

Haringey's Local Plan

Preferred Option

Site Allocations DPD

Consultation Document

February 2015

Pinkham Way Alliance
Representations

March 2015

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1 Introduction

- 1.1 These representations are submitted by the Pinkham Way Alliance (PWA) and reflect the concerns of the local community about the future use and protection of the Pinkham Way SINC (Borough Importance No 1).
- 1.2 The PWA is an alliance of residents' associations, businesses, schools, community groups and individuals which has been engaged with the Council and others since early 2011. At that time a small number of people living in the vicinity of the Pinkham Way site became concerned about plans by the North London Waste Authority (NLWA) and Barnet Council to develop the site for a large scale MBT waste facility and Waste Transport Depot.
- 1.3 The PWA has more than 3000 supporters. The membership is drawn largely from the residential areas that would be most directly affected by the loss of this important site of importance for nature conservation and by any major development on the site.
- 1.4 We wish to include as part of this response our previous submission document, in particular Sections 3, 4 and 5 of the Response and Appendix 2 (Management Brief 2014 – 19). These dealt in some detail with the Council's planning policies as they related to the Pinkham Way site. We consider them relevant to this consultation and wish you to take them into account in conjunction with the present submission. They can be found on the Haringey website¹.

¹ <http://www.haringey.gov.uk/housing-and-planning/planning/planning-policy/local-development-framework-ldf/site-allocations-policies/site-allocations-consultation-responses-companiesorganisationsgroups>

2 Summary of Representations and Proposed Designation

- 2.1 As the Council will be aware, the PWA has considered a wide range of possible options for the future of the Pinkham Way site since the last consultation in 2014 on these documents.
- 2.2 Representatives of PWA have welcomed the opportunity to attend a number of meetings with Haringey Council officers and Members, during which we have discussed various proposals that might be suitable. These included bringing employment and or housing on to part of the site and the surrounding area; bringing educational/medical/community facilities on to the site; possible extension of public transport to the Retail Park and Pinkham Way, linkages and footpaths/cyclepaths from the surrounding area through and around the site.
- 2.3 In addition, PWA has put forward a proposal for retaining and enhancing the ecological value of the SINC by protecting the whole site from development, with local community participation integral in the ongoing management of the SINC, with public accessibility to part.
- 2.4 To support this proposal, PWA commissioned a Site Management Plan 2014-19 for the Pinkham Way site from its ecological consultant, Denis Vickers, MSB, FSL, MCIEEM, and asked residents to indicate willingness to offer practical help in implementing it under his ongoing supervision. 134 people put their commitment on public record²
- 2.5 After considerable research and investigation, and after careful examination of the Council's evidence supporting the Site Allocations draft document, PWA has reached the conclusion that the Pinkham Way site is unsuitable for development, that the employment designation should be removed and the site be protected in its entirety as either a valuable SINC, a Local Nature Reserve and/or MOL.
- 2.6 The evidence from the Council's own advisors on employment and on open space/biodiversity – and, just as important, the absence of evidence - supports this conclusion.
- 2.7 The GVA Workspace Viability Assessment 2015 stated that Pinkham Way has limited workspace drivers to support future workspace delivery.
- 2.8 The GVA Site Allocation Viability Assessment 2015 omitted any reference to the site's viability, contrary to the recommendations in the Atkins Employment Land Study 2015.
- 2.9 The Atkins Haringey Employment Land Study 2015 dealt with the site in some detail. They advised that taking into account the fact that the site would not be attractive as a B1 location, is not close to any Underground or railway stations, that its contaminated and has a long history of vacancy, it is unlikely to be developed for employment use in the near future. They recommended a feasibility and viability study of the site because they considered that employment-led development could be “ ... unfeasible because of land remediation costs”³.
- 2.10 We do not accept that it would be possible to cross subsidise employment on this site with housing or other higher value development due to the major constraints on the site. These are set out in the

² <http://www.haringey.gov.uk/housing-and-planning/planning/planning-policy/local-development-framework-ldf/site-allocations-policies/site-allocations-consultation-responses-companiesorganisationsgroups>.

³ http://www.Haringey.gov.uk/sites/Haringeygovuk/files/Haringey_employment_land_study_-_final_feb_2015p25.pdf

PWA Pinkham Way Strategic Risk Assessment attached as Appendix 1 and illustrated in the Site Constraints Plans Nos 1 – 3 attached as Appendices 2 – 4.

- 2.11 The Council's Land Use Consultants' Report of October 2014 in its review of the site found that this site is a "large unlit site has no public access and is therefore almost undisturbed. Making it a rare resource for Haringey of high ecological value". The interest found on the site included invertebrate, amphibian, reptile, mammal, birds, higher plant, Bryophyte and Lichen. It was rated in terms of Species Richness as Average/Rich⁴.
- 2.12 The Preliminary Ecological Appraisal Report 2013 commissioned by PWA, and passed to the Council on publication, confirmed that the site was a valuable ecological site and justified its Grade 1 Borough status. In addition it was described as part of an important green chain.⁵
- 2.13 The Preliminary Invertebrate Survey 2014-2015 (March 2015) by Edward Milner BSc MCIEEM commissioned by PWA, and passed to the Council on publication, concluded that the site has "considerable conservation value" and that "it should be an urgent matter to conserve the site, as well as extending the survey area".
- 2.14 The Pinkham Way SINC is included in the Site Allocations DPD but unlike the other sites, which have an explanation about why they are included, what the expectations are of their development and how they will contribute to the Council's strategic plan for the area, the Council has omitted to state the reason or justification given for the inclusion of the Pinkham Way site and how it will contribute to the strategic plan. Its inclusion is contrary to all the evidence available to the Council. There appears to be confusion as to what information should be in which section of the site summary and the overall impression is one of evasiveness as to what this site should be used for and how it could contribute to the Council's planning strategy for the area (which is an area of limited development).
- 2.15 If an evidence based approach is to be taken, as it should, on the future designation and use of this site, in the light of all the evidence now available to the council, it should be designated either SINC, Local Nature Reserve, and/or MOL, and should be removed from the Site Allocations DPD.

⁴ http://www.haringey.gov.uk/sites/haringeygovuk/files/haringey_open_space_and_biodiversity_study_final_report_-_appendix_7.pdf - site ID - B7

⁵ Preliminary Ecological Appraisal Report October 2013 Appendix 7 attached

3 Analysis of Haringey's Evidence on Employment and Viability

Workspace Viability Assessment 2015 GVA

Site Allocation Viability Assessment 2015 GVA

Employment Land Study 2015 Atkins

- 3.1 In the opening section of the Introduction to the Workspace Viability Assessment, we are told that the work '*has been carried out in parallel with a separate assessment of the viability of 15 proposed site allocations.*' At Section 6.4⁶, however, GVA states that Sites such as Pinkham Way (*and two others*) '*... have limited workspace drivers to support future workspace delivery.*' Pinkham Way makes no further appearance in the document.
- 3.2 The '*separate assessment of the viability of 15 proposed site allocations*' promised in the Workspace Assessment proves in the companion Site Allocations Viability Assessment 2015 to be an assessment of '*the potential deliverability of a series of 12 sites across the borough*'. There was no mention of any work's having been done on Pinkham Way; indeed any mention of the site is omitted.
- 3.3 PWA can only assume that the negative remarks in the Workspace Assessment mean either a) that the idea of assessing the site for mixed use was too impractical to be worth pursuing, or b) that an assessment was done but was too damning to be published.
- 3.4 The Council, having lashed itself to the mast of evidence-based decisions, should clarify the situation, and publish either the completed assessment or the reasons for not undertaking one. Either way, it is part of their evidence.
- 3.5 To comment now on Atkins' Employment Land Study 2015, GVA's blunt dismissal of the site, as lacking 'workspace drivers' encapsulates Atkins' own accumulation of negativity in paragraph 5.40 onwards.
- 3.6 **Para 5.40** *The site has been vacant / derelict for many years reflecting the difficulties in bringing it forward for development. It appears unlikely that this is going to change in the short to medium term as there are various factors affecting the site's prospects of being developed (such as the site's contamination and the corresponding land remediation costs)*
- 3.7 **Para. 5.41** *Given that both the Experian and trend-based employment projections indicate that future employment growth in Haringey will be primarily in office-based sectors, the site is not an attractive B1 location. It is not close to any London Underground stations and the nearest railway station (New Southgate) is approximately 15 minutes away on foot. Taking the above into account along with the site's land contamination issues and its long history being vacant /derelict it does not appear to be likely to be developed for employment use in the near future⁷.*
- 3.8 Several of the comments above, about contamination, land remediation, public transport deficiency, come under closer scrutiny in the PWA's own Risk Assessment, attached here as Appendix 1

⁶http://www.Haringey.gov.uk/sites/Haringeygovuk/files/Haringey_workspace_viability_study_draft_final_report.pdf

- p 78

⁷http://www.Haringey.gov.uk/sites/Haringeygovuk/files/Haringey_employment_land_study_-_final_feb_2015_0.pdf - p 25

- 3.9 Atkins Seems to go back on its previous comments at **5.42** *A study should be undertaken to determine the feasibility and viability of the site for re-development for employment use. It is possible that employment-led development could be unfeasible because of land remediation costs. This raises the possibility that some form of cross subsidy will be required in order to bring the land forward for development* and at **5.43** *Subject to the findings of a detailed feasibility assessment, it is recommended that the site should be retained as employment land, if it is assessed to be viable for employment development once nature conservation issues have been suitably mitigated. If unviable, cross subsidy for development could be considered to deliver employment functions.*
- 3.10 However, there is no evidence that such a cross subsidy would be viable and the Council has not seen fit to include such a viability assessment in the GVA Viability Study. The Council cannot rely on the prospect of cross subsidy without any viability evidence to support it. The current suite of assessments would surely have been the time and place to do it but the opportunity was not taken. Cross subsidy therefore should no longer be considered an option on this site.
- 3.11 It also has to be said here that Atkins has included an inaccurate description of the access to the Pinkham Way site. The junction with B550 Colney Hatch Lane is not '200 metres to the west', as Atkins says at 5.39⁸; it is in fact 700 metres to the west. There is no 'direct access' to the 'major arterial road' as stated at 5.39; depending on whether the driver is travelling west or east, there are two or three sets of traffic lights to negotiate the B550 over one of the busiest junctions on the A406, and further slip roads after the lights. Between the A406 and the site, there is a distance of around 1.3 km.
- 3.12 Arup had already pointed out the lack of direct access in their 2011 Environmental Scoping Report⁹. This corrected Arup's own egregious error in the 2009 Site Appraisal, which had, in its desk-based study, claimed that the roundabouts at either end of the Pegasus Bridge gave direct access on and off the A406.
- 3.13 Atkins makes no mention either of the chronic and virtually day-long eastward congestion, known to be among the worst of any road in the TfL network. To someone with no knowledge of the site, the Atkins report would convey a wholly misleading idea of the ease and distance of access and egress.
- 3.14 At SA2: of the Site Allocations Document, under Changes to Employment Designations, we note that the Pinkham Way site is included in the list as LEA6. The introduction to these proposed changes states that they are informed by evidence in the Employment Land Review, and Viability Study. We believe this is not a correct interpretation of the evidence referred to as we have set out above. LEA6 should be removed as all the evidence goes the other way.
- 3.15 In the Development Guidelines of SA52, the Council states that the site has been nominated by the NLWA as a potential waste site in the preparation of the North London Waste Plan. The Council will be aware that the NLWA has publicly stated that it has no immediate or medium term plans for the site, ie it has no plans for the site at all. The North London Waste Plan, in which the site was mentioned, no longer exists. There is no current version of the NLWP. The Inspector in his Report on the Council's Local Plan Strategic Policies said that the NLWP was the appropriate vehicle for determining the suitability of sites for waste. Until such time as the NLWP has produced evidence that any particular site is suitable and necessary for inclusion in that plan, no site can be properly

⁸ http://www.Haringey.gov.uk/sites/Haringeygovuk/files/Haringey_employment_land_study_-_final_feb_2015_0.pdf - p25

⁹ Arup Scoping Report 2011 p32

earmarked or set aside for inclusion. There is no current evidence on which to base any such assumption for the Pinkham Way site.

- 3.16 In the event that there may be any residue of expectation that the Pinkham Way site might be suitable for a Waste Use, we would point out that at the Cricklewood Waste Transfer station for instance, there are 11 employees on a site of just under 2.5ha. Atkins estimates in Section 6.6 that for 59,590 employees in the borough in 2016, 72.9 ha of floor space will be required. The figures speak for themselves, that a waste use would offer employment benefits to Haringey that are less than negligible.
- 3.17 When the evidence above is taken together with the PWA Strategic Risk Assessment and the Site Constraints Plans 1,2 and 3, which highlights the contamination, land instability, topography, extent of land take for deculverting, the significant detriment to the Pinkham Way SINC and the surrounding SINC and MOL, the overwhelming conclusion must be that this site is not suitable for employment development or any other type of development. On the contrary, it is more appropriate for protection and enhancement as a highly valuable SINC, or Nature Reserve and/or MOL.

4 Site Constraints: Evidence of unsuitability/unviability of the site for development and VFM risk

- 4.1 This should be read in conjunction with the Risk Assessment in Appendix 1 and the Site Constraints Plans 1,2 and 3, which are Appendices 2 - 4 and the Haringey Green Corridor Aerial view (Appendix 5).
- 4.2 Site Constraints Plan No 1 identifies land ownership and areas of contaminated land.
- 4.3 Site Constraints Plan No 2 describes the distribution of vegetation, areas of significant gradient, the ecological corridor, the area of the invertebrate survey and areas of MOL.
- 4.4 Site Constraints Plan No 3 describes the flood zones and the area required for de-culverting the water course.
- 4.5 The Haringey Green Corridor shows the areas of MOL, SINC, including the proposed new SINC at Golf Course Allotments as well as the ecological corridor.
- 4.6 Two previous Development Constraints Reports for Pinkham Way have been published. As well as the NLWA Arup Environmental Scoping Report of March 2011 (Appendix 10), Jacobs had produced a report for Barnet Council in 2008 (Appendix 6). The Arup report contained the following findings:
- **Ground levels differ** *The existing levels within the site vary considerably; with a difference of up to 15 metres from one side to the other.*¹⁰
 - **Contamination/Landfill Use Arups**... *Made Ground ... highly variable, bricks, wood, glass, glass bottles, metal, ash, clinker, paving slabs, asphalt, ceramics and paper ... concrete obstructions ... presence of methane ... carbon dioxide ... lead ... asbestos sheeting and pipes*¹¹
 - **Effects of Contamination (Arups)***... *there is potential for end users to come into direct contact with contaminants in areas of landscaping or open space ... maintenance workers may come into contact with contaminated ground during the operation of development.*¹² Tests in Hollickwick Park showed *...elevated concentrations of metals and microbial contaminants*¹³
 - **Existing culvert (S8)** ... *a culverted water course intersects the centre of the site ... connecting to the Bounds Green Brook ...*¹⁴
 - **Significant detriment to Pinkham Way SINC** ... *there is likely to be a significant adverse effect on this non-statutory designated site as a result of loss of habitat.*¹⁵
 - **Significant detriment to adjacent SINC and MOL** ... *potential for significant adverse effect on these sites as a result of disturbance during construction and operation ...; **Bluebell Wood** (1ha of ancient woodland); **Muswell Hill Golf Course** (extensive areas of acid and neutral grassland); **Hollickwood Park** (meadows, shrubberies and pond); **Golf Course Allotments**, c 4.5 hectares, adjacent to Bluebell Wood and abutting the eastern edge of the Golf Course, is proposed as Local SINC in the Open Space and Biodiversity Study 2015*
 - **No direct Access to strategic road network** ... *access to and from the site is achieved from Pegasus Way and Orion Road ... linked to the grade-separated junction of the B550 Colney Hatch Lane ... there is no direct access to the site from the A406 itself.*¹⁶

¹⁰ Arup Scoping Report 2011 p5

¹¹ Arup Scoping Report 2011 p20

¹² Arup Scoping Report 2011 p20

¹³ Arup Scoping Report 2011 p20

¹⁴ Arup Scoping Report 2011 p18

¹⁵ Arup Scoping Report 2011 p24

- **No Employment benefit** ... “employment numbers will be small”¹⁷
- **Air Quality worsened** “the location is sensitive in terms of air quality”.... potential for additional ... “exhaust emissions to have a detrimental impact on local air quality”.¹⁸ See comment above on A406 pollution levels
- **Noise pollution:** “Both construction and operation of development will give rise to noise emissions Operational noise and movement of vehicles to and from the site could potentially cause permanent noise issues”¹⁹
- **Very poor access via public transport** “... public transport accessibility level (PTAL) of 1a, rated as ‘very poor’ on a scale where 1a is the lowest possible accessibility and 6b the highest”²⁰

4.7 **Jacobs**²¹ reported in 2008 that *the site investigation demonstrated the presence of lead in the Made Ground at concentrations above the CLEA commercial soil guideline values. Asbestos was also identified as potentially present in the ground. Due to the site’s former use as a Sewage Works, some residual microbiological activity has been identified both in the soils and the ground waters. Only limited testing has been carried out in relation to these contaminants, and soil and water should be classed as potentially hazardous to human health across the site. Microbes thrive in anaerobic environments and therefore may exist beneath any area of the site which was formerly occupied by sewage works structures or the related waste materials, which have since been buried.*

4.8 It should be noted in relation to Arup’s and Jacobs’ findings on contamination, that Haringey Council, in its website comment on the Contaminated Land Register it is required to maintain, asserts that ‘there are no contaminated sites in Haringey’. We believe that Pinkham Way should be recorded as contaminated in that register.

¹⁶ Arup Scoping Report 2011 p32

¹⁷ Arup Scoping Report 2011 p13

¹⁸ Arup Scoping Report 2011 p16

¹⁹ Arup Scoping Report 2011 p30

²⁰ Arup Scoping Report 2011 p32

²¹ Jacobs Friern Sewage Works Site, Barnet – Development Constraints Report April 2008 Appendix 6

5 Biodiversity and Ecological Value

Changing emphasis in policy

- 5.1 For many years, global, national and local policy has highlighted growing concern about continuing loss of biodiversity²², the fragmented and unconnected nature of wildlife sites and the effects on general well-being of humanity's gradual loss of connection to nature as urbanisation increases. Locally, this is most apparent when individual sites are harmed or sacrificed by planning decisions which fail to give due weight to ecological concerns and wildlife protection. Too often there seems a reason to leave wildlife protection until the next planning decision.
- 5.2 In the case in point, Pinkham Way's ecological value is threatened not simply by consideration of the value of any development, but possibly by another overriding reason - the lessening of the embarrassment of a public body which, by purchasing a site with no planning permission, and with so many unknowns, made, in hindsight, an egregious commercial error. Thus the NLWA's embarrassment as it tries to extract some value from its ownership is weighed against 6.5 hectares of increasingly valuable ecological land. In our opinion, this has dominated and distorted discussion on the site's future.
- 5.3 While individual sites have their individual protection problems, high level policy, as we say above, is full of concern about loss of wildlife and habitat, and full of guidance to LPAs and landowners, public and private, on protecting and enhancing biodiversity.
- 5.4 **2009:Haringey Biodiversity Action Plan** - *Despite the many benefits biodiversity provides to people, and its own intrinsic value, human activity is currently the cause for a huge ongoing loss of biodiversity.* (Quote from HARINGEY website)²³
- 5.5 Para 9.1 of Haringey Report to Cabinet 13 October 2009 " Section 40 of the Natural Environment and Rural Communities Act 2006 requires all public bodies to have regard to biodiversity conservation when carrying out their functions. "²⁴
- 5.6 June 2011: **UK National Ecosystem Assessment (NEA)** reported that nature is consistently undervalued in decision-making and that many of the services we get from nature are in decline. Over 40% of priority habitats and 30% of priority species were declining in the most recent analysis.²⁵ The review, of England's wildlife sites and ecological network, concluded that England's collection of wildlife areas (both legally protected areas and others) does not currently represent a coherent and resilient ecological network capable of responding to the challenges of climate change and other pressures.

²² <http://ptes.org/> - 'Almost two thirds of species in the UK have declined in the past 50 years'

²³ (<http://www.Haringey.gov.uk/environment-and-transport/nature-and-conservation/conservation/biodiversity-action-plan>)

²⁴

[http://www.minutes.Haringey.gov.uk/Published/C00000118/M00003891/AI00015902/\\$20091013Item09BioDiversityFrameworkandActionPlan.doc.pdf](http://www.minutes.Haringey.gov.uk/Published/C00000118/M00003891/AI00015902/$20091013Item09BioDiversityFrameworkandActionPlan.doc.pdf)

²⁵ (<http://www.bbc.co.uk/news/science-environment-13616543>)

- 5.7 **August 2011: Biodiversity Strategy 2020** – *“We must ensure that the value of nature’s services is better understood and enhance people’s personal connection with wildlife and nature”* Caroline Spellman, (Secretary of State for Environment, Food and Rural Affairs 2010 to 2012)²⁶
- 5.8 2011: **United Nations General Assembly declared the period 2011-2020 to be “the United Nations Decade on Biodiversity”**... *evidence supports what many people feel instinctively – that regular opportunities to experience natural environments have quantifiable positive impacts on our mental and physical health.*
- 5.9 **April 2012: European Parliament adopts resolution on the EU 2020 Biodiversity Strategy – para 4 of the resolution** *“... notes that climate change, biodiversity loss, threats from invasive species and overconsumption of natural resources are transnational and transregional challenges which affect every EU citizen, whether living in an urban or a rural area, and that urgent action is needed at every level of government – local, regional and national – in order to mitigate these effects”*²⁷
- 5.10 At the 2013 Conference on Progress on Biodiversity 2020, the Secretary of State for the Environment launched ‘A simple guide to Biodiversity 2020 and Progress Update’. In answer to the question ‘How is biodiversity 2020 being delivered?’ the update said²⁸: Biodiversity 2020 **“... believes that local people and organisations are best placed to decide how to implement the strategy in the most appropriate way for their area or situation.”**

The document continues “However, local projects are particularly likely to be making a key contribution to the strategy if they involve:

- improving the quality of existing habitats so they are able to better support biodiversity
- creating new areas of priority habitat.
- identifying and managing ways for habitats to be linked together to create new networks for wildlife
- managing biodiversity at the scale of whole natural systems and landscapes.
- engaging people in new ways that increases the number of people who understand and value nature.

- 5.11 The involvement of the 134 residents who have offered practical help to implement the Site Management Plan 2014-19 at Pinkham Way thoroughly fulfils the conditions listed above.
- 5.12 In late 2014, the GLA published ‘Enabling Infrastructure’, which sets out a vision for water, energy, waste and green infrastructure for London in 2050. The comments on green infrastructure said that London will, by 2050, have²⁹: “a city wide green infrastructure that is planned, designed and managed to absorb floodwater, keep the city cool, encourage healthy lifestyles, and enhance biodiversity and ecological resilience.”

²⁶ <https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services>

²⁷ <http://ec.europa.eu/environment/nature/biodiversity/comm2006/2020.htm>

²⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225300/pb14009-biodiversity2020-progress-guide-20130730.pdf

²⁹ <https://www.london.gov.uk/sites/default/files/Enabling%20Infrastructure%20%E2%80%93%20Green,%20Energy,%20Water%20and%20Waste%20Infrastructure%20to%202050.pdf> - p3

5.13 The document forecast that, by 2050, the equivalent of a further 9,000 hectares of green space would have needed to be created to meet anticipated population growth, while maintaining existing London Plan ratios of green space per capita³⁰. To give that figure some context, the area of Barnet, the fourth largest borough in London, is some 8,600 hectares. A further objective is that 30% of London's area should be under a tree canopy – that is a 10 percentage point increase (ie an increase of 50% in the area under trees) over 2008 levels³¹.

5.14 Loss of biodiversity and mitigation schemes all too often leave local communities at a loss to see what benefits mitigation actually provides. Tree planting and grassing of 'landscaped areas' to replace wildlife areas which are intricately and delicately interconnected and have generated naturally over an extensive period can result in a manufactured, low value blandness. Public cynicism is hardly surprising.

The hierarchy of actions of which mitigation is but a part is below

- **Avoidance** – can significant harm to wildlife species and habitats be avoided for example through locating on an alternative site with less harmful impacts?
- **Mitigation** – where significant harm cannot be wholly or partially avoided, can it be minimised by design or by the use of effective mitigation measures that can be secured by, for example, conditions or planning obligations?
- **Compensation** – where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, can this be properly compensated for by measures to provide for an equivalent value of biodiversity?³²

5.15 The guidance further states that "Where a development cannot satisfy the requirements of the 'mitigation hierarchy', planning permission should be refused as per paragraph 118 of the National Planning Policy Framework.

5.16 In the light of this, PWA welcomes Haringey's stipulation that any development proposal should 'enhance' both the SINC and the ecological corridor which runs along the railway land and the eastern edge of the site.

5.17 In our opinion, the local community would not have too much difficulty in recognising what would and would not enhance the ecology of the site. PWA can also of course call on its retained consultants for advice.

Haringey Open Space and Biodiversity Study 2015 – Land Use Consultants

5.18 There is an error at Section 3 where Pinkham Way is described as SINC II. It is SINC 1 Borough Importance.

5.19 The introduction and context estimates that Haringey will need to find an extra 48.5 ha of open space by 2026 to meet the requirement of 1.64 ha per 1000 people. Section 2.23 deals with LPAs'

³⁰ Op cit - p12

³¹ Op cit - p12

³² http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/#paragraph_009

responsibilities regarding wildlife sites.³³ The NPPF states that local authorities should identify and map local biodiversity assets and priority habitats, and ensure that these are maintained and restored. Local authorities should also identify suitable indicators for monitoring biodiversity (para 117). The NPPF also highlights the importance of planning for biodiversity at a landscape-scale, including across local authority boundaries (para 117).

- 5.20 It should be pointed out a) that one of the main concerns of policy papers and statements on biodiversity is the problem of fragmentation and lack of connection between wildlife sites and b) that, as regards the second section of the above quote, Pinkham Way stands at the boundary of three local authorities, Haringey, Barnet and Enfield.
- 5.21 Section 2.28 describes the All London Green Grid (ALGG)³⁴ “The All London Green Grid highlights the importance of biodiversity and states that the designated sites (including SINC)s are ‘the priorities for protection and management for biodiversity’ (para 4.15) ... The open Space and Biodiversity Assessment will identify the current quality of SINC)s, and habitats which are present. Haringey Council should use this evidence base to ensure that SINC)s of a high quality are protected, whilst those with less value are enhanced to reflect their conservation objectives and biodiversity potential.”
- 5.22 We draw attention again to the Land Use Consultants surveyor’s comment that the site is of “high ecological value”.
- 5.23 Whilst the ALGG can prescribe attitudes and practices for local authorities and we have no reason not to believe that Haringey will not use its best efforts in this regard, it does not seem to be incumbent on owners of important wildlife sites to take any action to manage the land in a way that promotes biodiversity.
- 5.24 NLWA’s efforts to eradicate invasive species have been conscientious and seem to have been largely effective (although the Biodiversity Study states at Appendix 7 that another invasive plant, goat’s rue, is being controlled³⁵, PWA is not aware of NLWA’s having taken any measures). It does not need much insight, however, to realise that it is not in the long term interests of either Barnet Council or the Authority to manage such a contentious site in a way that enhances the very ecological richness which is the main cause of contention.
- 5.25 It is incumbent on Haringey to promote ‘positive management’ at its nature conservation sites, and it is encouraging to see that the proportion of the borough’s SINC)s being managed this way is growing, albeit gradually³⁶. The Introduction to the Biodiversity Duty in DEFRA’s 2006 Guidance for Public Authorities states³⁷:

3. Public authorities have a key role to play in conserving biodiversity, through their work in ... managing their land ...

³³ http://www.Haringey.gov.uk/sites/Haringeygovuk/files/Haringey_open_space_and_biodiversity_study_final_report_-_mr_intro-context_for_study.pdf - p8

³⁴ ibid

³⁵ http://www.Haringey.gov.uk/sites/Haringeygovuk/files/Haringey_open_space_and_biodiversity_study_final_report_-_appendix_7.pdf - Site ID - B7

³⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/377484/SDL_2103-14.csv/preview

³⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69311/pb12585-pa-guid-english-070516.pdf - p3

5. The Duty applies to all public authorities including all other bodies carrying out functions of a public character and under a statutory power.
- 5.26 This implies a duty on NLWA at least to maintain the present status of the site and its priority habitat. We mention above a perceived absence of due diligence on the NLWA's part before purchase in 2009. The Authority has now discovered that what it bought – described at the time as 'derelict', and therefore worthless, land by all proponents of the site's wholesale development – is, as shown by its own advisors, and by Haringey's, as well as by PWA surveys, a highly diverse and valuable 'wasteland' habitat totally unsuitable for development. Its actions should reflect this discovery, however unwelcome it may be.
- 5.27 We urge Haringey to use its best efforts to fulfil its duties under the ALGG and remind the Council of the public commitment of well over 100 residents who stand ready to help in the management of the site under professional guidance.
- 5.28 The Site Allocations document states that before any development is granted planning permission, a Biodiversity Study will be carried out to identify how the designated SINC can be enhanced by the development.
- 5.29 We are unclear what such a study would achieve which previous studies had not, unless Haringey is proposing a suite of detailed species surveys. The SINC is only as good as the sum of its component parts. It is the variety of habitat on site - and the site's connection to adjacent green spaces, now so strongly emphasized in policy statements, as we highlight above - which makes it what it is. It is these characteristics that make it important to a number of species of fauna.
- 5.30 Surely, before the question is asked as to 'how' any development could enhance the SINC, the principle of 'whether' this is possible should be answered. As we say above, it is the totality of the site, and the connectedness of its various habitats, which make it so valuable.
- 5.31 Haringey's BAP 2009 describes 'wasteland' sites as offering 'stunning diversity. The value of these sites has only been slowly recognised over the years, before being highlighted in a 2002 study by the London Wildlife Trust, which said 'The diverse origins of urban brownfields can result in wildlife species that would be the envy of many rural nature reserves ...'
- 5.32 The London Biodiversity Partnership, of which LWT is a central part and which grew out of London's BAP, now carries the torch on behalf of 'wasteland' sites. Its guide to London's Priority Habitats says this about them: 'Wasteland habitat develops on previously developed land and houses a remarkable diversity of species – providing informal space for wildlife and people. But wastelands receive little protection and often disappear under new development. The Partnership's Wasteland Habitat Action Plan is under review ... We hope to carry forward our work with developers and landowners to provide guidance on the management of these unique habitats.'
- 5.33 The aims of the Habitat Action Plan, which is now, albeit slowly, in implementation, are threefold³⁸, to conserve the biodiversity of London's wasteland habitats, to promote the conservation of wasteland habitats for people and wildlife, and to establish a network of wasteland sites of significant biodiversity and amenity quality within London.

³⁸ http://ukbars.defra.gov.uk/archive/plans/lbap_complete_plan.asp?X={C419AE2F-DCD7-4B01-8685-70FC57329433}&LBAP={5215DDB3-A164-46E3-A8E3-C8858A6F54AC}

The Preliminary Ecological Appraisal 2013

- 5.34 The PWA's Preliminary Ecological Appraisal 2013 is attached as Appendix 7.
- 5.35 If the council's consultants had inspected the study done on the Pinkham Way site on behalf of PWA, they would have found the following results in the Executive Summary on p3
- that the site is 'wasteland', a priority habitat in the London BAP - Section 9.3 of Haringey's own BAP 2009 describes how wasteland can provide 'stunning diversity'. Importantly, the site hosts a small area of Open Mosaic Habitat, a priority habitat in the UK BAP.
 - that the site hosts 113 species of vascular plants
 - that there are some 1500 trees – mainly semi-mature woodland (This is around 4% of the total number in the whole of Haringey). There are older, larger trees around the perimeter, and a few ancient oaks to the south of the site.
 - that the PWA survey, and the Arup survey in 2011, between them found 6 notable bird species (UK BAP Priority Species or RSPB Red or Amber Status)
 - That the site hosts two endangered species, the slow worm and the cinnabar moth
- 5.36 The Site Evaluation in Section 4 of the report makes the following comments at Table 7 on page 22
- Given the geographical context of the site which is situated in a heavily urbanised area, the number of notable species recorded is considered significant.
 - Several uncommon species such as Bee Orchid and nationally scarce Golden Dock have in the past been recorded at the site. Although these species were not discovered during recent surveys, conditions at the site may no longer be suitable due to a lack of disturbance and natural succession but the site is likely to remain a seed bank for these species.
 - Mature oaks at the boundary of the site are likely to be remnant of ancient woodland habitat. (*It is believed that Bluebell Wood originally extended over what is now the Golf Course into the south of the site. PWA has been told that in a survey by David Bevan, mentioned above, found a fallen oak which ring-dated to the very end of C18th.*)
 - opportunities for Wasteland habitats to become established are limited in the London Borough of Haringey due to pressures from development. Furthermore, the site is positioned along an ecological corridor and offers an important green link between other sites. This is noteworthy within the context of inner London where well connected sites are becoming increasingly rare.
 - It supports a rich diversity of species given its small extent with 113 vascular plants identified during the habitat survey and no fewer than 8 species of Principal Importance recorded at the site since 2009. The composition of the substrate in addition to disturbances associated with industrial activities are likely to be (in part) significant factors for the past occurrence of uncommon species Bee Orchid and nationally scarce Golden Dock.
 - The control of natural succession of the Open Mosaic Habitat to woodland and scrub is required if the site is to maintain its biodiversity interest. Management in the form of rotational clearance of woodland and scrub, infrequent cutting of tall ruderal vegetation and rough grassland, and the creation of scrapes to expose areas of bare ground and wet depressions are recommended. The implementation of such management is likely to enhance the biodiversity value of the site in the long term. A culverted watercourse runs beneath the site, and the practicability of reinstating this stream should be explored. If current conditions allow, the reinstatement of this watercourse would further enhance the biodiversity value of the site.
 - Despite being located off the A406 which receives high traffic densities, mature trees at the boundaries of the site as well as woodland habitat provide screening from traffic noise and disturbance which creates a feeling of being outside an urban area. Views over the adjacent MHGC can be seen from the higher ground towards the southern boundary. The diversity of bird and invertebrate species, in particular butterflies, as well as the rich diversity of wildflowers adds to the aesthetic appeal of the site.
- 5.37 Section 5 of the study (Conclusions and Recommendations – p24) makes the following remarks:

- Despite a lack of management, it continues to support habitats and species indicative of 'Wasteland', a target habitat in the London BAP. (5.2)
- Wasteland habitats that support Open Mosaic Habitats are becoming increasingly uncommon within the LB of Haringey due to development pressures (HARINGEY 2009), and therefore the site is of borough importance. (5.3)
- Notable habitats should be protected and appropriately managed to ensure the biodiversity interests of the site are maintained. In particular, management to control natural succession of the remaining areas of open mosaic habitat is needed to maintain the biodiversity interest of the site in the long-term. (5.6)

5.38 At Section 1.6 Mr Vickers identifies the site as part of an ecological corridor. Statutory and non statutory sites that occur within a 2 kilometre (km) search radius of the site include Local Nature Reserves: Coppetts Wood and Glebelands; and Sites of Importance for Nature Conservation: Parklands Walk, Bluebell Wood and Muswell Hill Golf Course, Alexandra Park, Coldfall Woods and Hollickwood Park. (Alexandra Park, Coldfall Wood and Muswell Hill Golf Course are also designated MOL and Alexandra Park is listed on the National Register of Parks and Gardens of Special Historic interest). These sites, together with the Pinkham Way SINC form part of an ecological corridor that offers refuges for wildlife within an otherwise heavily urbanised area of north London.

5.39 To this list of sites, as we mention above, the newly created SINC at Golf Course Allotments can be added. It should be noted that these sites are in a 2 km search radius.

5.40 Parkland Walk, a Site of Metropolitan Importance, extends south into Finsbury Park, which is near the green areas of Stoke Newington, the Reservoirs, Stoke Newington Reservoirs, Abney Park Cemetery and Clissold Park. Adjacent, and to the east of Stoke Newington, are Springfield Park and the Lee Valley.

5.41 The Council has, in the past, avoided identifying the site as part of a green chain. It should take note of the opinion of such an experienced consultant as Mr Vickers, who was earlier in his career the Habitat Survey Manager for the London Wildlife Trust, with responsibility for carrying out surveys on behalf of the GLA. His opinion is supported by the present Project Officer (Conservation) for Haringey, who wrote in an internal memo on March 9th 2011: "In general the site is an important part of a larger ecological complex and corridor including other SINC's".

The Invertebrate Study February 2014-2015

5.42 In the Executive Summary, Mr Vickers recommended an invertebrate survey. Arups had also suggested that the site might be rich in invertebrates. With the permission of the NLWA, the Alliance commissioned a more focussed invertebrate study of ground dwelling spiders and beetles on the area of Open Mosaic Habitat (OMH) (see Site Constraints Plan No 2, Appendix 3). The Preliminary Report is attached as Appendix 8.

5.43 The consultant and report's author Edward Milner, MCIEEM, is Recorder of Spiders for London and has been making invertebrate surveys for about thirty years; clients have included 16 London Boroughs, the Royal Parks, City of London Corporation, BAA etc. He is also National Recorder for Middlesex as well as the old county of London.

5.44 Over one year, Mr Milner found 75 species of spider and some 140 species of beetle, some nationally scarce and some scarce in London. The report makes the point that the richest sites in London host upwards of 250 spider species and 500 species of beetle, but these numbers are only

attained after several years of sampling. His continuing work for Tower Hamlets Council, for instance, has noted, over eight years, some 160 species of spider and 480 species of beetle. The NLWA has agreed that Mr Milner's study should be extended until September 2015. Under the access agreement, the Council and NLWA will receive reports as and when issued.

5.45 As will be seen from the map attached as Appendix 9, the study area is small relative to the site. Plainly, a comprehensive invertebrate study should last a number of years. Mr Milner suggests that to gain a full picture of invertebrate activity on Pinkham Way, the following groups would need to be surveyed:

- plant bugs (Hemiptera)
- grasshoppers & crickets (Orthoptera)
- leaf-mining insects generally (several different groups)
- flies
- ants, bees and wasps
- butterflies and moths
- dragonflies

5.46 As well as OMH's inclusion as a priority habitat in the UK BAP, such is its importance for invertebrates – and invertebrates themselves are of such ecological importance - that DEFRA has funded an 85 page guide prepared by Buglife, the invertebrate conservation charity, for managing and surveying OMH.

5.47 The importance of the group is highlighted on Buglife's Home Page, in a statement from Sir David Attenborough³⁹

If we and the rest of the back-boned animals were to disappear overnight, the rest of the world would get on pretty well. But if the invertebrates were to disappear, the world's ecosystems would collapse.

5.48 We will be forwarding the Buglife guide to the NLWA officers with responsibility for Pinkham Way.

5.49 The OMH Survey Handbook's first paragraph states⁴⁰

Open Mosaic Habitats on Previously Developed Land (OMH) are found mainly in urban and formerly industrial areas and have high biodiversity value. This value includes rare plants, mosses, lichens and a large number of rare invertebrates, especially bees, wasps and beetles. Between 12% and 15% of all nationally-rare and nationally-scarce insects are recorded from OMH sites including 30 UK Biodiversity Action Plan (BAP) invertebrate species. Another key feature of OMH are the unusual groups of plants that may also be present; combinations which are often unique to OMH and currently little studied.

5.50 We note the mention of lichens and mosses. Mr Vickers' study states that there should be a separate study of these organisms; we hope that any proposed Biodiversity Study would include such a survey.

5.51 The reports and comments of these two highly experienced and respected consultants are echoed succinctly in the conclusion of Eric Heath of Land Use Consultants, which we make no apology for repeating here:

³⁹ <https://www.buglife.org.uk/>

⁴⁰ <https://www.buglife.org.uk/sites/default/files/omhsurveyhandbookfinal.pdf> - p1

A large unlit site ... almost undisturbed ... a rare resource for Haringey ... of high ecological value.

How does PWA envisage the future of Pinkham Way as a protected Nature Conservation Site?

- 5.52 When the Friern Barnet Sewage Works was built in 1881 a companion duo of sewage works, Coppetts Wood and Glebelands, was built on the other side of what was a shallow river valley and is now the A406. After closure these sites, linked by an area of ancient woodland, suffered the same almost 20 year period of being used as landfill and unofficial dumping ground as Pinkham Way. In 1983, a group of local residents fought proposals by Barnet Council to level the site, which contained an area of ancient woodland at its centre, and lay out playing fields.
- 5.53 Barnet relented and gave the site over for restoration by the Coppetts Wood Conservationists. This group was and is led by Dr Oliver Natelson, a soil scientist by profession, who, a few years ago, was awarded an Observer 'Unsung Hero' award for his work. The site was designated a Local Nature Reserve in 1997. It is more than twice the size of Pinkham Way, and the work done so far – conservation will continue into the long term – has been done by a core team of around a dozen volunteers, with others coming and going throughout the 30 years.
- 5.54 With regeneration at present taking place in the area of Enfield nearest the site, and further development envisaged in the event of New Southgate Station's becoming a terminus for Cross Rail 2, there is an increasing amenity need for good Open Space in the area. Such a need would need careful balancing with protecting the site's biodiversity.
- 5.55 Whilst many of the older trees around the site are subject to Protection Orders – highlighted in the PWA Pinkham Way Strategic Risk Assessment – the majority of the 1500 trees on the site are of no particular individual value. Collectively, however, they are vital for absorption of pollution, as a noise buffer, and as part of an 'urban heat sink'. The 2007 paper from the DCLG, Climate change and Urban Green Space, said this:
- Even small spaces can have a cooling effect - parks only 1 or 2 hectares have been found to be 2°C cooler than surrounding areas. The extent of the cooling effect is greatest when temperatures beyond the park are highest. As climate change increases and temperatures rise the cooling effect of urban green spaces will become increasingly important ... in the South East, at least, the frequency of extreme summers and heat waves will increase as climate change sets in.
- 5.56 The Site Evaluation in Table 7 of the Preliminary Ecological Appraisal says
- Mature trees at the boundaries of the site as well as woodland habitat provide screening from traffic noise and disturbance which creates a feeling of being outside an urban area
- 5.57 For the future of the site, the Alliance anticipates that a Community Trust would be formed, which would surely seek advice from such bodies as London Wildlife Trust and the Land Restoration Trust. In addition Mr Vickers and Mr Milner have both expressed an interest in long term involvement in the management of the site, and, as can be seen from the numbers of residents volunteering, the Alliance is certain that there would be no shortage of willing helpers, which could well increase markedly were Pinkham Way to be designated LNR or something similar. We repeat that the management of the site by the community would meet splendidly the criteria for local projects set out in the 'Biodiversity 2020 and Progress Update' document mentioned above.

- 5.58 As well as the Coppetts Wood/Glebelands site's being a valuable local amenity, the conservationists have built up educational relationships with the local secondary school, Compton, with the Forest Schools project and with the Duke of Edinburgh's Award Scheme, whose participants help with various tasks and complete the relevant sections of their medal endeavours, PWA would envisage many of the same educational functions for Pinkham Way.
- 5.59 The Site Allocations document mentions cycle and pedestrian connectivity through the site to New Southgate Station. One of the proposals PWA has put to the Council in one of its recent meetings was a cycle/pedestrian route through the site from the Bounds Green side, which at present is unconnected to the area west of the site except by using the A406. PWA would envisage a route from Durnsford Road, through Tunnel Gardens (the area of rough land over the main line tunnel, bisected by Blake Road, rather than the small road of that name). It could then pass for around 250m along the top of the railway embankment abutting Muswell Hill Golf Course – there is ample width of flat ground, up to 6-7 metres, most of the way along the top of the embankment – and into and across the site. This could give access, if necessary, to the Friern Bridge Retail Park and Tesco's, and on towards Coppetts Wood.
- 5.60 As mentioned above, the A406 runs along a shallow river valley and is in Flood Zone 3b. Just before the main line railway bridge, the land opens out, having previously been sloping down to the road from both sides. On one side is a large car showroom. Opposite this, in the NE the lowest lying area in the NE of the Pinkham way site is Flood Zone 2 and could be used as a flood alleviation area. An interceptor sewer along the south side of the A406 would pick up the surface water sewers; a tank could be built under the FZ2 section of PW, incorporating a flow control which would restrict flow back into the Bounds Green Brook, which runs along the north side of the A406. As water levels fell, the water would naturally drain off the site and back into the watercourse.

The desirability of opening up the culvert across the site

- 5.61 There is potential to deculvert the watercourse under Pinkham Way (thought to be approximately 300m in length). This flows into Bounds Green Brook and thence into the Blue Ribbon Network at Pymmes Brook. The Preliminary Ecological Appraisal 2013 noted that "*If current conditions allow, the reinstatement of this watercourse would further enhance the biodiversity value of the site*"

The Environment Agency has advised Haringey Council that "In addition to investigating the feasibility of deculverting development on sites with watercourses are expected to include a set back to incorporate at least an 8m buffer zone. Buffer zones: • Provide habitat and 'green corridors' for flora and fauna • Support the ecology and natural functioning of the watercourse • Allow safe access to the watercourse and provide sufficient space for machinery to work alongside the watercourse (e.g. to remove obstructions that could cause flooding) • Help prevent chemicals, rubbish and other waste from entering the watercourse (rubbish can block watercourses and thus increase flood risk) • Stabilise and maintain the banks of the watercourse • Attenuate surface water flows and can contribute to an overall sustainable drainage system (SuDS). Please note that development within these sites may also require Flood Defence Consent under the Land Drainage Byelaws from the Environment Agency"⁴¹.

⁴¹EA letter to M Randall, LBH dated 20 March 2014

http://www.haringey.gov.uk/sites/haringeygovuk/files/environment_agency_200314-1536.pdf

The consistency of including any employment allocation of the site within the Allocations DPD with the spatial strategy and strategic policies of the 2013 Local Plan

- 5.62 The Local Plan adopted by the Council in March 2013 is the higher order plan in the Council's Local Development Scheme and the Allocations Plan should be prepared so as to be in accordance with the spatial strategy and strategic policies of the 2013 plan and to further its key objectives and aims. The PWA considers that these are important considerations with regard to the future designation of the Pinkham Way SINC.
- 5.63 The 2013 Local Plan states that, in areas of limited change, the "*Council envisages that development will be of an incremental nature and that it should not change the character of these areas*" (paragraph 3.1.45) and "*will ensure that development ... will conserve... other important features and provide environmental improvements and other local benefits where appropriate*" (paragraph 3.1.46).
- 5.64 In the PWA's submission the allocation of a site of a 6.5 ha site which has successfully blended into the landscape, and which has acknowledged nature conservation value, for employment development would be wholly contrary to the spatial strategy which has been set out in the adopted Local Plan. The allocation of the site for employment or any other built development would also be contrary to a number of the strategic policies in the Local Plan.
- 5.65 Policy SP7, relating to transport matters, states that the Council will promote travel demand management schemes to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by, inter alia, *seeking to locate major trip generating developments in locations with good access to public transport*. As set out in more detail later in these representations the Pinkham Way SINC does not enjoy good access to public transport and its allocation for a major employment development would not accord with this strategic policy.
- 5.66 Policy SP8 states that the Council will safeguard land which has been designated either as a Strategic Industrial Location (SIL) or a Locally Significant Industrial Site (LSIS). Pinkham Way is not classified in either of these two categories and, the Council has previously failed to make out any justification for the reclassification of the site as a LSIS. Hence the site is not "safeguarded" for employment use in the way that SIL and LSIS designated sites are but is subject to a lower level of "protection as a local employment generating area" which the policy applies to Local Employment Areas. In the case of Pinkham Way, however, even this protection is unwarranted as the site does not currently generate any local or other employment and has not done so for over 50 years.
- 5.67 Paragraph 5.1.7 of the 2013 Local Plan states that the hierarchy of sites will be further reviewed and revised as necessary through the Allocations DPD. However, the justification given for any such revision to the hierarchy is limited to "*taking account of economic circumstances and further guidance from the Mayor of London*". The PWA is not aware either of any new guidance from the Mayor or of any material change in circumstances which would justify any reclassification of the Pinkham Way SINC (by definition to a higher category of employment land allocation) which would be contrary to the Council's own spatial strategy for the Borough.
- 5.68 As noted previously the Pinkham Way SINC falls within the Muswell Hill Area Neighbourhood which is identified in the 2013 Local Plan as an area of limited change. The Plan sets out, at paragraph 1.3.64 that the policies which should take priority within this neighbourhood are those concerned with Design, Town Centres, Open Space and Biodiversity; Community Facilities and Housing

'Employment policy is not identified as a priority because the level of unemployment in this area is acknowledged to be well below the borough average and the site is not suitable for a number of reasons set out above.

- 5.69 There is no strategic need for the continued allocation of the site for employment development.
- 5.70 Given that policies relating to open space and biodiversity have been identified among the priority policies for the Muswell Hill neighbourhood it is appropriate that these should take greater precedence in informing the Council's decisions as to the future designation of the site. Hence, achieving compliance with and furthering the objectives of Policy SP13 should be at the forefront of the Council's consideration of the future role of the site. Of relevance in this respect is that Policy SP13 gives full protection to SINC's and presumes against any development which would harm the nature conservation value of such sites. The policy also recognises the importance of "green chains" both for nature conservation and public access and notes that there will be a shortfall of public open space in the borough of the order of 24-32 ha by 2016 which the Plan states will be very difficult to remedy because of Haringey's being an urban borough.

The unsuitability of the site for employment use in terms of the accessibility and sustainability of any development undertaken

- 5.71 In addition to the objectives of Policy SP7 with regard to sustainable patterns of development and responding to climate change, the Council's own advisers have stated that sustainable modes of transport should be a key consideration in respect of any major development or regeneration of an employment site (P22 of the Local Plan Sustainability Appraisal: Post Adoption Statement).
- 5.72 Although part of the Muswell Hill Area Neighbourhood is reasonably well served by buses, this particular site is not. It is identified as being badly provided for by public transport and was scored as 'Poor' in the Sustainability Appraisal which is the lowest possible level of scoring in the Local Plan. The poor accessibility of the site was also acknowledged by NLWA's consultants, Ove Arup, in their 2009 appraisal when they noted that any development would be highway dependent with no potential for rail access. They reported that the nearest public transport access is approximately 1000m from the site boundary.
- 5.73 This lack of public transport is a major obstacle to employment use on this site. It would encourage car use (for those who could afford it) and access would be difficult for those who could not afford cars.
- 5.74 The PWA also considers that the site does not provide for good accessibility for HGVs because there is no direct access to the site from the North Circular Road. Any major employment development would, therefore, result in large number of HGVs having to queue on roads which front onto residential property with consequential harm to the amenity of those properties. The full detail of this assessment is set out in Appendix 3.
- 5.75 Given that any employment or other built development of the site would be car/HGV dependent there could also be significant potential air quality impacts in a situation where the whole of Haringey is designated as an Air Quality Management Area and road transport is the major contributor to the current levels of air pollution.

- 5.76 Working towards a low carbon borough is a key challenge for the Council – indeed Haringey has taken the initiative in setting itself targets with its own 40:20 Carbon Commission Report. The Council's policy now requires the efficient use of land and buildings in order to reduce car dependency. The encouragement of any car/HGV dependent use on this site would be contrary to this policy.
- 5.77 PWA has, under the aegis of Barnet Council, sponsored an air quality measurement device at the Alan Day car showroom opposite the Pinkham Way SINC. Readings are provided annually; the readings for the final 6 months of 2012 showed an average of 91.5ug/m3.
- 5.78

Biodiversity and Open Space

- 5.79 The 2013 Local Plan sets out the following targets for its policies on Biodiversity and Open Space:
- SP 13a: no loss of any areas of open space
 - SP13b: no loss of the 60 SINCS in the borough
 - SP13d: enhance areas of identified open space deficiency
- The target for the London Plan Key Performance Indicator No 18 (Protection of Biodiversity habitat) is “no net loss of SINCS”.
- 5.80 All of these policies and statements favour the protection of Pinkham Way SINC as a green open space, not as an employment site. The Pinkham Way SINC is a verdant open space that is recognised as having high nature conservation value by virtue of its designation as a Borough Grade 1 SINC.
- 5.81 The definition of open space covers “*all land that is predominantly undeveloped other than by buildings or structures that are ancillary to the open space use*” (Glossary to the London Plan). The definition covers a broad range of types of open space within London, whether in public or private ownership and whether public access is restricted, unrestricted or limited and the Pinkham Way SINC qualifies for protection as open space. Indeed the site was used on a regular basis by many local residents for informal recreation and was greatly valued as an area of public open space until the NLWA acquired the land and deprived local people of the access that they had previously enjoyed. Notwithstanding the actions of the NLWA the value of the site as an open space resort has already been proven.
- 5.82 This value was also recognised in the preliminary ecological report undertaken for the PWA in October 2013 (appendix 2) which noted that “*despite being located off the A406 which receives high traffic densities, mature trees at the boundaries of the site as well as woodland habitat provide screening from traffic noise and disturbance which creates a feeling of being outside an urban area. Views over the adjacent Muswell Hill Golf Course can be seen from areas of higher ground, towards the southern boundary. The diversity of bird and invertebrate species in particular butterflies as well as the rich diversity of wildflowers adds to the aesthetic appeal of the site.*”
- 5.83 The site forms part of an ecological chain from Alexandra Palace through Rhodes Avenue Spinney, Albert Road recreation, Tunnel Gardens, Bluebell Wood and Muswell Hill Golf Club and thence to Coppetts Wood and Glebelands Local Nature Reserve (LNR).

- 5.84 Built development of any significant scale on the Pinkham Way SINC would have a detrimental impact on the SINC itself and on the perception of greater space and openness, and enhanced views which benefit the adjacent SINC.
- 5.85 The Mayor of London recognizes the current and potential value of open space to London communities, and The London Plan requires London boroughs to protect local open space and address local open space deficiencies. The London Plan Policy requires planning authorities to “avoid adverse impact to the biodiversity interest” when considering proposals that would affect SINC.
- 5.86 The Council states in its Local Plan that it will not permit development on SINC unless there are exceptional circumstances and the importance of the development outweighs the nature conservation value of the site; in such circumstances appropriate mitigation measures must be taken and, where practicable and reasonable, additional nature conservation space must be provided.
- 5.87 It is difficult to see how any significant employment use on the Pinkham Way SINC could be implemented without its having a serious adverse impact on the nature conservation value of the site itself and on the adjoining open spaces and SINC. Indeed, the employment policy is seen as one of the policies in the Council’s Local Plan “to have the most potential for negative impacts mainly related to environmental objectives”.
- 5.88 Given this statement, and all the evidence now available to the Council, it is difficult to see how the retention of a dual designation of the site for employment/SINC can continue to be justified. If it is retained without justification it will render the plan unsound.

6 Conclusions

- 6.1 The Pinkham Way site is unsuitable for development and the employment designation should be removed. The evidence does not support or justify its retention as a dual designated site.
- 6.2 The evidence from the Council's own advisors on employment and on open space/biodiversity – and, just as important, the absence of evidence - supports this conclusion.
- 6.3 The site should be protected in its entirety as either a valuable SINC, a Local Nature Reserve and/or MOL.
- 6.4 An allocation for these purposes would help address the shortfall in Local Nature Reserves and woodland within the Borough that is highlighted in the Council's Biodiversity Action Plan.
- 6.5 It would protect what is an ecologically highly diverse wasteland site, considered a valuable and rare resource for Haringey.
- 6.6 It would ensure that Haringey's Site Allocations are in keeping with the London Plan and NPPF policies aimed at protecting green spaces, and for creating greater resilience to the now unavoidable impacts of climate change.
- 6.7 In light of all the evidence provided by the Council's advisers that the site a) is unsuitable for B1 employment use, and b) is not suitable for employment in this part of the borough because of its location and contaminated state, and the evidence provided by PWA through their professional advisers that it is a valuable ecological site which should be preserved, we believe that to attempt to retain the employment designation would render the plan unsound.

