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29 July 2016

Dear Inspector

**Ref: Haringey Local Plan: Representor's Additional Statement**

Thank you for the notification on Wednesday, 27 July 2016, regarding the format required for additional statements for specific examination sessions for the Local Plan. North London Waste Authority (NLWA) has confirmed that we wish to provide additional oral representation at the hearing for the Site Allocations DPD and accordingly we would also like to supply an additional statement in support of our representation. Our statement is attached to this letter.

1. To confirm:

This is a Representor's Additional Statement from: **North London Waste Authority**

Representor reference **ID: 34**

Regarding the: **Site Allocations DPD**

Matter to which this additional statement refers: **Matter 3 – Site Specific Issues**

**Sites in the West of the Borough – specifically Site SA 52 - Pinkham Way**

North London Waste Authority (NLWA) owns part of the Pinkham Way site.

2. How the evidence relates to the tests of soundness of the plan:

2.1 In our response to the pre-submission version of the Site Allocations DPD, NLWA indicated that we considered the document to be legally compliant, and compliant with the duty to co-operate, but not sound. In relation to Site SA 52 the Authority considered that it could not be justified to seek to optimise cycling and pedestrian connectivity through the site as proposed in the Site Allocations DPD. We argued that increased connectivity through the site would compromise the site's development for employment use, including for waste use, which was the purpose of NLWA's purchase of part of the site.

2.2 NLWA supports the dual designation of the site for employment use and as a grade 1 borough level SINC (Site of Importance for Nature Conservation) but does not consider that this is deliverable with the site access proposals included in the Site Allocations DPD.

Accordingly NLWA proposed in its written representations that the development guidelines for site SA52 be amended as follows (with proposed amendments in bold italics):

“Pedestrian and cycling connectivity ***from either side of*** through the site, including ***from*** the existing estate on Alexandra Road, to New Southgate station, which Crossrail 2 is proposed to be connected to, should be optimised as part of the design of any new development ***if it is safe to do so, recognising that the route and nature of any connectivity optimisation will depend upon the nature of the development.***”

The additional statement is appended to this letter:

### **Specific additional comments/statement**

#### **1. Introduction**

- 1.1 This Hearing Statement has been prepared by North London Waste Authority (NLWA) in response to the Inspector's draft Matters and Issues for Examination on the Site Allocations DPD and addresses Matter 3 Site Specific Issues for site SA52 located in the West of the Borough.
- 1.2 For the purposes of this Hearing Statement site SA52 is referred to as 'Pinkham Way'.

#### **2. NLWA Response**

- 2.1 The following section sets out the issues raised by the Inspector in the draft matters statement and NLWA's response.

#### **Matter 3 Key Issue**

- 2.2 The following issue has been raised by the Inspector in the Site Allocations DPD draft Matters Statement:
- 2.3 *SA52 – is the purpose of the designation consistent with National Planning Policy Framework paragraph 22, which seeks to avoid the long term protection of sites allocated for employment where there is no reasonable prospect? How does it relate to strategic and development management policies and their supporting documents in terms of demonstrating that additional land is needed to meet employment needs of the Borough? Can it be demonstrated that the site can be developed without harm to biodiversity and nature conservation objectives? Is it a deliverable site?*

#### **Consistency with NPPF Paragraph 22**

- 2.4 NPPF paragraph 22 states '*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is a reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*'
- 2.5 Taking account of the definition in paragraph 22 it is acknowledged the Pinkham Way site could be defined as having long-term protection as it was allocated in the IDP (adopted 2006), is currently allocated as Local Employment Area (LEA) within the Local Plan: Strategic Policies 2013 – 2016 (adopted March 2013) and is a Defined Employment Area (DEA) and Employment Location (EL) within the Unitary Development Plan's saved policies (March 2013). The Pinkham Way site is also proposed for designation as Local Employment Area within the London Borough of Haringey (LBH) Site Allocations Development Plan Document (2016).

- 2.6 As the site has been afforded long-term protection, it should be demonstrated the allocation has been regularly reviewed and '*there is a reasonable prospect of the site being used for employment use*'.
- 2.7 Firstly LBH has regularly reviewed the Pinkham Way employment land allocation assessing the site within the Haringey Employment Land Update (2012) and the Employment Land Study (2015).
- 2.8 The Haringey Employment Land Update (2012) states:
- 2.9 '*The strategic location of the site, its scale and proximity to other well established industrial sites reflects its potential to become a successful, modern employment site. It offers a unique opportunity for the borough in serving a significant element of strategic, long term demand as the local economy grows and diversifies.*' (page 31).
- 2.10 The Employment Land Update considers the site is appropriate for a Locally Significant Industrial Site (LSIS) designation as this creates market certainty regarding the types of employment use appropriate for the site. It also represents a key component of future supply to meet long term demand in the borough.
- 2.11 The Pinkham Way site has also been assessed in the Employment Land Study (2015). Whilst the study recognises the site based constraints mean '*it does not appear to be likely to be developed for employment use in the near future*' (page 25), the study does recommend the site should be retained as employment land. The study advises a feasibility and viability assessment to support its findings.
- 2.12 The ownership status of Pinkham Way and its planning history, together with the excellent site access and adjacency to the trunk road network also contribute to the '*reasonable prospect of the site being used for employment use*'.
- 2.13 As NLWA is in ownership, the site can be developed for owner occupier use. NLWA consider the site an asset to feature in long-term waste management plans:
- 2.14 NLWA is a statutory joint waste authority with statutory responsibility for managing local authority collected waste collected by the seven London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest. The Authority bought part of the Pinkham Way site (SA 52) from London Borough of Barnet with the aim of developing it for waste use. The other part of the site remains in London Borough of Barnet's ownership. In May 2011 a joint planning application for Pinkham Way was submitted to Haringey Council by London Borough of Barnet and NLWA to develop the site for waste management use, including for a waste collection depot for London Borough of Barnet. Although the application was never validated and the application subsequently withdrawn, it shows intent and interest by the owner to use the site for employment uses.
- 2.15 The Authority has consistently maintained that the site is an asset bought on behalf of seven north London boroughs and that it should remain an asset due to its strategic location and planning designation as an employment site (Pinkham Way is on the edge of

Barnet, Haringey and Enfield and as such is in an ideal location from a waste transport perspective). Pinkham Way is a large site, located adjacent to the strategic road network and potentially has improving employment attractiveness as the proposals for Crossrail 2 (with the railway line adjacent to the site and New Southgate station just to the north) develop further. Accordingly the Authority argues that the site's designation for employment use is consistent with the NPPF in that there is a reasonable prospect of the site coming forward for employment use including for wastes management.

- 2.16 However, the Authority has advised that assuming it can secure planning permission for suitable residual i.e. black bag waste management facilities at the Edmonton EcoPark site in Enfield, that it currently has no immediate plans to develop Pinkham Way for such use. But, although NLWA has no immediate plans for developing Pinkham Way for residual waste use this does not mean that there is no prospect of NLWA developing the site at all. As an example NLWA and the seven north London boroughs have set a joint target to recycle 50% of the waste by 2020, which will require further investment in recycling and management of waste further up the waste hierarchy, i.e. moving away from landfill waste disposal. Suitable sites for waste use like Pinkham Way, are relatively rare in London, and with pressure to develop a more circular approach to wastes management - circulating resources through reuse, remanufacture and recycling, the Authority is keen to protect the retention of employment designation for the site in order to provide flexibility for the future management of north London's rubbish. The site would be potentially suitable for recyclables processing, remanufacture or transfer and bulking of waste for example. Compared to a residential use for example requirements for remediation of the site, might also be less onerous and therefore less costly if Pinkham Way is used for an employment use.
- 2.17 The Authority has applied for a Development Consent Order to replace the existing residual waste energy-from-waste facility at Edmonton with a new energy-recovery-facility (ERF) and associated buildings and works. This application is currently undergoing examination with a decision expected in 2017. If the DCO application is unsuccessful then NLWA would potentially need Pinkham Way for residual wastes management instead of for other wastes management purposes as outlined above. It would therefore be premature in our view to de-designate the site for employment use at a time when the statutory waste disposal authority for the area does not have approval for replacing its residual waste management infrastructure and additionally at a time when the waste plan for the area – the North London Waste Plan is not yet finalised and is considering Pinkham Way as a potential waste site for inclusion in the Plan.
- 2.18 Taking account of the outcome of the last two Employment Land Reviews, the availability of the site and the planning history, Pinkham Way can be considered to be a reasonable prospect for employment use within the Local Plan period. This is augmented by the fact that its owners are two public bodies, with statutory responsibilities, we consider that it is not only a deliverable site for future employment use but also one which is needed in the area.
- 2.19 Prior to NLWA's planning application there was an application, submitted in 2000 (HGY/2000/0959) by Costco Wholesale Limited sought outline planning permission for the

*'erection of a warehouse club building for the sale of goods (including use within A3) together with fitting bay, erection of industrial buildings, new access, car parking and landscaping...new access is to the North Circular from the existing roundabout'. This application was withdrawn by the applicant.*

### **Demand for Employment Land**

- 2.20 It is considered matters relating to 'strategic and development management policies and their supporting documents in terms of demonstrating that additional land is needed to meet employment needs of the Borough' will be addressed by LBH.

### **Biodiversity and Nature Conservation**

- 2.21 Matters raised by the Inspector were to demonstrate the site can be developed without harm to biodiversity and nature conservation objectives.
- 2.22 The Local Plan (2016) proposes the continued dual allocation of Pinkham Way as an employment allocation and a SINC. SINC's are protected through planning policy, primarily the NPPF, London Plan<sup>1</sup> and Haringey's Local Plan. Planning policy and biodiversity guidelines would inform the design of the future development of the site. Detailed design review would need to identify opportunities to support notable species and habitats associated with the SINC as part of the development, with provision of offsite enhancements and/or habitat creation where applicable.
- 2.23 In order to gain planning permission, it would be necessary to provide an overall net gain in biodiversity value, where possible, in accordance with the NPPF, appropriately balanced against employment needs given the dual designation of the site. Any future proposals for the site would need to provide the relevant ecological baseline and assessment, following the principles of the mitigation hierarchy, in order to inform a planning decision.
- 2.24 It is relevant to consider the site's designation, which was as a 'typically diverse wasteland' site. Since the designation the site condition has changed and there is now a combination of rough (neutral) grassland, tall ruderal, scrub and wooded habitats, and whilst still undergoing treatment for removal, various stands of Japanese Knotweed and Giant Hogweed on site which are invasive and of negative value. Development of the site would provide an opportunity to reinstate biodiversity interests back into the operational site and to provide new and/or improved habitat areas consistent with the site's wasteland designation.
- 2.25 Further, the site sits within a wider network of ecological designations, which have different characteristics but in combination contribute to a wider network. Proposals for the site could contribute to the broader quality of this area.
- 2.26 The delivery of net gain, as part of a planning application, could be achieved through a combination of new habitat creation, plus enhancements to and management of retained

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<sup>1</sup> Greater London Authority, (2015); 'The London Plan. The Spatial Development Strategy for London. Consolidated with Alterations since 2011.'

habitat areas, together with the provision of off-site offsetting, if required to address additional residual impacts. This was the approach adopted for the planning application previously prepared by NLWA, which incorporated a range of measures to enhance the biodiversity of the proposal including: extensive green roofs planted to reflect the site's designation, green walls and an area of flood attenuation designed to provide for species that prefer a north facing habitat and which can withstand potential flood events, proposals for off-site mitigation were also discussed.

### **Deliverability**

- 2.27 The NLWA and London Borough of Barnet planning application (outlined above) demonstrates the site is considered viable for employment uses. In determining to progress with a planning application NLWA was satisfied that the site constraints including levels of contamination and the SINC designation could be effectively mitigated and a feasible scheme delivered. In its representations to the Site Allocations DPD NLWA has maintained that the dual allocation does not preclude employment development on the site.
- 2.28 Additionally, the site has excellent access to the trunk road network and its own existing dedicated access, removing accessibility constraints that might be found on other sites.
- 2.29 Given the wider proposals for the area associated with Crossrail 2, which would have the potential to transform the local area, and would contribute to further supporting the deliverability of employment uses on the site. It is recognised that the proposals are at an early stage, however, sustainable development requires employment uses and the Pinkham Way site is ideally located in this regard to support broader growth in the area. If Crossrail is brought forward it is highly likely that this would further support the deliverability of the site for employment.