

## **Haringey Core Strategy Examination and consultation (Core Document Ref. CSSD-03)**

### **Liberal Democrat response to the Core Strategy Fundamental Changes (Core Document CSSD-03) and the Sustainability Appraisal Sept-Nov 2011, written by Cllr Solomon**

We, the Liberal Democrat Group on Haringey Council, are responding to the September 2011 re-consultation on the Local Development Framework. The policy with which we are concerned here is SP8, and, in particular, the designations for Pinkham Wood on the North Circular, (which is already subject to a submitted planning proposal for a waste processing centre).

We have not, rather surprisingly, been formally asked for our views, other than on a “round-robin” email, even those three of us who are ward councillors for the ward containing the site with the contested designation. As elected representatives of the ward, we are clearly major stakeholders; our omission from being formally requested to join in the consultation would be our first reason for suggesting that the consultation of affected stakeholders was, if not inadequate, not completely thought through, as we are treated as though our stake was equal to that of all other councillors, which is clearly not the case.

The new consultation is concerned with Publication of a Development Plan Document (Regulation 27) – additional Regulation 27 on Affordable Housing & Employment Land Designations November 2010 (consolidated with further evidence to support changes to the Employment Land Designations, September 2011)

#### **Section 1. Overall problems.**

Following on from the Inspector’s letter after the EIP, the Council has spelled out what it considers to be the key questions that consultees should answer. Some of these are the first points we shall deal with, and they are numbered here, by us, for convenience of reference.

1 Is the document justified?

No. The Council fails to set out clearly the reasons and justification for a change of land-use designation of the Pinkham Way site.. In the post-EIP papers in the planning portal, there seem to be some hints, but that is all.

In their letter of 27th July to PINS, the LDF team says (para 2.5) “The council considered the employment land designations in the Core Strategy of the Friern Barnet and Bounds Green sites are justified by evidence base and are in line with the London Plan and carry through the recommendations as set out in the Employment Land Study.” It is unfortunate therefore that the only justification to appear in the Core Strategy is the following:

*“A change in designation will ensure this DEA is targeted towards more traditional industrial uses. Complies with pre-application discussions which have already taken place to use part of site for recycling centre and other part as waste station.”*

This is not a justification for a change in designation. The justifications for the designation should be prior to, and independent of, any actual or intended applications. All this says is “somebody wants to develop here – let’s fix the LDF so that it can carry on”. This very approach should in itself render

the document unsound as it suggests an order that is contrary to that suggested in PPS 12. (mostly Section 4.2 ff.)

One particularly concerned local resident queried the change in designation, as did a number of others, but the answer he was given by the Council in their letter of 28th June (see below) did not provide the evidence base he was seeking

*“The Council felt that the wording was not clear enough, and some of the sites which came under this designation were not suitable for this level of flexibility. If the Core Strategy Proposed Submission draft designations were left unchanged, the concern was that this would lead to applications for uses which would not be suitable for their location. This also accords with the London Plan, and the DRLP.*

*Therefore, the Council decided that Friern Barnet site and the Bounds Green site needed stronger employment land designation. They were designated as Locally Significant Industrial Site (LSIS). This approach also accords well with the concept of sustainable communities. Both of these sites are in the west of the borough where there is comparatively less industrial land availability. The fundamental changes document (Nov 2010) was consulted on according to planning regulations, and there were no objections to designating this site as a LSIS.”*

It should be pointed out, although it may be unnecessary to do so, is that the reason there were no objections was because of the rather secretive way in which this so called consultation was carried out, and the restricted number of people informed. This first consultation clearly did not begin to accord with the Council’s SCI.

Locally Significant Industrial Sites (LSIS)

“5.1.10 These are well established industrial areas and the aim is to retain them solely for uses that fall within B1(b), (c), B2, B8 uses or uses that share strong similarities to this use class.”

In terms of being a “well used industrial area” which is apparently one of the criteria for LSIS designation, an area which has been wild backland for fifty years does not seem to us to qualify for this description. Until a security fence was put up round the site, relatively recently, the area was used for walking, playing, observing wildlife etc., all the kinds of activities that might be associated with small areas of relatively natural open space in the middle of the urban fabric.as well as a certain amount of dumping, much of it (apparently)old Barnet lampposts.

If we now consider some of the Council’s other consultation questions (below) , the answers become relatively straightforward.

2 Is it based on robust and credible evidence? It would seem not.

3 Is it the most appropriate strategy when considered against the alternatives? No alternative is presented.

4 Is the document effective? See 5 below, so in all probability not.

5 At the moment the status of the site as a Grade 1 Site of Borough importance for Nature Conservation is to be kept; we note, however, that this is not mentioned in the consultation document. In the old saved UDP, any employment uses to which it would have been put would have had to make sure that the ecological designation was respected. And indeed we find it hard to see how, if several acres of trees are pulled down (i.e. all the woodland), and the scrub is converted to an industrial site, the Council envisages that this will be possible.

8 Is it consistent with national policy?

Certainly not with the key Government principles on Biodiversity (PPS 9, page3). Almost certainly not with air quality standards, which would fall below acceptable on even more occasions than is currently the case with any increase of traffic on the local roads and A406. Nor does it concur with PPS 12 in that its consultation has been at odds with its own Statement of Community Involvement.

## **Section 2 Deficiencies in Consultation**

Probably our most significant point with regard to the reconsultation, as representatives of the local and affected community, is that, like previous so-called consultations on the same policy, it is simply inadequate. It does not comply either with the letter or the spirit of the SCI. Italicised sections below are just a few of the parts of the SCI which appear to have been entirely overlooked in the consultations.

2.4 (Haringey Statement of Community Involvement, 2011)" *As set out in Haringey's Consultation Strategy, the Council recognises the fundamental importance of undertaking effective community involvement and consultation to ensure that decisions are based on 'sound' reasoning, and these are transparent and accountable to the community. The Council defines consultation as 'a process of dialogue which leads to a decision', so it is the commitment of the Council to ensure that consultation:*

- *reaches more people;*
- *demonstrates to the community that their views are heard;"*

Curiously, although for local traffic calming consultations, a leaflet is sent to all those in the area, whether car owners or not, consultation on the use of the Pinkham Way site, which could affect a very large number of people, has not involved all those people living locally, who might reasonably have been expected to be consulted. The Council has, it says, targeted this reconsultation, as with the previous November version, to "those who had made previous representations in relation to Regulation 27 on the original Core Strategy" as well as their Consultees database. This is despite the fact that the Inspector thought the decision to target last November's abbreviated consultation to those who had made previous representations in relation to Regulation 27 on the original Core Strategy. . ." *could appear to be prejudicial to interest of fairness and natural justice."* And also despite the fact that as soon as people knew this was happening, they made it clear that they wanted their views heard.

But the council is targeting this reconsultation to precisely the same people, with the addition of a few who, having heard of plans for the site, have made sufficient fuss. This reconsultation does not

just “appear” to be prejudicial; more importantly, it is prejudicial. For this and other reasons, we have asked if there was to be a leaflet drop. The reply was *“There will not be a comprehensive leaflet drop in the area. In line with our SCI, community involvement activities will be planned in a consistent way to ensure the methods used are the right ones in each case, recognising that there are limits to our resources. In this case, we are carrying out the consultation in line with how to consult on a planning policy document and not a planning application. We have placed public notices in all of Haringey’s papers and to ensure beyond borough boundary coverage notices have also been placed in both the Enfield and Barnet Independent.”* (Ciara Whelehan to Juliet Solomon, 12/10/2011).

It should, however, be noted that

1) the SCI does not distinguish between policy documents and planning proposals, and suggests that similar consultation methods are appropriate to both, so this comment is spurious, and

2) notwithstanding the importance the Borough claims to give to maximising community response, it should be noted that, for this very controversial policy change and associated proposal, the only paper that is circulated to ALL residents in the Borough, the “Haringey People”, is not included in the consultation; it makes no mention of the issue or, indeed, of the requirement that Haringey should to reconsult in its August/September and October/November editions, which are the only relevant ones.

However, Haringey claim that they have put a notice in the “Haringey People”. *“In addition, press releases have been placed in all of the Haringey local papers, a notice in Haringey People and to ensure beyond borough boundary coverage a press notice has been placed in both the Barnet and Enfield Independent.”* Email from Whelehan to Solomon, 23/9/2011.

I reproduce here the only vaguely relevant article that has ever appeared in the Haringey People, in the August/September edition. As can be seen, not only does it fail to mention the LDF and the inspector’s report, but it also fails to use the opportunity to publicise the reconsultation.

*“Pinkham Way Plans on hold. The submission of a plan to build a waste processing plant in Pinkham Way has been put on hold following intervention by Haringey Council. The council has lobbied the North London Waste Authority about the lack of detail in its proposals. It has also argued for consultation on the plan to happen after an independent planning inspector has tested the detail of the wide-ranging waste plan for north London. The NLWA will submit a detailed planning application for consultation with residents and consideration by the council’s planning committee after the inspector reports in April 2012. Cllr. Alan Strickland, Cabinet member for Economic Development and Social Inclusion, has promised to hold a thorough consultation once the planning application is lodged.”*

This gives no indication of the results of the LDF EIP, or any indication that the Council was going to reconsult on sections of that. By their omission, they are effectively telling the public, in this journal, what amounts to a misleading half-truth.

But The SCI says (Page 4) *“2.3 In delivering the vision for Haringey the involvement and participation of the local community and other stakeholders in the preparation of the LDF and processing of planning applications is essential.”*

My understanding of the word “essential” is that anything essential is a *sine qua non*, an activity without which something (in this case the LDF work) cannot continue. And the council knows well that contacting the local community either through the most ubiquitous journal, the People, or through a leaflet drop is probably the only (and therefore essential) way of making sure that this happens. But they excuse themselves from this requirement by saying

*“Our Statement of Community Involvement (SCI) clearly states that if anyone wishes to be involved in planning policy/planning applications to contact the Planning Policy Team so their details can be added to the consultation database.”*

Two points arise from this. Firstly, the public will not know what is being considered unless they are told; for example, nobody reading the article reproduced above would have any idea about the reconsultation; and secondly, being “added to the database” is surely not enough. People who write in should be sent the material for responding; and we are aware of cases of people who have written to express their interest and not received any response. Where they have, one of the things they have been told is;

*“Please note that this a re-consultation exercise on the Core Strategy which is being undertaken following discussions at the Core Strategy Examination in Public for a proposed amendment to a strategic policy, which in respect of Pinkham Way strengthens existing employment policies that already apply to that site. “* Again, this is disingenuous, because while the redesignation may strengthen existing employment policies, it also effectively renders the present ecologically protective designations totally ineffective – and of course, these do not get a mention anywhere in the consultation document. One could ask why.

There are, it turns out, many parts of its own SCI which the council appears not to have consulted, which is a pity as in our view, if heeded, it would be an extremely valuable document. I will not go through the problems of all of these in detail as I believe the overall picture is already clear and I have no doubt that a number of other respondents will reinforce this point. I will merely quote some passages from the (excellent) SCI which I think show how little this has been heeded.

From the SCI page 4

*“The council will*

- actively engage the whole community by using a variety of formats and media and be mindful of local avenues for accessing people, particularly within the voluntary sector;*
- give enough time for people to be consulted;*
- choose the right method for the type of stakeholders being consulted;*

From Page 5

*“2.10 It is a legal requirement that all Council set out how they will involve local*

*communities in planning decisions and plan making process. Additionally, consultation approaches must be tailored to the make up of the local population, the needs and interests of the various community groups in the area in an effort to encourage people to participate in the planning process.*

*from page 8 The Council are committed to getting less actively engaged groups and individuals involved, and to supporting those who are already involved to support those who are not yet engaged or fully engaged.*

*p.13 3.5 Local representative bodies will be regularly consulted, when and where appropriate. The approach to consultation will be flexible, accessible and proactive, and the scale of consultation will be equal to the likely impact of the proposed plan.”*

As is clear without further comment, all these laudable aims are being overlooked in this case.

Although we have outlined a number of reasons why there are problems with the changes to policy SP8, the one we have emphasised (as has Haringey's SCI) is the need to involve residents in the policy-making of the borough plans. This rhetoric needs to be put into practice and proper consultation undertaken if the plan is to be passed as a sound document.

To conclude, as shown above, the Haringey Liberal Democrat group not only considers this second consultation flawed but fundamentally the Council has failed to substantiate an adequate justification for the redesignation of the Pinkham Wood site and therefore the Council should abandon its proposals.