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Our ref: 52242
Your ref:



BY EMAIL ONLY

Haringey LDF team
Haringey Borough Council

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Dear Sir/Madam

Consultation on the implications of the recently published National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites.

OBJECTION

Planning and Compulsory Purchase Act 2004

The Conservation (Natural Habitats &c) Regulations 1994 Amended 2007

The Localism Act 2011

Thank you for consulting us as to the conformity of the Core Strategy with the National Planning Policy Framework. We do have some observations to make regarding the plan's conformity with the NPPF in respect of certain policies in the Core Strategy and consider that, without alteration to some policies, the plan will not be sound.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. In that regard we have comments to make regarding the impact of policies and Tottenham Hale Growth Area Strategy on the Lee Valley SPA; the inclusion of Friern Barnet/ Pinkham Way site as a Local Employment Area and the omission of reference to Ancient Woodland and Geodiversity in policy SP13.

We would also note that there is at present, no mapping of ecological networks and nor mention in the Plan of the status of the Lee Valley as a site of European importance. This could account for the omission of important wording in policies that could impact on that site and that the screening for Habitat Regulations has not been updated to take account of changes to policy and projects in the area, which may alter the initial HRA screening.

Paragraph 117 of the NPPF states that planning policies should "*identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation.*" We advise that this issue is

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addressed at the next opportunity to review the plan, but in the meantime the text and policies where appropriate should acknowledge the national and international designations as well as local ones and Figure 6.2 of the Plan updated to reflect this.

Policy SP1 - Managing Growth

The policy and text make no mention of the Lee Valley Special Protection Area (SPA) which is also an SSSI, adjacent to the Tottenham Hale Growth Area and how it will be protected.

Paragraph 113 of the NPPF states that the Plan should include criteria based policies about biodiversity, geodiversity and landscape distinguishing between international, national and local sites. Paragraph 118 sets out the weight to be given to SSSI in decision making. Although policies are in place to protect locally designated sites in Policy SP13, there is no mention of nationally and internationally designated sites. Moreover, development is planned adjacent to an SPA/SSSI which will include access to it. (paragraph 3.1.10 and 3.1.13 of the Plan refers) The Updated Habitat Regulations Assessment Screening Report made recommendations to strengthen policies in the Core Strategy to protect the Lee Valley SPA. At that time, these lands which were in private ownership and offered little access and therefore disturbance by increased visitors to the internationally designated site was likely to be unchanged. With new projects proposed in the area - notably the Walthamstow Wetlands which would include access, there is a change to the potential impacts on the SPA and potential impacts must be considered in combination in an updated HRA. It is strongly recommended that the original HRA Appropriate Assessment is updated to include new projects including the Walthamstow Wetlands and other growth in other boroughs in the area in combination with that proposed in Haringey in line with paragraph 166 of the NPPF.

Previously in the HRA, it was recommended that Policies SP2 (housing), SP8, SP10 (economic development) and SP15 (cultural and leisure) all included a cross reference to Policy SP13 Open Space and Biodiversity to ensure that the Lee Valley SPA and Ramsar site in the neighbouring authority of Waltham Forest is protected. I would also recommend that Policy SP1 (Managing Growth) is also cross- referenced with policy SP13.

It was also recommended that Policies SP8, SP9 and SP15 include the statement 'all works associated with [relevant to the policy] development at Tottenham Hale would be designed in a way that would not lead to adverse effects on the European Site and its bird population in the neighbouring authority of Waltham Forest' to strengthen them further. Furthermore, it was recommended that the Core Strategy should include a policy statement to the following effect:

"Sites of International Importance": "No development will be permitted unless either it is established that it is not likely to have a significant effect on any Ramsar site or Natura 2000 site (including Special Protection Areas, potential Special Protection Areas, Special Areas of Conservation, candidate or possible Special Areas of Conservation), or it is ascertained, following Appropriate Assessment, that it will not adversely affect the integrity of any Ramsar site or Natura 2000 site."

We consider that the plan is not consistent with the NPPF because of the omission of the recommendations of the previous Habitat Regulations Assessment and we advise that the plan is is unsound on this basis. In order for the Plan to be in conformity with the NPPF paragraphs 113 and 118 and to be considered sound, I would recommend the inclusion of his wording in policy SP1.

It should be also noted that the Walthamstow Wetlands will also be subject to Habitat Regulations and that HRA screening is still to be carried out. The Haringey Plan should not therefore rely on this green space in respect of the Tottenham Hale Growth Area. Cross reference in policy SP1 to policy SP13 is therefore recommended as well. In addition, it is strongly recommended that the text in paragraph 3.1.13 should be qualified to by the inclusion of the words “subject to a satisfactory Appropriate Assessment under Habitat Regulations....” This should particularly apply to the proposed pedestrian bridge across the River Lee into the SPA.

Policy SP13

As we have commented before, the Plan’s priorities for Open Space and biodiversity are welcomed.

We note though, although the Borough has two areas of Ancient Woodland, these are not mentioned in the text. We note that the policy SP13 of the plan does not include reference to ancient woodland and is therefore is not fully consistent with paragraph 118 of the NPPF.

We also note that there is no reference to geodiversity in policy SP13. At present Regionally Important or Borough Important Geological sites are not identified in London. However, there are now candidate sites (none of which are in Haringey) and in addition many more potential sites. London Plan Policy 3D.16 seeks to ensure the protection and promotion of sites including identifying those of local value and according them protection commensurate with their significance. We note that policy SP13 of the plan does not include reference to geodiversity and is not fully consistent with paragraphs 109 and 117 of the NPPF.

Policy SP8 and accompanying plan Figure 5.1

The Friern Barnet Sewage Works is identified on the plan as a Local Employment Area. Natural England has previously commented on the Scoping Opinion for this site, identifying the environmental and biodiversity elements of the site.

The site in question is a Grade 1 Borough Site of Interest for Nature Conservation (SINC) and is surrounded by other SINC’s. In addition, there is sufficient evidence of protected species being present on site. Therefore development of this site would require a licence from Natural England in respect of protected species. Concerns over loss of habitat and fragmentation of habitat have been expressed in our previous correspondence. Loss of habitat and biodiversity and the potential for fragmentation would appear to be at odds with the Council’s Objectives relating to Ecology, Biodiversity, Climate Change and Accessible Open Spaces.

In general Natural England is not supportive of development on Sites of Interest for Nature Conservation. In previous correspondence and responses we have stated that if a SINC is identified in a Site Allocations, or as mentioned in this Development Plan Document, as a potential area of development, the Council must ensure that the developer complies with London Plan Policy 3D.14.

Regarding Habitat Regulations, whereas if his site were allocated in the North London Waste Plan for a substantial Energy from waste site, it may comply with the 3 tests (including the need to look at alternative sites) due to that development’s particular needs and requirements, the same is unlikely to be able to be said for another more general industrial even sui generis use as would be

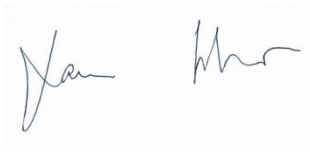
expected from its designation as a Local Employment Site, should the site not be allocated in the North London Waste Plan .

We consider that the plan is not consistent with the NPPF paragraph 111 because of the inclusion of the Friern Barnet Sewage Works site as a Local Employment Area and advise that the plan is unsound on this basis.

For any correspondence or queries relating to this consultation only, please contact Mrs Laura Horner on 0300 060 2018 or laura.horner@naturalengland.org.uk For all other correspondence, please contact consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Laura Horner', is written over a light blue rectangular background.

Laura Horner
Lead Advisor, Forward Planning Network