 266)

In order to meet identified Gypsy and Traveller accommodation needs, three sites were released from the Green Belt through the Local Plan, including at Hertford Road (near Hoddesdon), St James’ Road (near Goffs Oak) and at Wharf Road. The basis for these policies is Local Plan Policy GT1, which is reproduced in full in Appendix 2.

² Broxbourne Local Plan, Pages 95-6

³ The full report is on the Council’s website at www.broxbourne.gov.uk/localplan

The Masterplan

The masterplan is set out in **Figure 4**. The masterplan indicates the following approach to consolidation of the site in accordance with the Local Plan:

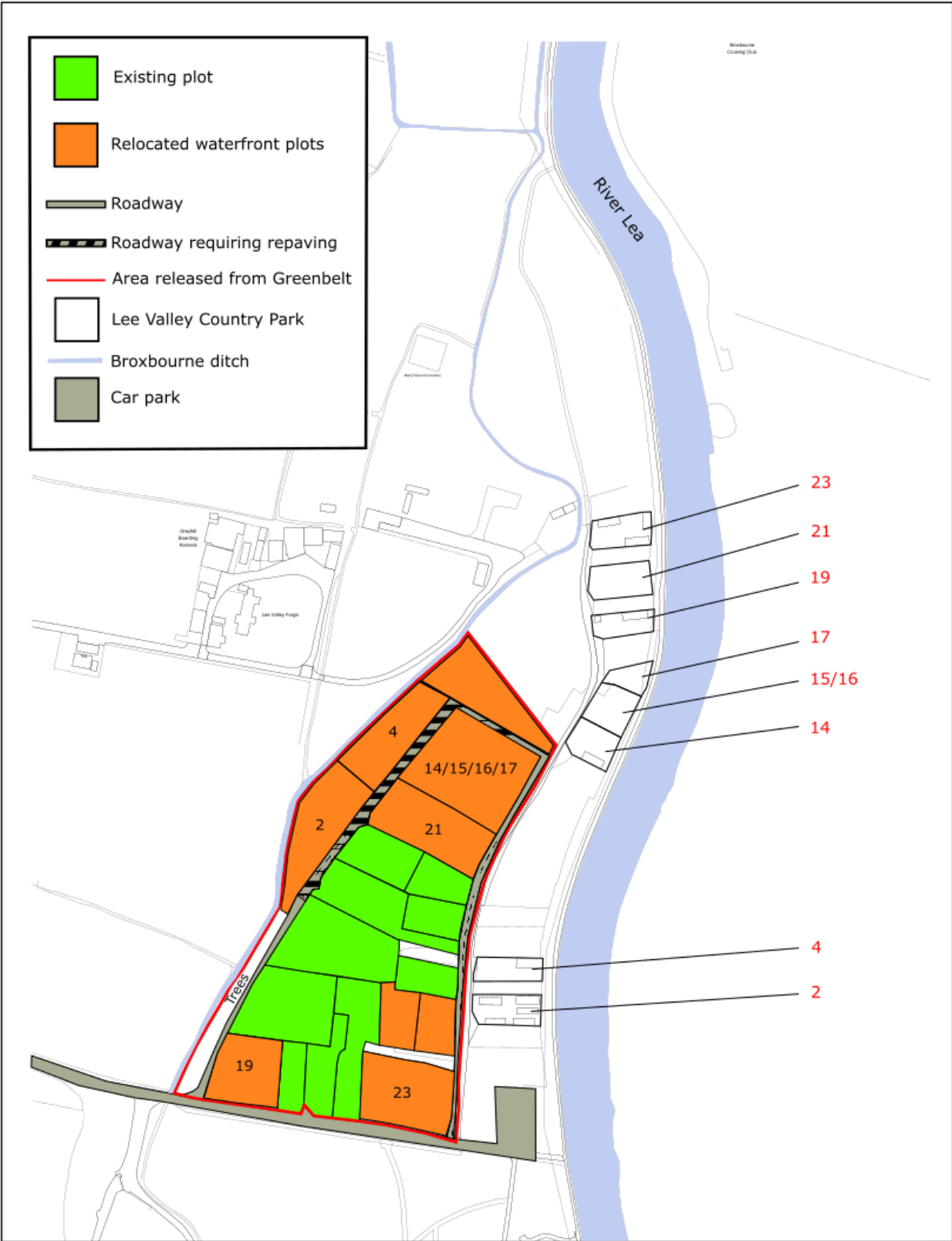
1. Existing plots within the consolidated site area (shown in green) will be retained without change.
2. Existing waterfront plots (numbers 2-23 inclusive) will be relocated over time to the areas shown in orange. At vacated plots all fences, hardstandings and other development will be removed and the environment of the waterfront enhanced.

General principles

The Council has had a number of meetings with the LVRPA and the following general principles have emerged in respect of the positions of both bodies:

- a. The Council will look favourably upon applications for planning permission for all developments on plots shaded in green or orange on the masterplan.
- b. The Council will upon request provide with free advice and assistance to any resident who indicates a desire to seek planning permission for pitches shown coloured on the plan.
- c. The Council will use all available statutory powers to enforce against unauthorised developments.
- d. In accordance with Local Plan Policy GT1, new or relocated pitches are to meet the specific accommodation needs of existing communities and expansion through their new household formation, not to meet the needs of their extended families or those of other families
- e. The LVRPA will take action against unlawful expansion onto land within its ownership.
- f. For both authorised and unauthorised development on the waterfront (including the plots shown and any others) the LVRPA may consider an exchange of land for Authority land shaded in orange. This is subject to the Lee Valley Regional Park Act 1966.
- g. Following the necessary plot relocations, the Park Development Framework Area Proposals indicate that the LVRPA will work with the Council and other stakeholders to implement environmental improvements and habitat enhancements across the area and increase the amount of space available for informal recreation.
- h. The site will continue to be self-managed and owned by the residents.
- i. The masterplan will be used as the basis for seeking funding opportunities as they become available in order to work with the providers of statutory utilities to seek to provide authorised provision to the site.
- j. Subject to securing funding, the Council will work with statutory utilities providers to provide an authorised supply of gas, electricity, waste water and water supply.
- k. Subject to securing funding, the Council will work with the Environment Agency to provide site-specific flood defences, an emergency flood plan, appropriate flood resilience and flood storage measures, and appropriate site layout in respect of proximity to Main Rivers.

Figure 4: Masterplan



Appendix 1: Local Plan Inspector’s report – extract

261. *The site is within the functional flood plain and is at high risk of flooding. This categorisation is based on up to date and detailed analysis by the Environment Agency and assumes that all flood defences in the catchment are fully operational. National policy is clear that highly vulnerable uses, such as caravan accommodation, should not be accommodated in such areas. So clearly the proposal is contrary to national policy in this respect. The question is, therefore, whether there is robust justification in this case to depart from that national policy bearing in mind its ultimate purpose is to protect the health and safety of people and potentially save lives.*

262. *Significantly, there is clearly an established and growing traveller community in the area. Most of the land is owned by the occupants, and I am advised that they have no intention of selling their land or moving elsewhere. Both the Borough Council and Lee Valley Regional Park Authority (“LVRPA”) advised that they have no resources or intentions to acquire the lawfully occupied plots. The fact is, therefore, that in the absence of a new approach the land is highly likely to continue to be used for caravan accommodation in the foreseeable future, including for sub-lets. As it is on an ad hoc and unplanned basis, this land use is likely to continue to be without satisfactory services and utilities, creating amenity and environmental problems. Furthermore, whilst properly designed and maintained flood defences are in place in the catchment, a large number of caravans are likely to remain on the functional flood plain with no effective site specific protection or arrangements in place to reduce the high risk that a flood would threaten the safety of residents.*

263. *On the other hand, the approach proposed in the Plan creates a positive opportunity to reduce the risks to health and safety of residents from flooding through the creation of a contained, authorised and licenced site properly serviced with roads, water, electricity and drainage.*

264. *The Lee Valley Regional Park Authority (“LVRPA”), who has a statutory duty to improve and manage the park as a place for leisure, recreation, sport and nature reserves, is opposed to the proposal. The LVRPA considers that it would prejudice the plans it has been pursuing for many years, through significant investment in land acquisition and the preparation of various strategies, to transform this part of the Park, which adjoins a public car park, wildlife site and popular parkland as well as the river and towpath, into an area of informal recreation and nature conservation.*

265. *However, it is clear from the evidence submitted during the examination that those aims are unlikely to be achieved with the continuation of the existing unplanned land uses in the area. The consolidation of all of the traveller accommodation onto one defined area, away from the river, would provide an opportunity to create clear landscaped boundaries around it and allow the implementation of the LVRPA’s environmental strategy on the surrounding land.*

266. *Provision of planned and formalised infrastructure and utilities, including relating to drainage, water supply, and waste management, would have further environmental as well as social benefits.*

267. *The detailed arrangements for implementing the proposal and managing the site are not in place. However, it is clear from the Council’s evidence that it is committed to delivering the proposal and I am, therefore, satisfied that it is likely to be taken forward.*

Appendix 2: Local Plan Policy GT1: Gypsy and Traveller Sites

Policy GT1: Gypsy and Traveller Sites

The Council will work with the travelling communities to allocate sites as follows as shown on the Policies Map:

1. Expansion of Hertford Road where additional appropriate needs cannot be accommodated within the existing site boundaries;
2. Accommodation of new pitches within the existing St James' Road site;
3. Authorised site at Wharf Road to accommodate the appropriate needs of the Wharf Road Community.

These sites are allocated for the specific needs of the resident travelling communities to which they relate and the future expansion of those communities through new household formation within those communities. They are not to meet the needs of extended family members not currently resident within the Borough of Broxbourne. The means for ensuring that these sites meet the immediate needs of those communities in perpetuity will be set out within planning permissions.

If demonstrated to be necessary in accordance with policy BR4, the Halfhide Lane Gypsy site will be relocated within Brookfield Garden Village to accommodate the appropriate needs of the Halfhide Lane gypsy community.

Source: *Broxbourne Local Plan* page 96
www.broxbourne.gov.uk/localplan

Appendix 3: Adoption Statement



In accordance with Regulation 14 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) this Adoption Statement hereby gives notice that on **7 November 2023** Broxbourne Borough Council adopted the Wharf Road Supplementary Planning Document (SPD) to the Broxbourne Local Plan 2018-2033.

The purpose of the SPD is to provide clear guidance on the relocations and the pattern of consolidated sites on land removed from the Green Belt for the purpose of implementing the Local Plan Policy. It also sets out general principles for the Wharf Road site.

A draft copy of the SPD was subject to public consultation between 12 July and 25 September 2023, in line with Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision. Any such application must be made promptly and, in any event, not later than three months after the date on which the SPD was adopted.

The adopted SPD, an updated Consultation Statement (setting out the issues raised during the formal consultation period and those were addressed by the council) and this Adoption Statement can be viewed online at: www.broxbourne.gov.uk/localplan

Hard copies of the same documents are available for inspection during normal opening hours at the Council's offices: Bishops' College, Churchgate, Cheshunt, EN8 9XQ.

If you require further information, please email planningpolicy@broxbourne.gov.uk or phone 01992 785555.