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**LB BARNET - DRAFT LOCAL PLAN 2021-2036.
REGULATION 19 CONSULTATION - AUGUST 9th 2021.**

SUBMISSION FROM PINKHAM WAY ALLIANCE.

1. Pinkham Way Alliance (PWA) is pleased to have the opportunity to comment on the Council's Draft Local Plan 2021-2036.

PWA is a community campaign group which came together in early 2011 when residents living in the surrounding area 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 vehicle depot respectively. Since then, PWA, which has some 2,700 supporters, has taken an active interest in and has participated in the preparation of both Submission versions of the North London Waste Plan, the Haringey Local Plan: Strategic Policies document and the Haringey Site Allocations DPD, having made representations to and appeared at the examinations in public of all those plans.

PWA confirms that it intends to participate in the Examination in Public of Barnet's Local Plan 2021-2036.

2. Summary

PWA considers the draft Local Plan to be unsound, and to lack positive preparation. This opinion is based on, but not limited to, the following reasons.

- Failure in the Council's duty to cooperate on Strategic Flood Risk with the Boroughs to the east of Barnet. (Haringey, Enfield and Waltham Forest)
- Failure to produce a Strategic Flood Risk Policy.
- The SFRA excludes the flood impacts that developments in Barnet have on the Lower Lea river network and is therefore not fit for purpose.

- Failure to apply the Sequential Test to sites allocated in the Plan and identified as being in flood risk areas.
- Failure to carry out a) the "exception test" on sites identified as being in flood risk areas and b) to apply the suitability test set down in Annex 3 of the NPPF.
- Failure to assess potential "increase in flood risk elsewhere" from all sites allocated in the Plan.
- Failure to assess the safeguarding of land, in particular Pinkham Way, for its suitability for future flood management and for mitigation of the impacts of climate change.
- Failure to assess how Green Spaces both within and contiguous to Barnet, including Pinkham Way, reduce the causes and impacts of flooding.
- Failure to examine how new development can contribute to reducing the causes and impacts of flooding both inside and outside Barnet.
- Failure to assess and develop an integrated approach to flood risk management. Failure to examine how existing development, identified in flood risk areas, could be relocated to more sustainable locations.

3. Inconsistencies in Local Plan maps.

The 2017 consultation on the Council's Green Infrastructure SPD revealed an inconsistency between the maps in the Local Plan 2012 and those presented in the GI draft. Map 10 of the adopted Local Plan had marked the Pinkham Way site as 'Local Park'; Map 7 of the GI draft omitted this.

When a respondent pointed this out, the Council corrected Map 7 in the final GI SPD so that it was consistent with the Local Plan Map 10.

The present draft Local Plan contains the identical omission at Map 7. Hollickwood Park is marked as 'Local Park', but once again the map omits to mark the council's portion of Pinkham Way as 'Local Park'. Policy ECC06 seeks to '*... ensure that the requirements of the Green Infrastructure SPD are met*'. This must surely include accurate details of local sites in the adopted SPD.

It is unacceptable for the Council to have repeated this inaccuracy; it should correct it as a matter of soundness.

Although the Pinkham Way site is outside Barnet, it is nonetheless material to the supply of Open Space in the Freehold Area. Without the inclusion of the site, the Freehold is deficient in Open Space.

4. Pinkham Way

The Pinkham Way site was until 1963 the site of the Friern Barnet Sewage Works. These ceased operation in 1954; the Council took ownership in 1963, when the site was finally closed, and all buildings demolished and buried.

Haringey is the LPA. Pinkham Way has an anomalous dual designation of Grade 1 Site for Nature Conservation (Borough Importance), and Local Employment Land: Employment Area. These designations date from 1979; from that date the site has never delivered one day of employment, whilst the SINC has wholly fulfilled its planning status.

4.1 Brief details of the Pinkham Way site.

- Area c 6 ha. Provides home, breeding and foraging for endangered species. Rich in invertebrates.
- Well over 100 plant species, including around 1500 trees (3.5ha). Included in National Forest Inventory.
- Areas of priority habitat (open mosaic and lowland deciduous woodland).
- Marked on Haringey's Green Grid map and on ALGG Finchley Ridge map as Green Space.
- Stands foursquare within London Plan definition of Open Space. This status reinforced by London Plan definitions of Green Space and Green Cover.
- Identified by Haringey Nature Conservation Officer as '*... an important part of a larger ecological complex and corridor including other SINC's (Hollickwood Park, Muswell Hill Golf Course, Tunnel Gardens and Bluebell Wood, Albert Rd Rec and Rhodes Avenue Spinney).*' To the north this green chain connects with Coppetts Wood and Glebelands LNR, to the south with Alexandra Park LNR and Parkland Walk LNR.
- Natural England's Reg 18 submission to North London Waste Plan considers the site to be of Metropolitan Importance, a designation identified in London Environmental Strategy Appendix 5 as of '*... the highest priority for protection*'.
- Haringey's ecological consultant described the site in 2014 as '*... a rare resource for Haringey of high ecological value*'.
- Meets the criteria for exclusion from the NPPF and LP definitions of brownfield land / PDL.

- The NLWP Sustainability Appraisal comments that the site is '*... unlikely to be considered as previously developed land*'. The same document detailed potential negative consequences of development as '*loss of green infrastructure which could help alleviate the impacts of higher summer temperatures expected as a result of climate change a negative impact on the maintenance of open space ... loss of habitat ... loss of trees*'.

At 2.1.3, the Council's Green Infrastructure SPD 2017 acknowledges that the “duty to cooperate” created by the Localism Act 2011 places a legal duty on the Council to engage constructively, effectively and on an on-going basis on strategic cross-boundary issues. Public bodies have a duty to cooperate on planning issues that cross administrative boundaries. The duty recognises that climate change mitigation and adaptation, biodiversity, ecological networks and flood risk management are all matters better planned at a strategic scale.

Thus the Council should provide evidence that it has assessed the site to meet the above requirements in the following sections of the NPPF, July 2021:

98, 99, 119, 120 (b), 153, 174, 175 & 179.

The Council, as part owner, should also be aware of footnote 47 to NPPF 119, relating to making as much use as possible of brownfield land / PDL: *Except where this would conflict with other policies in this Framework, including causing harm to designated sites of importance for biodiversity.*

4.2 The Council's management of and attitudes towards the Pinkham Way site.

The Council took ownership of Pinkham Way in 1965, and sold the majority of the site to North London Waste Authority in 2011. Around one third of the area it sold - c 1.5 ha - was infested with Japanese knotweed, a classic sign of long term neglect. Giant hogweed was also present, but in smaller quantities The NLWA has now effectively controlled these.

During the sale negotiations the Council sought estimates for dealing with the problem, but never followed these through.

The result of its egregious lack of long term care described above contrasts with the Council's commitment at 10.26.8 of this draft: '*...the Council will work with our existing partnerships, the Mayor, neighbouring boroughs and developers to develop and implement an approach to eradicate such species [ie invasive plant species] ...*'.

A Council-owned SINC, especially a Grade 1, is an ideal opportunity for a Council to showcase the robustness of its own policies towards open space and biodiversity, without the problems of cajoling owners into meeting their Biodiversity Duty.

The London Environmental Strategy, in the narrative to Proposal 5.2.1c, states: *Planning policy to protect or create areas of nature conservation value is ultimately ineffective if the habitats protected or created are not properly managed.*

The commentary might have been written specifically to highlight Barnet's neglect of its own property, in spite of which the site is still so ecologically rich that it is designated SINC Grade 1 (Borough Importance).

Barnet's attitude towards the site throughout its period of ownership, above all in its ill-conceived and incompetently drafted 2017 housing proposals, indicates, over and above its neglect, an shocking lack of awareness of national and regional guidance, and even of its own policies.

We look forward to the opportunity in future consultations to comment in greater detail, with particular reference to Policies ECC04-ECC06.

Stephen Brice
for - Pinkham Way Alliance
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