

Objection to the Re-Consultation – Haringey Council’s Behaviour

Please accept this document as an objection to the conduct of the Re-Run Consultation on Land Designation Proposals for Pinkham Wood (the former Friern Barnet Sewage Works).

Haringey Council and their colleagues from 6 other London Boroughs have set out to solve their waste management problems by introducing the prospect of a huge waste processing plant on a green space located in the middle of an urban community comprising thousands of innocent people. To illustrate the scale of the problem, 53 schools lie within a 3 kilometre radius of the proposed site.

Haringey Council have demonstrated their contempt for the residents who live locally to the proposed plant in a number of ways:

- (a) A scheme was hatched to bring in an outline planning application for the proposed plant which, if allowed to go ahead, would have pre-empted the public scrutiny of the site evaluation for Pinkham Wood, as contained and described in the North London Waste Plan.
- (b) Haringey, with the 6 other participating London Boroughs, has attempted to remove any consideration of the air quality issues associated with the Pinkham Wood site by explicitly removing air quality considerations from the site evaluation contained in the North London Waste Plan. All 7 Boroughs have formally signed off the NLWP.
- (c) Haringey, with the other 6 Boroughs have signed off a site evaluation that does not stand up to scrutiny, for example, claiming credit for buildings that do not exist and scoring maximum points for other factors which did not meet their own criteria definitions.
- (d) Haringey tried to push through (without proper consultation) some land designation changes which would, on the face of it, probably make it easier to get the waste plant planning application through the Planning Committee. Luckily the manoeuvre was spotted and Haringey have been asked to run the consultation again.

One presumes that the much publicised decision to delay the NLWA outline planning application for Pinkham Wood was a direct result of the realisation by Haringey Council Officers (following notification of the Planning Inspectorate’s directive to re-run the Pinkham Way land designation consultation) that the attempt to change the associated land designations had failed in the short term and pushing through the outline planning application without the changed land designation in place was too risky.

The desperation of Haringey Council is only too evident in the manner of the re-run of the consultation. The consultation for Pinkham Wood has been buried in copious superfluous documentation. The database used to notify residents on a Borough Wide basis is flawed. There has been no direct notification of the re-run consultation to directly affected residents. The consultation was advertised in low circulation media.

The consultation documentation goes out of its way to misrepresent the Pinkham Wood site. The site is referred to as the Friern Barnet Sewage Works, not the ‘former’ Friern Barnet Sewage Works. Nowhere is it stated that the former Friern Barnet Sewage Works was abandoned over 50 years ago. The site, a green and pleasant open space, is bracketed (without explanation or description) with 4 fully established, fully functioning industrial estates.

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However the most significant evidence that Haringey Council is seeking to misrepresent its true intentions and willingness to mislead local residents is the fact that it is obviously seeking to remove protective covenants from the Pinkham Wood site merely by omission. There is nothing in the consultation documentation that confirms that the Borough Grade 1 Significant Site of Nature Conservation (SINC) is being retained following the proposed change of land designation for Pinkham Way. Furthermore the existing caveat, attached to the EL designation for Pinkham Way is not mentioned at all in the consultation documentation and one presumes that if there is no conscious attempt to re-attach the caveat to the new proposed land designation of LSIS, then the caveat will simply expired with the removal of the EL designation.

This is not reasonable, fair or honest consultation.

Haringey Council’s Behaviour

Please note the following exchange of emails between me, an anxious and concerned resident of Haringey and Marc Dorfman, Assistant Director Planning & Regeneration Haringey Council which clearly demonstrates the Council’s reluctance to be open and honest with the council tax payers of Haringey.

Thursday October 27th 2011

10:47 Given the apparent mismatch between the assurances given to the Planning Inspectorate (letter to Allison Ingham on 27th July 2011) and the re-run consultation documentation, I decided to write to Marc Dorfman to clarify the situation.

“Thank you for your detailed response [to any earlier query]. I wonder if I might clarify a couple of points:

(a) Will the new designation (proposed by the Council) of LSIS for Pinkham Wood retain the caveat "subject to no adverse effect on the nature conservation value of the site"?

(b) Will the "Borough Grade 1 Site of Importance for Nature Conservation" designation (SINC) remain in place for Pinkham Wood or does the absence of any mention of this in the Core Strategy documentation mean that it is being dropped? Given the short time left for the Core Strategy consultation, I shall be grateful for your response by return.”

13:28 Mr Dorfman’s response was clear, concise and obviously designed to avoid answering the question during the remaining time of the consultation.

“Dear Mr James, thanks for your email. A response will be prepared in the target timescale of 10 working days. Best regards Marc Dorfman”

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16:42 My response by return indicated that I felt that Mr Dorfman’s answer was unacceptable.

“Since you obviously know the answer to the question already, there is no reason why you could not answer immediately. Waiting until after next Thursday is not being professional or transparent (your words). I look forward to your response when you feel able to provide it.”

16:36 Marc Dorfman re-affirmed that he intended to exercise his right to take 10 working days to answer my question.

“Dear Mr James, thanks for your email. I note your view and concern. Best regards marc dorfman”

Friday October 28th 2011

Representations were made on my behalf and Lyn Garner (signatory of the 27th July letter to the Planning Inspectorate) indicated her acceptance that my request was reasonable and that she would discuss the matter with Mr Dorfman.

Monday October 21st

09:54 Miss Jill Warren provides the following response on behalf of Mr Dorfman

“Further to your correspondence with Mr Marc Dorfman of the 27th October 2011, below. We can confirm that the nature conservation designation on the Pinkham Way site remains the same. The site specific proposals set out in schedule 1 of the UDP – “employment generating uses subject to no adverse effect on nature conservation value of the site” has not changed.”

12:53 Ms Warren’s response completely ignores the specific questions being asked.

Thank you for your email. Your response does not really respond appropriately to my questions since my questions were seeking answers about the future proposed designations for Pinkham Wood, not whether the current designations have changed or whether they remain in place for the moment. I wonder if you would be so kind as to further clarify the situation with specific reference to my words set out below:

(a) Will the current caveat "subject to no adverse effect on nature conservation value of the site", currently attached to the designation EL for Pinkham Wood, be attached without qualification to the new designation LSIS should the Council's proposal to change the designation of Pinkham Wood be approved.

(b) the second element of the current dual designation for Pinkham Wood, the Grade 1 Borough Site of Importance for Nature Conservation, will remain in place and should the Council's proposal to change the designation of EL to LSIS be approved, then the Pinkham Wood site will continue to have a dual designation.

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(b) I wonder if you would be kind enough to indicate (page and paragraph reference numbers) where the detail of these statements is clearly set out in the Core Strategy and the Re-Consultation Documents.

Thank you in your advance for your prompt attention to this email - you will be aware that the consultation period closes on Thursday and I wish to ensure that my objection to the proposed change of designation is entirely correct.

Tuesday November 1st 2011

15:31 The Pinkham Way App Team respond on Mr Dorfman’s behalf. The long and detailed response does not answer the two basic questions.

The current caveat “subject to no adverse effect on nature conservation value of the site” is Haringey Council policy which may be found in OS6 of the 2006 UDP (see extract below). The 2006 UDP has 2 biodiversity policies, OS 6 and OS 11. Schedule 1 of the UDP (Site Specific Proposals) lists the Former Friern Barnet Sewage Works as Site No.5 and clearly states under the Proposal Heading "Employment generating uses subject to no adverse effect on the nature conservation value of the site"..

In the Core Strategy this has been developed into Biodiversity Policy SP13, p149-150. This states that "All development shall protect and improve sites of biodiversity and nature conservation through its;.....Protection and enhancement and creation of Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs)". There is a minor agreed change proposed after the Core Strategy Examination in Public hearing. I have copied the relevant text of the UDP policies and the proposed minor change in below for your information, I apologise that this has resulted in a very long response.

The Schedule 1 table of Site Specific Proposals in the current UDP will be developed into the draft Sites Development Management Document during 2012 and is not in the Core Strategy. It is intended that this caveat will be applied within the draft Sites document

I hope that this clarifies the proposed position with regard to the current caveat in the UDP 2006 Schedule 1 and how it will be maintained in the draft Sites DPD.

Wednesday 2nd November 2011

06:48 In desperation for a proper response from Haringey, I sent the following email

Will you please give me an unequivocal and unambiguous response to the two questions I have posed? Thank you

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18:05 email from Ms Warren

1. No, but a similar wording will appear in the draft Sites Development Management Document in 2012, and in the meantime the site will be subject to Policy OS6 in the UDP and once the Core Strategy formally replaces it by Policy SP13 .

2. Yes, the dual LSIS and SINC designation will continue to apply to the Site (in the event that the LSIS designation is recommended for approval by the Inspector).

At last, at the fifth attempt, an appropriate response from Haringey Council which confirms the fact that the Council intends to drop, without notice, the caveat associated with the current EL designation. The suggestion that it ‘may’ appear in the future as a consequence of OS6 is hardly convincing. Moreover the fact that the SINC designation will be maintained appears to have been confirmed only reluctantly and then only by a junior member of the team. The fact that Mr Dorfman did not respond directly himself is in itself unhelpful. **The fact remains that this is information which should have been included in the consultation document and its absence, plus the reluctance to confirm the situation, can only be seen with suspicion.**

The re-run consultation is manifestly unsafe, unreasonable and undemocratic. The residents local to Pinkham Wood should be given an open, free and democratic opportunity to fully discuss the future use of Pinkham Wood without the shadow or threat of a huge polluting waste plant and without the machinations of a Council keen to remove, by stealthy means, the residents ability to withstand supposed industrial progress which is clearly and obviously (to any reasonable citizen) in direct contravention of their right to peaceful and pleasant occupation of their homes.

The references to Friern Barnet Sewage Works must be expunged from the Core Strategy and the flawed proposed changes to land designation must be deferred until Haringey have properly and honestly consulted with their constituents about the alternative designations available to the residents of Haringey.

Barry James
12 The Drive N112DX

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Annex 1 – Additional Material Proved by Haringey in their email of the November 1st 15:31

2006 Unitary Development Plan

OS6: ECOLOGICALLY VALUABLE SITES AND THEIR CORRIDORS

The Council will not permit development on or adjacent to Sites of Special Scientific Interest (SSSIs), statutory Local Nature Reserves, or other sites of importance for nature conservation value or ecological importance:

- a) *unless there will be no adverse effect on the nature conservation value of the site; and*
- b) *unless the importance of the development outweighs the nature conservation value of the site.*

Green Corridors form important links between the nature conservation sites identified on the Proposals Map. Wherever possible the continuity of these corridors should be protected and their green nature enhanced in order that they do not become fragmented and thereby diminish their ecological value. Development for operational transport needs in the Green Corridors may be acceptable, if it can be shown that there are no alternative locations and there is an essential need for the development.

OS11: BIODIVERSITY

All applications and development should respect the biodiversity of the borough, and ensure that the biodiversity is not diminished in any form, and that every opportunity is taken to enhance it. Such enhancements are particularly important in areas deficient in accessible natural green space.

The Council will resist development which would have a significant adverse impact on the population or conservation status of a protected species or species which have been identified as a priority in the UK, London or Draft Haringey Biodiversity Action Plan.

Where development is permitted which may cause significant harm to biodiversity, the Council will first seek to avoid or minimise the impact, then seek mitigation and finally invoke compensatory measures for any residual impacts.

Schedule of Further Minor Changes Post Hearing

SECTION TITLE	PAGE NO/PARA NO	POLICY OR BOX TITLE	PROPOSED CHANGE Strike through deletion and new text italics and underlined
6.3 SP13 Open Space and Biodiversity	158/6.3.23		Amend 7th sentence to read as follows: "The Council will not permit development on or adjacent to SINC's and LNRs unless the importance of the development outweighs the nature conservation value of the site and appropriate mitigation measures are provided in these cases. <i>and where a site has a dual designation, appropriate mitigation measures must be carried out.</i> "

BAJ
2nd November 2011