



**PINKHAM WAY ALLIANCE**  
**RESPONSE TO CONSULTATION**  
**LONDON BOROUGH OF HARINGEY**  
**DRAFT DEVELOPMENT MANAGEMENT POLICIES**  
**CONSULTATION DOCUMENT MARCH 2013**

The Pinkham Way Alliance welcomes the opportunity to comment on the Council's Draft Development Management Policies Consultation Document.

PWA feels that there is insufficient detail, either in the document or on the Council's Planning website, about the next steps in the document's progress. It would welcome clarification on the following points:

- It feels strongly, and proposes, that there should be a further opportunity to comment on the submission document which will be presented for independent examination in public, and
- Would welcome an indication of when such an opportunity will be offered, and the likely date of the document's submission to the Planning Inspectorate.
- In the event of there not being a second consultation, PWA would welcome opportunities for continuing discussion with the Council about policy development

The words 'sustainable' and 'sustainability' are used constantly in describing developments or policies. PWA feels that it would help public understanding of this aspect of planning, and enhance this document's accessibility, if the Council could include their own working definition of these terms, which in PWA's experience, can be used cheaply and inappropriately by developers and politicians, simply because 'sustainability' is now a central thread of planning policy. The public can actually be left confused.

PWA suggests that a form of words, perhaps based on the Foreword to the NPPF, and/ or the website <https://www.gov.uk/sustainable-development-impact-test>, might be appropriate. It could be quoted in the preamble to this document and repeated in DMP 8.

## Comments on Specific Policies

NB - For the avoidance of doubt, we note that the reference to the 'grey box' on page 3 of the document should read 'the purple box', and we have taken this into account in our response.

### **DMP 1 – Employment and Business Use**

The hierarchy of Defined Employment Areas lists 'recycling facilities' among protected B uses for Strategic Industrial Land. Since the London Plan 2011 states at Section 5.82 that *"It is envisaged that land in strategic industrial locations will provide the major opportunities for locating waste treatment facilities"*, PWA suggests that SIL be expanded to include 'and other waste' after 'recycling' and before 'facilities'.

On page 10, the end of the first paragraph, 'where the borough is', has been left hanging. This sentence needs to be completed.

PWA does not understand the relevance of the last paragraph in the policy *"We also need to make provision for employments opportunities related to new development in the borough. Policy DMP 21 sets out our approach to this."* DMP 21 deals with Open Space, and PWA cannot see the connection.

### **DMP 7 – Good Design and Quality of Life**

PWA supports the general policy, but considers that:

- while the demands for sympathetic housing development are paramount, the Council should make it plain that the title of this policy extends to all forms of development.
- more emphasis should be placed on access to open space. While DMP21 deals specifically with open space, an overall policy on Quality of Life should inform residents and developers alike of the raft of studies showing how general well-being is enhanced by proximity to quality open space.
- As an example of this, in April 2013 the University of Exeter published the results of a survey which followed the well-being of several thousand people over a period of 18 years, during which time they might have moved from a very urban into a greener environment or vice versa. Dr Mathew White of the University of Exeter, who conducted the survey, said: *"...green space both reduces mental distress and increases wellbeing through different mechanisms."*  
<http://www.scienceomega.com/article/1044/greener-cities-improve-residents-wellbeing>
- In a separate survey in Philadelphia, USA, it was found that the presence in urban surroundings of well-maintained areas of trees and shrubs seemed to reduce certain categories of crime, such as robbery and assault. Professor Jeremy Mennis said: *"Wild vegetation in a vacant lot suggests there is very little social control over an area, and that may encourage criminal activity. It is suggestive of a place where people aren't paying attention; where neighbours are not coming together or looking out for their environment or each other. The direct opposite is conveyed when there is a very well-maintained vegetated landscape."*(PWA underlining)  
<http://www.scienceomega.com/article/991/combating-crime-with-urban-greenery#ixzz2SmGsPDc3>
- the Council needs to include more explicit wording on the need for quality hard and soft landscaping schemes to be prepared for major developments, and is referred to the two surveys mentioned above.

## **Protection of Views:**

As regards the protection of views, PWA suggests that the view from the Friern Bridge Retail Park over the Pinkham Way site up towards Alexandra Palace is a welcome relief from the harsh urban impact of the A406, as well as being an intrinsically fine view, and should be protected. Two photographs are sent as attachments.

## **DMP 8 – Sustainable Development and Climate Change**

PWA supports the approach but will need to see the final wording before making specific comments. It refers the Council to the remarks about sustainability on page 1 of this submission and suggests that, if the Council agrees that a form of words should be drafted, it should be included in this policy.

## **DMP 9 –Waste, Demolition and Construction**

At the Council meeting on March 18th 2013, PWA spoke in support of the following statement issued by the Council:

*“Haringey Council is committed to making decisions on the North London Waste Plan and future use of the Pinkham Way site in an open and transparent way.*

*In 2013, the Council will begin work on a new Site Allocations Development Plan (SADPD) and an updated Open Space Study. Both of these processes will involve looking at the current planning designation of sites in the borough, including the site at Pinkham Way.*

*The planning designation for the Pinkham Way site will be reviewed in the first instance as part of the first consultation draft of the Site Allocations Development Plan Document. A decision on this document will be made in public by Haringey Council’s Cabinet.*

*Decisions taken on the planning designation for the Pinkham Way site will take into account the findings and recommendations of the Haringey Local Plan: Strategic Policies Inspector’s Report.*

*The Pinkham Way site will not be offered by Haringey for inclusion for assessment as a potential waste site in the next iteration of the North London Waste Plan until after the publication of the first stage of the SADPD. Decisions on which sites Haringey will put forward for inclusion in the Waste Plan will be made by Haringey’s Cabinet.”*

While PWA is aware that the final paragraph of DMP9 deals with the new NLWP and allocation of waste sites in general, it feels that this policy should show much stronger emphasis on the Council’s own criteria. Thus it should extend the specific principle of the above statement to the allocation of any site in the borough for waste. The final paragraph on p 30 mentions a number of environmental impacts that should be assessed in judging a site’s suitability for waste. For PWA, it is essential that the Council is explicit that these impacts, including odour, will be assessed individually, as PPS10 states plainly that they should be.

## **DMP 9-11**

PWA supports the general approach but will need to see the final wording before making specific comments.

## **DMP 10 – Energy and Carbon Reduction**

PWA draws the Council's attention to the comment on p 27 of the LBH Carbon Commission 40:20 report 2012: *"The current North London Waste Authority procurement is moving in the wrong direction. The focus is on energy from waste and co-mingling and should be switched to increasing re-use and up-cycling so as to maximize resource recovery and job creation"* Perhaps it might be helpful to make some reference to the existence of the LBH Carbon Commission 40:20 Report in this section of the DMP.

## **DMP 12 – Environmental Protection**

PWA feels that the policy aim to 'include appropriate environmental protection' is nebulous, and too subject to equivocation. It feels that 'appropriate' should be substituted by a concept that is firmer and simpler, such as 'the highest quality/ calibre'.

In answer to the first question – 'Have we identified all the issues?' - PWA feels that it is important to clarify a) what is meant by 'mitigation', a central issue in environmental protection and b) the limits of what 'mitigation' can achieve. Too often 'mitigation', the lessening of environmental impact, is used when the speaker actually means 'compensation', which PWA takes to mean such things as the planting of new young trees to replace mature trees that have been destroyed, or the moving of protected species elsewhere – in other words the profound disruption of an existing habitat which has evolved over time as a result of a very specific combination of factors and a wholly uncertain attempt to recreate it elsewhere. This does not mean a zero loss of habitat. In one case, the proposal for 'preservation by record' of ancient hedgerows that were to be uprooted was actually described by the developer as 'mitigation'!

In PWA's view, if a nature conservation site is lost, the physical acreage is sacrificed; it may or may not be possible to replace that – in Haringey more likely the latter. What is irreplaceable is the fact that the site, taken as a whole, is greater than the sum of its parts, since their interdependence adds an extra and indefinable layer which is very difficult or impossible to recreate elsewhere. An additional point is that, the longer a nature conservation site has taken to develop, the harder it is to mitigate any damage to it and the longer any mitigation exercise elsewhere will take to make any meaningful balancing contribution once the site has been lost. This is especially so in the case of the loss of trees, in relation to which PWA notes the emphasis given in DMP22.

PWA trusts that the Council's Project Officer (Nature Conservation) would be fully involved in assessing mitigation proposals in any development. The Council's assurance on this point would be appreciated.

In relation to 'impacts', the Council should clarify whether or not it includes 'odour' within its definition of 'air quality'.

## **DMP 13 – Tall and Large Buildings**

PWA suggests that wording should be added that ‘Sites adjacent to MOL are unsuitable for tall or large buildings’, and refers the Council to its comments about protection of views.

## **DMP 14-20**

PWA supports the general approach but reserves comments until it has seen the final policy wording.

## **DMP 21 – Open space**

In the purple box the Council refers to “Significant Open Land or any other valuable open land”, and later in the same box refers to Significant Local Open Land. In the Fact Box later in the policy, it gives no definition of any of these terms, but simply defines Open Space.

Planning is confusing for the public at the best of times, and for better public accessibility to this document, PWA suggests that SOL and SLOL be defined. It is also concerned that the term ‘valuable open land’ is too subjective to be used as a properly definable term, and should be deleted.

PWA is concerned that this policy only addresses the future of open space that is designated. Thus some parks, ancillary open space, even back gardens are left in a planning limbo.

The purple box states the criteria to be met if development is contemplated on SLOL. However, the following Policy, DMP22, says simply that development ‘should be avoided’ on SINC’s, which by definition on p57 count as SLOL. This is a significant weakening of protection, and means that these two policies are contradictory. The Inspector amended SP13 to read:

***“The Council will not permit development on SINC’s and LNR’s unless there are exceptional circumstances and where the importance of any development coming forward outweighs the nature conservation value of the site and appropriate mitigation measures are provided. In such circumstances, or where a site has more than one designation, appropriate mitigation measures must be taken, and, where practicable and reasonable, additional nature conservation space must be provided. Each case will be looked at on its merits, having regard to all material considerations”***

It is stated on p 57 that ‘It is important that open space is accessible to all those in the immediate locality’. However, in the final para of p 57, two of the qualities needed for something to be described as Significant Local Open Land, ‘biodiversity’ and ‘landscape’, are not predicated on accessibility, in contrast to the other two, ‘amenity’ and ‘recreational’, which plainly are. This again seems contradictory.

PWA makes the following further suggestions:

- a) that the very first wording in the purple box, “Development that is adjacent to..” should be amended to read “Development that is adjacent to, or on...”
- b) in the Fact Box, the definition of Green Chain/ Link should be amended to include ‘railway land’, which after all goes a significant distance through the borough.

## DMP 22 – Nature Conservation

In his report on the Local Plan: Strategic Policies, the Inspector for Haringey amended the policy in SP13 to read that development would not be permitted on SINC's unless there were 'exceptional circumstances' - see comments in DMP 21 above. DMP 22 says simply that development 'should be avoided', which is a significant weakening. Development Management Policies are not permitted to establish policies which are not already in the Local Plan: Strategic Policies, nor are they intended to weaken or remove policies in the Local Plan: Strategic Policies. It is therefore suggested that the words 'should be avoided' be deleted, and replaced by 'will not be permitted'.

The Council should remember that weakening protection on SINC's weakens protection for all 60 SINC's in Haringey. It draws the Council's attention to Section 1.7 of the Interim Sustainability appraisal, March 2013, 'Proposed Mitigation Measures':

***"Whilst the need for appropriate mitigation measures is identified in several of the Development Management Policies, for example DMP12 Environmental Protection, the appraisal did identify some policies where the requirements for mitigation could be strengthened and more clearly identified, in particular DMP21 Open Space and DMP22 Nature Conservation. The proposed mitigation measures will therefore be reviewed in the next iteration of the SA."***

PWA makes the following suggestions:

- P60, para 1, 1<sup>st</sup> sentence – after 'circumstances', insert 'and the benefits of the proposed development outweigh any disbenefits' (Inspector's Report, 6.3.23)
- P60, para 1, line 5 – after 'measures will need to be identified', insert 'and evidence of proposed alternative provision, its deliverability and long term compensatory benefits must be provided as part of any planning application.'
- P60, para 2, Line 2 – delete 'appropriate', insert 'full'.

At the end of p 60, para 1, the statement 'submission of evidence to show that compensation has been implemented successfully' is confusing. Does the Council mean solely that a developer needs to show that that a scheme accepted as compensation has simply been implemented, or to provide evidence that the scheme, once implemented, has provided the benefits that were anticipated? PWA would assume that the Project Officer (Nature Conservation) would be a significant participant in any assessment of this kind, and would welcome an assurance from the Council that this will be the case.

PWA notes the policy's emphasis on trees. However, it notes that, in the past, young trees planted with the best of intentions, either by the Council or developers, have simply not survived. This was notable in the children's play area in Albert Road Recreation a few years ago. For tree planting to have long term value for residents, there must be some assurance that young trees will be maintained whilst they establish themselves. PWA therefore suggests that, if a tree planted as part of mitigation does not survive two years after planting, the Council reserve the power to oblige the developer to replace it. (This proposal follows naturally from the comments about 'successful implementation' above.) Consideration should be given to creating a standard condition on replacement trees to the effect that

*“any replacement tree that does not survive in a healthy condition for two years must be replaced within one planting season of its demise”.*

## **Glossary**

Brownfield land - PWA considers that the definition given in the London Plan 2011 should be substituted for the current partial definition given here. The full London Plan definition is as follows:

**“Brownfield land** - Both land and premises are included in this term, which refers to a site that has previously been used or developed and is not currently fully in use, although it may be partially occupied or utilised. It may also be vacant, derelict or contaminated. This excludes open spaces and land where the remains of previous use have blended into the landscape, or have been overtaken by nature conservation value or amenity use and cannot be regarded as requiring development.”

We also suggest that for completeness there should be a definition of previously developed land included in the Glossary since it is used in the NPPF and the London Plan. The London Plan definition is as follows:

**“Previously developed land** - is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The definition includes defence buildings, but excludes: Land that is or has been occupied by agricultural or forestry buildings. Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures. Land in built-up areas such as private residential gardens, parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed. Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings). There is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed”.

**PINKHAM WAY ALLIANCE**

**May 12<sup>th</sup> 2013**