

By email to: ldf@haringey.gov.uk

Place and Sustainability Directorate
Planning Policy Team
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10 May 2013

RE: Draft Development Management Policies Consultation Document, March 2013

Dear Sir/ Madam

Thank you for providing the North London Waste Authority (NLWA) with the opportunity to respond to the London Borough of Haringey's Draft Development Management Policies Consultation Document, March 2013.

The North London Waste Authority is the second largest waste disposal authority in England, handling around 3% of national municipal waste collected by the seven London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest.

The Authority has a statutory responsibility for providing municipal waste disposal services for its seven constituent borough councils and is currently at an advanced stage in procuring new waste management services for the area for the next 25-35 years. The Authority principally provides services at present through the operations of LondonWaste Ltd, which operates treatment and transfer facilities at Edmonton, Islington and Hendon along with six household waste recycling centres. This part of the Authority's service includes operating two household waste recycling centres in Haringey.

The Authority also owns an additional site in Haringey, referred to as the 'former Friern Barnet Sewage Works' at Pinkham Way, on which it plans to build additional waste facilities to serve the north London area, thereby assisting in meeting London Plan targets which aim to manage 100% of London's waste within the capital by 2031 and

supporting the delivery of the North London Joint Waste Strategy target of 50% recycling and composting by 2020. This site is therefore of strategic importance to both the Authority and the London Borough of Haringey in that the Authority would like to use this site for managing a proportion of north London's waste, including material from Haringey. The central location of the site within the NLWA seven-borough area also means that it provides potential benefits to reduce the cost and environmental impact of road transport by reducing the need for collection vehicles to travel to more distant sites. The Authority's plans for the site would therefore assist in meeting both NLWA and London Borough of Haringey ambitions in respect of wastes management.

From an employment land perspective the Authority would also argue that the Pinkham Way site is of such strategic importance, accounting for nearly 60% of the total vacant land supply in Haringey's stock of DEAs (London Borough of Haringey Haringey Employment Land Update February 2012), that the site should be afforded greater strategic protection and accompanying designation from an employment perspective. The Authority considers that the site offers considerable locational advantages which make it suitable for a wide range of employment uses, including industrial land. These advantages include:

- a large contiguous site with the potential for significant employment-generating uses. Such large sites without fragmented ownership or significant development constraints are very rare in the borough;
- direct access onto the Transport for London Road Network (TLRN) with no risk of large vehicles using residential streets or passing sensitive uses such as schools and hospitals en route to the TLRN. The majority of other DEAs in the borough do not have this benefit.
- a site which is located well away from residential or other sensitive uses. The adjacent open and developed sites provide a significant buffer to ensure that the risk of nuisance impacts (e.g. noise, odour, light spill) from a well-managed site would be very low.

It would seem a potential missed opportunity in an employment context, particularly when we are trying to rebalance our economy towards greater production, for the borough not to further protect the potential economic benefits that a site such as Pinkham Way site can provide to the area by enhancing its existing employment

designation. This is covered in more detail in the Authority's response to the Call for Sites consultation, but from a policy perspective it is the Authority's view that development management policies should not constrain such opportunities

The attached draft response is still undergoing consultation with NLWA Members so the attached response represents an Officer response only at this stage.

Given this status we would be grateful if you could please keep this response confidential until such time as we can confirm that this has Member approval or we can provide a revised Member approved submission. We will endeavour to finalise our response to you at the earliest opportunity, but would be grateful if you can accept the attached as a duly submitted officer response provided within the time deadline.

The Authority has taken into account the London Plan and Haringey's Local Plan Strategic Policies documents in providing this response. If you require any further clarification of the points or have other queries please do not hesitate to contact me.

Yours sincerely,



Tim Judson
Director of Procurement

Response from the North London Waste Authority to London Borough of Haringey Draft Development Management Policies Consultation Document, March 2013

The North London Waste Authority (NLWA) has identified the following policies as being of relevance to the Authority’s interests. Principally the Authority is concerned about the potential impact that certain draft development management policies may have on the achievement of strategic waste management ambitions and the potential costs of delivering those ambitions. Accordingly the Authority is limiting its response to the following policy proposals:

- DMP1 Employment and Business Uses
- DMP20 Jobs and Employment
- DMP 7 Good Design and Quality of Life
- DMP21 Open Space
- DMP9 Waste, Demolition and Construction
- DMP10 Energy and Carbon Reduction
- DMP13 Tall and Large Buildings
- DMP18 Managing Provision of Community Infrastructure (including health, education, leisure and other community facilities)
- DMP22 Nature Conservation

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<p><u>DMP1 Employment and Business Uses</u></p> <p>This draft policy proposes to safeguard land for employment/ business use, to facilitate local job opportunities and to ensure new local employment and skills generation will be generated as a result of development.</p>	
<p>a) Have we identified all the issues in relation to Employment and</p>	<p>The Authority supports the Council’s proposals to safeguard land for employment/ business use, to facilitate local job opportunities and to ensure new</p>

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Business Uses?	<p>local employment and skills generation will be generated as a result of development. The Authority considers that some aspects of this policy should be strengthened to give further protection to employment land.</p> <p>There is significant residential development identified in the Haringey Local Plan. Given the increasing need for local employment in Haringey, in particular as the population of the area increases and given the pressures on employment land for other uses, the Authority supports the retention of employment land for employment uses but considers that this DMP needs to be strengthened and thereby increase the protection for employment land. In particular, the Authority considers that the policy should be clarified to ensure that DEA sites may, subject to local assessment of potential environmental and community impacts, be used for a full range of employment uses, including industrial activities (B1c / B2 and equivalent sui generis uses).</p> <p>The Authority wishes to emphasise the importance of clarifying the policy so that <i>sui generis</i> uses which are equivalent to B class uses are explicitly supported within employment areas. Many waste operations can operate within enclosed buildings in a way which present no greater or different risks of impacts to the local environment and community than conventional B1c or B2 uses. Since waste uses are essential community infrastructure, the Authority considers that no artificial barriers should be erected to prevent or frustrate waste and other similar <i>sui generis</i> developments of an appropriate scale and design.</p>
b) Do you agree with linking new employment opportunities with local job creation?	No comment

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<p>c) What do you think are the likely outcomes of the government's proposals to allow a change of use from officers to housing without planning permission and what does it mean for the future of our employment areas?</p>	<p>No comment</p>
<p><u>DMP20 Jobs and Employment</u> This draft policy is similar to DMP1 but with a focus on securing local employment opportunities for Haringey residents as a result of new development, both in the construction phase and over the lifespan of the building.</p>	
<p>c) Have we identified all the issues in relation to jobs and employment?</p>	<p>Yes</p>
<p>d) Do you agree on how we are going to address all the issues in relation to jobs and employment?</p>	<p>d) The Authority supports the objective of ensuring access to local residents and business of local employment opportunities. However, any policy requirement must be framed in a way which does not fetter the legal requirement of employers to provide access for all candidates to employment opportunities. It is also concerned that policy is not used to impose additional burdens on employers which are not consistent with the nature of the activity. Therefore the Authority supports requirements for actions such as local advertising or local job fairs. The Authority does not support requirements related to securing places for trainees or making financial contributions in lieu, which reach into matters which are internal to the operation of business and other employment uses.</p>
<p><u>DMP7 Good Design and Quality of Life</u> Draft policy DMP7 sets out proposals for the design requirements for new developments</p>	

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	<p>in Haringey in line with the London Plan presumption against any new development causing significant harm to the amenity of neighbouring buildings and for enhancing the amenity and vitality of the surrounding streets and local residents' access to open space. The policy proposes approaches to deliver good design and quality of life, including the need for new development to address the locality in a positive manner, and a policy to ensure that there is adequate provision of open space.</p> <p>The draft policy also considers 'along the Lee Valley' as a local view that could be considered for protection.</p>
<p>a) Have we identified all the issues in relation to the principles of good design and quality of life?</p>	<p>Yes.</p>
<p>b) Do you agree on how we are going to address the issues in relation to good design and quality of life?</p>	<p>Broadly the Authority considers that the supporting text for this policy identifies all the issues in relation to the principles of good design and quality of life. However, the Authority considers the supporting text and the policy itself should recognise that design quality expectations should be proportionate, reasonable and appropriate for the setting and context of each development. For instance, the Authority considers that for industrial employment facilities set within designated employment and industrial areas greater emphasis should be placed on supporting their potential to generate employment and ensuring that they do not give rise to adverse local environmental impacts. Good functional design will be appropriate in such locations and the policy should applied flexibly and should not be used to impose onerous and costly requirements on such developments..</p> <p>Waste facilities in particular should be recognised as essential community infrastructure ultimately funded by local taxpayers, where the emphasis should in most cases be on a functional design which protects amenity and the local environment rather than on "iconic" but typically more costly schemes.</p>
<p>c) Which local views set out</p>	<p>The Authority is concerned that the very broad</p>

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in the proposed planning policy do you think we should be protecting?	proposal to protect views within the Lee Valley could lead to restrictions on the height and massing of industrial buildings within this very important industrial and employment corridor, or could lead to onerous design quality requirements which are not proportionate or reasonable in the context of a designated employment area. Accordingly the Authority recommends that such a policy be made more precise as to the particular views to be protected and that such protection does not seek to fetter the reasonable requirements for tall and large buildings within existing designated employment and industrial areas.
d). Should public art in the borough be formally protected?	No comment.
<p><u>DMP21 Open Space</u></p> <p>In support of draft policy DMP7 draft policy DMP21 sets out a proposed requirement that new development must ensure that adequate open space is provided onsite for the type of development proposed to prevent any further increase in open space deficiency. The policy also discusses the need for that open space to be accessible to all in the immediate locality.</p>	
a) Have we identified all the issues in relation to Open Space?	Yes

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<p>b) Do you agree with how we are going to address the issues in relation to Open Space?</p>	<p>The Authority has identified three points which it believes should be addressed within the final policy and/or supporting text:</p> <ul style="list-style-type: none"> - First, the Authority is concerned to ensure that employment uses within designated industrial and employment areas are not normally brought within the requirement to provide open space to overcome existing deficiencies. Such areas should be preserved as far as possible for their primary purpose. - Second, the policy should be clear on the scale of development to which a requirement for open space provision will be applied and it should be clear on how the reservation of land for open space relates to CIL payments which would be used to provide green infrastructure for the borough. - Third, the Authority is concerned that where MOL and other designated open space is located adjacent to employment land (as occurs in a number of locations within the borough), the policy is reasonable and proportionate in how it seeks to protect the amenity and openness of such adjacent land. In many cases large or tall buildings can be located adjacent to open space in a way which has no material impact on the open space, and can even enhance the quality of such open space by framing views into and across such space. The Authority would be concerned if the policy were applied to impose a blanket restriction on the height or massing of industrial or employment developments simply because they were located adjacent to open space.

DMP9 Waste, Demolition and Construction

This draft policy proposes that all developments within the borough are designed to reduce the use of new raw materials. The policy recognises that the sub-regional waste Development Planning Document or DPD, formerly called the North London Waste Plan (NLWP) and now referred to as the 'Local Plan for Waste' is currently being prepared by the seven North London boroughs. The policy recognises that the Local

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<p>Plan for Waste will identify suitable locations for waste management facilities to meet the London Plan apportionment target and Haringey's own 237,000 tonne waste apportionment under the London Plan. The draft policy says the Council's policy approach is to continue to safeguard existing waste management sites.</p>	
<p>a) Have we identified all the issues in relation to Waste, Demolition and Construction?</p>	<p>The Authority is supportive of this draft policy and supports the retention of existing waste sites in particular. However, on a point of accuracy the London Plan apportionment figures for Haringey total 239,000 tonnes by 2031, not the 237,000 tonnes quoted, so more waste needs to be managed in Haringey than the consultation draft development management policies consultation document suggests. This figure is 9% higher than the 2011 apportionment and therefore relies upon additional capacity being created.</p>
<p>b) Do you agree that a requirement to follow the Demolition Protocol (or similar waste auditing tool) should be introduced?</p>	<p>The Authority supports measures which help to reduce waste arisings and to encourage reuse and recycling. The Authority therefore supports this policy approach, subject to it being applied flexibly so that reporting requirements for each development are proportionate and reasonable.</p>
<p>c) Do you agree that the justification of the demolition of a building should be included in a planning application?</p>	<p>The Authority notes that most demolition is permitted development under Part 31 of the General Permitted Development Order (GDPO) and therefore policy should not seek to fetter or undermine the rights provided in the GDPO. Furthermore, the Authority considers that if an existing building is not protected (e.g. is not a 'listed' building) and if a proposed new development is appropriate and well designed, a requirement to justify demolition which is necessary to enable such development would not be reasonable. The Authority therefore considers that policy should focus on ensuring that material arising from demolition is reused or recycled as far as possible.</p>
<p><u>DMP10 Energy and Carbon Reduction</u></p> <p>This draft policy proposes that all development in the borough is designed to improve</p>	

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	energy efficiency and reduce carbon emissions. The policy proposals include the introduction of a local carbon offset fund to provide a source of funding for initiatives such as decentralised energy networks.
a) Have we identified all the issues in relation to Energy and Carbon Reduction?	The Authority considers that the Council has identified all the issues in relation to energy and carbon reduction.
b) Do you agree that a policy should require a minimum of BREEAM excellent for Major Domestic Refurbishment projects?	No comment
c) Do you agree that off-site provision for renewable energy or an off-set payment (should a carbon offset fund be a viable option) be used where on-site provision is not feasible?	The Authority is concerned that any requirement for carbon emissions reduction is achieved in the most economically efficient manner possible, subject to there being evidence that a solution is verifiable and additional. Therefore the Authority considers that where on-site provision is not feasible or would be uneconomic, the policy should support consideration of the widest possible variety of offsetting options. This could include measures such as reductions in unregulated energy use, net reductions across a portfolio of sites, or “contracting out” to a third party to deliver equivalent carbon emissions reductions. Where such options are economically more efficient (i.e. have a lower £/tonne CO ₂ saved) than the carbon price which might be set by the Council for its Carbon Offset Fund, and where the developer can provide evidence of verifiability and additionality, these options should be supported and readily agreed by the Council.
d) Do you agree that requiring an energy assessment for residential buildings that propose an extension is an	No comment.

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appropriate way of improving the energy efficiency of existing residential buildings?	
e) Do you agree that the retrofitting of solid wall insulation should be considered?	No comment.
<u>DMP13 Tall and Large Buildings</u> seeks to identify locations where Tall and Large buildings would, and would not, be appropriate	
a) Have we identified all the issues in relation to tall/large buildings?	<p>The Authority considers that issues affecting tall and large buildings within employment and industrial areas have not been considered or addressed in the consultation document. The document instead appears to be focused only on tall residential schemes or developments within residential and mixed use neighbourhoods. The document also simplistically divides all tall and large buildings into “landmarks” and “eyesores” when in practice many tall and large buildings are neither, but instead are either out of view or to blend into the backdrop of a streetscape.</p> <p>The Authority is concerned that the way the issue has been framed will lead to unreasonable and disproportionate design quality requirements on tall and large employment and industrial buildings irrespective of their purpose or setting.</p>
b) Do you agree on how we are going to address the issues in relation to tall/large buildings?	The Authority does not agree with the policy approach in relation to tall/large buildings so far as they concern development within employment and industrial areas. The Authority proposes that restrictions on tall buildings in employment areas should be by exception and only where there is clear evidence of harm to adjacent areas or defined longer distance views. The policy should be flexible, such that it allows the use of “shoulders” within employment areas to allow higher

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	buildings within such areas which step down towards the edges. Unreasonable and/or disproportionate requirements on the form of buildings in employment areas, could significantly compromise the Borough's ability to generate more local employment, leading to conflict between the implementation of draft policy DMP13 and policies DMP1 and DMP20.
c) What areas in the borough do you think are suitable for tall buildings? What areas may not be suitable for tall buildings?	All designated industrial and employment areas should be considered generally suitable for tall and large buildings, with specific exceptions to this general presumption being identified on a site by site basis and only where evidence can justify an exception. Exceptions would include where residential or other sensitive uses are immediately adjacent to such sites. The Authority notes that its comments above relating to policies DMP21 Open Space.
<p><u>DMP18 Managing Provision of Community Infrastructure (including health, education, leisure and other community facilities)</u></p> <p>Draft policy DMP18 proposes a framework for community infrastructure levy, including Decentralised Energy Networks (DENs) and utilities infrastructure as community infrastructure, but not including waste management facilities.</p>	
a) Have we identified all the issues in relation to provision of community infrastructure facilities?	The Authority notes that the Council's Community Infrastructure (CIL) Charging Schedule is currently being developed and that as part of this process, the Council will set out the infrastructure projects that can be funded from CIL revenues. However, the Authority proposes that DMP18 is amended to recognise that waste developments are community infrastructure and therefore CIL receipts may be able to be used to fund investments in such infrastructure and that investments in waste developments should be offset against CIL obligations in new development.
b) Do you agree on how we are going to address the issues in relation to	The Authority considers that waste facilities provide a community benefit as they are essential for the sustainability, health and amenity of a local area.

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<p>provision of community infrastructure facilities?</p>	<p>Waste facilities are therefore essential community infrastructure and there is a demonstrable need for new facilities in north London. Therefore, such facilities should be recognised as a valid recipient of CIL receipts.</p> <p>The other point to the Authority would make is that if CIL includes a decentralised energy network, then the additional payment which might be levied in relation to carbon reduction targets under draft DMP10 should be credited against any CIL payment. Otherwise, then the Council may inadvertently double-charge for carbon offset payments.</p>
<p><u>DMP22 Nature Conservation</u></p> <p>This policy seeks the protection and enhancement of biodiversity in the borough, and confirms that suitable mitigation and/or compensation will be required where impacts on nature conservation sites is permitted.</p>	
<p>a) Have we identified all the issues in relation to Nature Conservation?</p>	<p>The Authority notes that the evidence base for nature conservation designations is out of date for many sites across the borough. Where surveys have not been carried out in the past 2-3 years, nature conservation sites should be re-surveyed and the designations reappraised for accuracy.</p>
<p>b) Do you agree with how we will address the issues in relation to Nature Conservation?</p>	<p>The Authority supports the policy intention but would draw attention to situations where a balance between appropriate development and nature conservation may need to be struck. This particularly applies to sites which have multiple designations covering both employment and nature conservation objectives. The Authority considers that biodiversity offsetting can provide a rigorous and fair means of enabling this balance to be struck and therefore its use should be supported in the policy. Biodiversity offsetting is widely used in other countries and is now the subject of a Defra pilot programme (see</p>

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	<p>https://www.gov.uk/biodiversity-offsetting). Defra, Natural England and local councils in 6 pilot areas are working together to test the biodiversity offsetting approach and guidance is available about the approach on the Defra website at the link above.</p>