

Freehold Community Association

2nd Submission to the NPPF consultation - 13th June 2012

Duty to co-operate

Haringey's proposal to re-classify the Pinkham Way site as Locally Significant Industrial Land clearly presents a significant change that, because of the site's geographical location, presents a clear cross boundary impact on communities and residents of the surrounding boroughs of Enfield and Barnet.

As our sustainability assessment of one possible industrial strategic development proposal demonstrates significant environmental and flood risk impacts will occur in Barnet and Enfield.

Under Section 178 of the National Planning Policy Framework public bodies have a duty to co-operate on planning issues that cross boundaries, particularly those that involve strategic developments such as waste management. Clearly this duty to co-operate will also be required with the development of neighbourhood planning under the Localism Act.

Under Section 181 local planning authorities must provide evidence of how they have co-operated and this should be demonstrated in local plans when submitted for examination.

Haringey's Local Development Framework fails to demonstrate this required evidence of co-operation and is therefore unsound.

Local Green Space.

Section 76 of the NPPF allows local communities to identify green areas of importance to them for special protection. Whilst the Town Green application for Pinkham Way is not a matter for the planning process the supporting evidence, provided by 73 residents of Haringey, Enfield and Barnet clearly demonstrates that it is a green space of cross boundary importance and meets the requirements of Section 77 of the NPPF. Haringey have not put in place, in their LDF, any policy or mechanism by which local communities can identify green space of importance to them.

Under Section 73 of the NPPF Haringey are required to assess their green space needs because of the importance of green space to the health and well being of communities. In the case of Pinkham Way it is of importance to communities in a cross boundary situation so co-operation with, and recognition of, the importance of the site to their needs as well as Haringey's residents must be accounted for in Haringey's LDF. Haringey have not demonstrated in their assessment of how they have accounted for the green space needs of cross boundary communities.

Under Section 75 Haringey's planning policies should protect and enhance public rights of way and access. The public use of Pinkham Way, as a recreational green space over 49 years, has clearly established a number of places of common law rights of way onto the site. The enclosure of the site by the landowner (LB Barnet) in July 2010 by the erection of a fence clearly obstructed these rights of way. The fence, 1.9m high and adjacent to the public highway was erected without planning permission bypassing an important consultation process.

Haringey's policies take no account of how they will recognise, protect or enhance rights of way and do not support access of communities to an existing green space.

Under Section 157 "Crucially local plans should be based on co-operation with voluntary organisations".

The Freehold Community Association have existed as a voluntary community organisation for 21 years and as residents of Haringey we would certainly identify ourselves as an organisation wishing to co-operate with our local authorities to improve the well being and lives of our members and residents. Unfortunately, as the attached correspondence demonstrates, this is not a wish shared by Haringey.

For the above reasons we believe Haringey's Local Development Framework to be unsound.

Chris Faulkner - Chairman

Freehold Community Association

Freehold Community Association

Freehold Community Centre
9 Alexandra Road
Muswell Hill
London
N10 2EY
Telephone 07935-324-578
E.Mail : freehold2003@gmail.com

Mr M. Dorfman
Asst. Director Planning
London Borough Haringey
5th Floor, River Park House
225 High Road,
Wood Green
London
N22 8HQ

19th March 2012

Dear Sir,

The informal open space, known in our area as The Dump, has had a fence erected by the land owner, London Borough Barnet, some 1.9m high on the public highway boundaries of the site with the A406 (Pinkham Way) and Orion Road.

Could you please confirm in writing if this fence requires planning permission and if so, if such permission has been granted by your authority.

yours sincerely

Janet Pettitt (Mrs)

Vice Chairman - Freehold Community Association

Chris Faulkner Flow Controls

From: "Warren Jill" <Jill.Warren@haringey.gov.uk>
To: <freehold2003@gmail.com>
Cc: "Garner Lyn" <Lyn.Garner@haringey.gov.uk>; "Cllr Solomon Juliet" <Juliet.Solomon@haringey.gov.uk>; "Cllr Wilson Richard" <Richard.Wilson@haringey.gov.uk>
Sent: 01 May 2012 16:44
Subject: Former Friern Barnet sewage works, Pinkham Way.

Dear Mrs Pettitt,

Thank you for your letter of the 19th March, received on the 22nd March and the follow up on the 12th April 2012. I apologise for the delay in responding to your enquiry.

I can confirm that the fence does require planning permission and does not enjoy the benefit of deemed consent under Part 2 of the GDPO as it exceeds 1 m in height where it adjoins the highway.

No planning permission is recorded as having been granted by the London Borough of Haringey in respect of this fence.

Regards
Jill

Jill Warren | Planning Officer
Planning and Regeneration | London Borough of Haringey
6th Floor | River Park House | 225 High Road | Wood Green | N22 8HQ
Tel: (020) 8489 5124

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Chris Faulkner Flow Controls

From: "Freehold Community Assoc" <freehold2003@gmail.com>
To: "Jill Warren" <jill.warren@haringey.gov.uk>
Sent: 02 May 2012 10:22
Subject: Fence Planning Permission - A406, Orion Road

Dear Ms Warren,

Thank you for your email confirming the Planning status of the above.

We assume that you will now require the land owner to apply for retrospective planning permission.

If such an application is made we wish to be consulted as there is a prescribed public right of way from Orion Road to the site which this fence is obstructing.

We trust that you will also note the significance of this matter to the validated Town Green application.

Regards

Chris Faulkner - Chairman

Freehold Community Association

Chris Faulkner Flow Controls

From: "Warren Jill" <Jill.Warren@haringey.gov.uk>
To: <freehold2003@googlemail.com>
Cc: "Garner Lyn" <Lyn.Garner@haringey.gov.uk>; "Dorfman Marc" <Marc.Dorfman@haringey.gov.uk>
Sent: 23 May 2012 16:50
Subject: FW: CONFIDENTIAL Pinkham Way Fence Planning Permission - A406, Orion Road - check of correspondence response

Dear Mr Faulkner,

Following a consideration of the points you have and of all of the circumstances. We will not be requiring the land owner to apply for retrospective planning permission to retain the fence as existing. As you may be aware the taking of enforcement action by the local planning authority is discretionary and in this instance it is not considered expedient to take enforcement action regarding the fence.

A fence of up to 2M in height would not ordinarily require planning permission, however in this case as the land upon which the fence sits adjoins the highway the height restriction is up to 1m. However despite the fence being over 1m, it causes no highway safety problems so it is felt that it is not expedient for the council to issue an Enforcement Notice, as we believe that the fence would be likely to be granted planning permission.

We can also confirm that there are no public rights of way on this site registered on the proposed definitive map.

Regards
 Jill

Jill Warren | Planning Officer
 Tel: (020) 8489 5124 | Fax: (020) 8489 5220

From: Freehold Community Assoc [mailto:freehold2003@googlemail.com]
Sent: 02 May 2012 10:23
To: Warren Jill
Subject: Fence Planning Permission - A406, Orion Road

Dear Ms Warren,

Thank you for your email confirming the Planning status of the above.

We assume that you will now require the land owner to apply for retrospective planning permission.

If such an application is made we wish to be consulted as there is a prescribed public right of way from Orion Road to the site which this fence is obstructing.

We trust that you will also note the significance of this matter to the validated Town Green application.

Regards

Chris Faulkner - Chairman

Freehold Community Association

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No planning permission is recorded as having been granted by the London Borough of Haringey in respect of this fence.

Regards
Jill

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Chris Faulkner Flow Controls

From: "Freehold Community Assoc" <freehold2003@gmail.com>
To: "Jill Warren" <jill.warren@haringey.gov.uk>
Sent: 27 May 2012 13:10
Subject: Public Right of Way

Dear Ms Warren,

Thank you for your email of 23rd May.

Please note that we wish to apply for a definitive map modification order and would request receipt of the appropriate application form.

Regards

Chris Faulkner

Chairman - Freehold Community Association

Chris Faulkner Flow Controls

From: "Warren Jill" <Jill.Warren@haringey.gov.uk>
To: <freehold2003@googlemail.com>
Cc: "Dorfman Marc" <Marc.Dorfman@haringey.gov.uk>; "Powell Nick" <Nick.Powell@haringey.gov.uk>
Sent: 30 May 2012 13:06
Subject: FW: Public Right of Way

Dear Mr Faulkner,

There is no definitive map for the area of the Borough of interest to Freehold Community Association. The Council have prepared draft Orders for the West and Central areas but these have yet to be confirmed by the Secretary of State. We cannot therefore seek to modify a definitive map which has yet to be finalised.

Regards

Jill

Jill Warren | Planning Officer
Tel: (020) 8489 5124

From: Freehold Community Assoc [mailto:freehold2003@googlemail.com]
Sent: 27 May 2012 13:11
To: Warren Jill
Subject: Public Right of Way

Dear Ms Warren,

Thank you for your email of 23rd May.

Please note that we wish to apply for a definitive map modification order and would request receipt of the appropriate application form.

Regards

Chris Faulkner

Chairman - Freehold Community Association

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