

Response to Further Consultation

London Borough of Haringey Local Development Framework – Core Strategy Publication of a Development Plan Document (Regulation 27) – additional Regulation 27 on Affordable Housing and Employment Land Designations

November 2010 (consolidated with further evidence to support changes to the Employment Land Designations, September 2011)

Summary

These representations are submitted by Evelyn Ryan and Jeffrey Lever of 86 Greenway, Southgate, London N14 6NS. They deal only with issues relating to the Employment Land Designations and in particular the re-designation of the former Friern Barnet Sewage Works (Pinkham Way).

We live adjacent to Southgate Green which is a neighbouring district of Pinkham Way (approximately 2 km away and 26 metres above the Pinkham Way site). The prevailing wind is from the south west, placing Southgate Green in the direct line of wind from Pinkham Way. We are regular users (along with others in our area) of the A406. Any change in the use of Pinkham Way, particularly potential heavy industrial uses which are likely to put additional strain on the traffic conditions on the A406 or which are likely to create pollution or other nuisance are of concern to us.

- We strongly object to the proposed re-designation of the Pinkham Way as a Locally Significant Industrial Site. The re-designation of Pinkham Way by Haringey Council (the Council) is not based on robust and credible evidence and therefore is unsound. It appears to us designed to encourage heavy industrial or similar major development; reduce flexibility for more community friendly and less intensive uses on the site, and to diminish the importance of protecting the site's value as a Grade 1 Site of Importance for Nature Conservation (SINC). The reasons given for the re-designation are not supported by robust and credible evidence. The Assessment of Policy SP8 in the Core Strategy Sustainability Appraisal Addendum by Hyder has not fully assessed the impact of the proposed re-designation on a number of CS objectives including the biodiversity nature of the site.
- There is no evidence that the Council has carried out a proper or full assessment of the suitability of the site for use as Employment Land, especially as suitable for the type of heavy industry likely to be attracted to land designated Locally Significant Industrial Use and which is likely to have a major, if not catastrophic, impact on the nature conservation of the site. We object to the Council's failure to undertake a full review of the current employment land allocations in the UDP, to assess whether this particular site should be retained or released from such designation. We consider that this failure is contrary to national policy and guidance and therefore renders the plan unsound.
- There is no evidence the Council has considered any alternative use for the site, for example as open space, green space or Metropolitan Open Land even though there is an acknowledged shortage of this type of space in the borough. PPS 9 is the overarching framework in which policies should be developed - particularly para 9 which states that networks of natural habitats provide a valuable resource. Pinkham Way is a natural habitat and designated as Grade I of Borough Importance.
- This designation is completely at odds with its dual designation as a Grade I site of Borough Importance for nature conservation and it is difficult to see how the two can be reconciled.
- The LSIS designation is only deliverable if the Grade 1 Borough Importance for Nature designation is removed or substantially compromised. The Council's own additional evidence points out, in relation to the Pinkham Way site in particular, that **any** development on the site has potential to have biodiversity impacts because it is a Site of Importance for Nature Conservation (p6 of Hyder Addendum SA).

We have proposed for consideration by the Council, alternative uses for this site which would be more in keeping with the Council's current CS policies and with its designation as a Grade I Site of Importance for Nature Conservation.

2 The Re-designation of Pinkham Way

The document entitled Designated Employment Areas (p23) of the Council's re-consultation Core Strategy sets out two reasons for the change in designation of Pinkham Way.

'A change in designation will ensure this DEA is targeted towards more traditional industrial uses' and 'Complies with pre-application discussions which have already taken place to use part of the site for recycling centre and other part as waste station.'

3 A change in designation will ensure this DEA is targeted towards more traditional industrial uses'

- The Council has not produced evidence to show that there is a need to set aside over 11.7 ha of land for more traditional industrial uses (eg Bounds Green Industrial Estate which is 5.52 ha and Pinkham Way which is 6.2ha).
- An update of the Employment Study 2004 was undertaken in 2008 to support the Council's Core Strategy. The Study recommended that Haringey retain all of its designated Defined Employment Areas and continue to protect employment land and buildings, therefore increasing local job opportunities and reducing commuting and travel to services outside of the borough (it did not demonstrate a need for increasing traditional industrial uses let alone to this extent). Core Strategy SP8 reflects the recommendation to protect employment land and buildings.
- The Council decided to rename the DEAs in the UDP to reflect changes to the London Plan and the Mayor's SPG on Industrial Capacity. Former "Industrial Locations" have been reclassified as "Locally Significant Industrial Sites" and "Employment Locations" have become "Local Employment Areas". Two exceptions to this transfer of Employment Land designations were made. The Bounds Green industrial estate and Pinkham Way.
- The Bounds Green industrial estate was re-designated from EL to LSIS because "a change in designation will ensure this DEA is targeted towards more traditional industrial uses". There is some justification for this re-designation found in the site description on p30 of the re-consultation CS document. "There are very few vacant units within the site and the predominant uses fall within the B1, B2 and B8 category". The Council also considers that this re-designation will "protect the site from possible over-expansion of retail uses and other non B uses and refers to Enfield Council's masterplan for New Southgate for mixed use development" as potential pressure for retail uses.
- However, there is no such justification evident for the re-designation of the Pinkham Way site from EI to LSIS. There is no existing use on the site of any category and no units, vacant or otherwise. It could certainly not be described as a well established industrial area which arguably Bounds Green industrial estate is. In fact the site has not been in use for almost 50 years. Instead, it has developed into a rich wildlife habitat "with a high botanical diversity. Several uncommon and nationally scarce plants have been recorded here in the recent past" (p6 Hyder SA Attendum September 2011). So valuable is this as a natural habitat to the Council that it has been designated Grade 1 Site of Importance for Nature Conservation (SINC).
- Given this history, it would be understandable if the Council decided to either, open up the range of uses the site could be put to in order to encourage some activity which was more in

keeping with its Nature Conservation designation, or, consider a re-designation more in keeping with the natural development of the site as a valuable Grade I nature conservation site.

- In our view it defies common sense, to not only narrow the range of uses, but to positively encourage potentially harmful uses such as heavy industrial use on this site given its dual designation.

4 Complies with pre-application discussions which have already taken place to use part of the site for recycling centre and other part as waste station

- It is our view that this reason refers to discussions relating to a proposal for development on the site by the North London Waste Authority and London Borough of Barnet of a Waste Treatment Plant for up to 300,000 tonnes per annum and the relocation of Barnet's refuse transport depot.
- The reasons we have come to that conclusion are twofold. A joint planning application has recently been submitted to the Council by the NLWA and LBB. Although we do not know the exact details of what that application proposes, there is sufficient information on the websites of both public bodies to know that they propose to develop practically the whole of the Pinkham Way site for waste processing and relocation of a refuse transport depot.
- In addition, and related to this development proposal, there are many references throughout the Council's own Waste Strategy referring to the North London Waste Plan (NLWP). The NLWP has identified potential sites for waste management in North London (including the Pinkham Way site). It is currently awaiting submission to the EiP following a period of consultation earlier this year. Haringey's Waste Management CS Update 18 July 2011 states that "In line with the suggested approach by the London Plan of joint waste plan development, Haringey has delegated detailed site identification to the North London Waste Plan".
- Either the Council has delegated this task to the NLWP or it has not. If it has, then it is not for the Council to allocate a site for waste processing but for the NLWP to do so after appropriate investigations for suitability etc. The Council's development plan should not be determined by potential developers, landowners or any other bodies who do not have to look after the interests of the population and business of Haringey. The council's pre application discussions is therefore not a sound reason for re-designating Pinkham Way to LSIS.

5 Hyder Sustainability Appraisal Addendum - in particular their SP8 Appraisal Matrix (p13-21)

- Under the Planning and Compulsory Purchase Act 2004 and PPS 12, Local Planning Authorities are required to carry out a Sustainability Appraisal (SA) of its Local Development Framework. SA is a process for assessing the social, economic and environmental impacts of a plan. Hyder Consulting UK carried out the initial SA on the CS during its development and has now produced an Addendum to the CS SA. We make the following comments on this document and its contents.
- Hyder's conclusion at the end of their appraisal matrix do not reflect the findings within the matrix. For example, Hyder say that positive and negative scores were recorded against SA Objectives relating to Climate Change, air quality and water resources.

- This is not correct, only climate change records a positive and negative score. Air quality is negative only and water resources is negative and uncertain outcome.
- Omitted from the summary of scores is any mention of the score given to the SA Objective 'Protect and Enhance Biodiversity', a particularly important one in the context of this re-consultation exercise.
- This Objective was given a negative only score and the commentary against this score stated that whilst commercial development in most of the sites is not likely to have significant effects on biodiversity, the Pinkham Way site is an exception to this view. The implication being that on that site commercial development will result in potential impacts on biodiversity.
- Hyder also say against this Objective that ***any effects of detailed proposals are to be considered as part of EIA and landscape Design Strategy with supporting information at planning application stage. It should be ensured that developments are checked for biodiversity potential and appropriate mitigation developed if species/habitats are identified.***
- This is not an acceptable approach. The Council should make the assessment about whether the site is suitable for employment use (including the most extensive uses which might be proposed) at the time it designates the site as suitable for employment use. Otherwise the way is open for planning applications to drive the designation instead of the designation driving the planning applications.
- The Council have not carried out such a detailed assessment on the Pinkham Way site, and the Hyder SA reports, including the Addendum report, do not comprise such an assessment in spite of the fact that there is a mountain of evidence available to the Council about what could potentially be proposed for the site with all its attendant impacts on these SA Objectives.
- Where Hyder have scored a (?) against a SA Objective the implication is that that they are not able to assess the impact of the employment policy on those Objectives for lack of sufficient information at this time.
- This uncertainty has been flagged by Hyder against four of the SA Objectives, ie
 - (6) access to services and amenities for all groups;
 - (13) protection of the Borough's landscape resources;
 - (14) protection and enhancement of the quality of water features and resources and
 - (20) promotion of the use of sustainable modes of transport.
- It is reasonable therefore to conclude that for those Objectives, Hyder were unable to properly assess the impact of policy SP8. We draw this conclusion because they explain that a score of ? means ***"It is not possible to determine the nature of the impact as there may be too many external factors that would influence the appraisal or the impact may depend heavily upon implementation at the local level. More information is required to assess the impacts"***

- Other than the comments above, we make no further comment on Objectives (6) (13) and (20). However, we have commented below in some detail on Objectives (9) (11) (14) (15) and (17).

SA Objective 9 – Encourage economic inclusion (to improve accessibility to local and London-wide jobs)

Positive Impact scored (Policy contributes partially to the achievement of the SA Objective but not completely)

- Had Hyder made enquiries of the Council as to what range of proposals were envisaged for the Pinkham Way site, which at 6.6 hectares is the largest vacant employment site in the west of the Borough, they would have been able to assess more accurately the effects of the policy on this SA Objective and whether it would be deliverable.
- For example, a proposal like the one NLWA/LBB submitted recently (for development of a Waste Processing Plant and Refuse Transport depot) would not achieve this SA Objective. Arup state in their Scoping Report supporting this application for the NLWA (Mar 2011) on p13 that “employment numbers are likely to be small and this is not expected to have a significant impact on the local community “ and on p 35 they are more explicit and state that “staffing levels for a resource management facility of the size proposed (i.e. up to 300,000 tonnes per annum capacity) are likely to be in the region of 20 – 25 people”. LBB have already stated that they expect to transfer their own staff with the transport depot so there would be no jobs for the Council’s job seekers from this part of the proposed development. What a pitiful contribution there would be towards this objective from a site which comprises 60% of vacant employment land in the Borough, if a proposal such as this went ahead. It would mean that the policy would be undeliverable on this site. It would remove a substantial portion of the available vacant employment land from the employment land pool for the foreseeable future and it would have provided a risible number of jobs.
- We consider that Hyder’s Mitigation/Enhancement comment should at least have included a recommendation that ***encouragement should be given to proposals for employment land that are likely to produce a reasonable ratio of local employment per ha.***

SA Objective 11 protect and enhance biodiversity

Negative Impact scored (The policy is partially detrimental to the achievement of this objective)

- This score should be Major Negative Impact because of the inclusion of the Pinkham Way site. In their commentary under this heading, Hyder single out the Pinkham Way site stating that it is designated as a Site of Importance for Nature Conservation (SINC) and that there will be potential impacts on biodiversity from this policy. They also point out that the Pinkham Way site is adjacent to Metropolitan Open Land and adjoins an Ecological Corridor and they state that **any development** could have indirect impacts on wildlife corridors.
- They conclude that development of the Pinkham Way Site should be undertaken with appropriate consideration for the ecology present. Mitigation such as translocation, design to avoid sensitive areas or creation of new habitat within another location in the borough may be necessary to ensure that the area can function whilst maintaining an overall net balance of biodiversity for the borough.
- How realistic is this mitigation for this site graded No I Borough Importance? Translocation could not mitigate against the loss of the link in the ecological corridor. Creation of a new

habitat in another location would be a very serious challenge indeed as there is an existing shortage of open space land in the borough.

SA Objective 14 protect and enhance quality of water features and resources

Negative/Uncertain impact scored (The policy is partially detrimental to the achievement of this objective) and (It is not possible to determine the nature of the impact as there may be too many external factors that would influence the appraisal or the impact may depend heavily upon implementation at the local level. More information is required to assess the impacts).

- Hyder comments in this section of the scoring matrix that “there are no water bodies within the Friern Barnet site to protect but nearby water features in Hollickwood Park could potentially be affected”.
- This conflicts with what they say in the last para on p6 of their SA Addendum where they discuss the Pinkham Way site “there are also potential for impacts relating to landscape, biodiversity and water....There is a drainage culvert on the site which is broken and currently no water flowing but there may be potential to deculvert it as part of any redevelopment”
- Also, Hyder do not appear to have taken any account of the comment from the Environment Agency that “The watercourse is highlighted in the London Rivers Action Plan as a watercourse to be deculverted” and “... the site is located on a historic landfill and therefore any development that proposes surface water management using infiltration techniques (such as permeable paving or sokaways) may pose *an unacceptable risk to groundwater*” (EA letter of 29 Sept 2010 – see CS Library of documents)
- In view of the above we do not consider that the Council gave due consideration to the potential opportunity for de-culverting the watercourse when re-designating this site and therefore the recorded impact of the policy on this SA Objective should be reviewed

SA Objective 15 encourage use of previously developed land

Major Positive Impact scored (The policy contributes to the achievement of all elements of the SA Objective)

- We disagree with Score for a number of reasons. This site should not be categorized as previously developed land given that it is almost 50 years since there was any development on it. The land has nil use as no other use was implemented over those years.
- The score does not reflect the comments by Hyder about the ecology of the site on p6 last para “high botanical diversity – several uncommon plants and nationally scarce plants, adjacent to MOL and adjoins an Ecological Corridor”
- No reference is made in this section to the fact the site is designated SINC. These facts should impact on the score and give a more accurate assessment of the impact of the policy on this SA Objective. We request that this assessment is reviewed.

SA Objective 17 to protect and improve air quality

Negative Impact scored (The policy is partially detrimental to the achievement of this objective)

- This is an understatement. The score should be **Major Negative Impact** because of the inclusion of the Pinkham Way site in this policy and the potential it opens up for harm to air quality. The proposals currently with Haringey for the Pinkham Way site show what type of development potential the site would be subject to with the proposed designation of LSIS. For example, the NLWA proposal would produce 1000 vehicle movements per day (with a 12 hour operation per day, that would be an average of 83 trips per hour, or, one every 45 seconds. A development such as this would have a significant and detrimental impact on air quality. (see summary of proposals on NLWA website).
- It is our view that if the score reflected the worst case scenario it would mean that the policy detracts from the achievement of all elements of the SA objective on air quality rather than the current assessment that the policy is partially detrimental to the achievement of the SA Objective.
- The NLWA/LBB development, for example, would not be able to implement any of the mitigations listed because of the nature of its activity. It is accepted by the NLWA that it would not be possible to use the rail network for its operations. LBB's part of the development is almost wholly vehicle movements. If a proper assessment of the site is to be made, then the worst case scenario should be assessed to see whether any constraints should be put on the type of development allowed on this particular site in this particular location. This appraisal did not do that and therefore it is not reliable or sound and should be reviewed.

If the site's designation was not a dual designation but purely SINC, it is almost certain that a proposal such as the NLWA/LBB one would not be attracted to this site.

6. Alternative Use

- Pinkham Way is a mature and natural habitat for many important and protected species. The LSIS designation has the potential to all but destroy this habitat and the green corridor linkage it is part of. This natural space has been developing into its current state for the past 50 years and no reasonable, let alone robust or credible evidence, has been produced by the Council to justify its destruction.
- In 2003, Atkins produced an Open Space study for the Council, in which it noted that there was 1.7ha of open space per 1000 population, against a National Playing Field Association Standard of 2.43ha, "demonstrating that the Council is not a very green borough." There will also be continued pressure on the Council's open spaces because of the low level of provision in some surrounding boroughs. The Core Strategy itself notes that, according to the Council's Community Infrastructure Plan, for the Council to maintain its current level of public open space provision, or to meet the goals set out in the Open Space and Recreational Standards SPD, an increase of between approximately 24 and 32 hectares of public open space would be required by 2016.
- This study contains a review of the Green Belt, Metropolitan Open Land and Significant Local Open Land designations, "*in order to identify whether any amendments were required to the boundaries of existing designated sites and whether any additional open spaces fulfil the criteria for inclusion within Green Belt, MOL and SLOL designations.*" Over 20 sites were chosen for review based on '*an analysis of sites which were considered to fulfil a structural, amenity, conservation, landscape, ecological, townscape or cultural role but which were not currently designated as MOL or SLOL.*'¹⁸ As a result of this survey a substantial number of sites were either designated as MOL or SLOL for the first time or had their boundary extended. Pinkham Way was not reviewed.

- Pinkham Way is eminently suitable for designation as open land, the Council has acknowledged its importance as a valuable site of nature conservation. There is now an opportunity for the Council to review the Pinkham Way site to see whether it is suitable for designation as a MOL or some other similar designation and we would urge the Council to take it and to remove Pinkham Way from the Employment land allocation.

6 Conclusions

There is no robust or credible evidence for the re-designation of Pinkham Way and we respectfully ask the Inspector to find that it is unsound and the site should be removed from this category of Employment Land under Policy SP8 as being neither suitable nor required to meet the Borough's employment land requirements

We request that the Pinkham Way site be designated instead as an area of Metropolitan Open Land, or with some other appropriate designation that would ensure its full protection as an area of high amenity and recreational value and support its continued role as a SINC. This would also resolve the conflict of the dual designation.

The Inspector is invited to conclude that there is no evidence to support the allocation of the site for employment use and no evidence to support the designation of LSIS, and that the site is not suitable and not deliverable as a significant employment site. The allocation as such is not justified and is therefore unsound and should be deleted from the plan.