

Representor Reference :- 35	Freehold Community Association	Site Allocations DPD	28th July 2016
Matters and Issues Legal Compliance - SCI			Commentary
Haringey EIP Inspector report 2012 - Pinkham Way "Nonetheless, the Sites Allocation DPD would provide an opportunity to review its status. This would be a suitable opportunity to take into account as necessary the outcome of the application for Village/Town Green registration and other contemporary evidence which would include considerations of its open space value, its biodiversity and its specific site features such as the culverted water course. Mindful of the considerable public interest in the use of this site, this would be a further opportunity to engage appropriately with all relevant parties".	Haringey invited to "engage" with Freehold Community Association - No engagement took place - See appendix A		
Haringey Scrutiny Panel	See appendix B		
Matters and Issues Legal Compliance - DtC	Test	Soundness	Commentary
Duty to Co-operate - Engagement Document	NLWP Inspector 2012 - "consultation is not co-operation" Haringeys Engagement falls far short as evidence that Dtc is being complied with. It fails to show active, meaningful and ongoing co-operation activities. It also fails to show how the DtC activity will be monitored. Statement of how Haringey approach the Dtc is absent. Cooperation is all officer led and SMT/Local Councilors have not been involved. Exchanges of letters are insufficient proof of Dtc. Annual monitoring reports do not show co-operation activity See Waltham Forest Statement of Duty to Co-operate. Appendix C	Unsound	Haringey, Barnet and Enfield are in three different sections of the Thames Regional Flood Committee and their opportunity to meet to discuss cooperation on "Localy Strategic Cross Boundary Flood Risks" is impossible. Under the Flood and Water Management Act 2010 the three Lead Local Flood Authorities have a duty to cooperate on Flood Management including land/sites that could provide flood prevention/alleviation schemes. Surface Water Management Plans and Strategic Flood Risk Assessments are two sides of the same coin.

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Site Allocations DPD - Site specific issues SA52	Test	Soundness	Commentary
Can it be demonstrated that the site can be developed without harm to biodiversity and nature conservation objectives?	Through the River Lea network PW development will impact on water quality and volume experienced by Walthamstow Marshes, an SSSI As partners in the River Lea Catchment Partnership Haringey committed to taking account of the "London Lea" catchment plan" See appendix D. This includes a statutory duty to consider the Water Framework Directive.	<p>NOT CONSISTANT WITH</p> <p>NPPF 17 BP 9</p> <p>NPPF 93, 94, and 99</p> <p>NPPF 100, 101, 102</p> <p>NPPF 109, 117 and 120</p> <p>NPPF 165 & 166</p>	<p>Haringey were required by the Inspector in his 2012 report to gather contemporary evidence of a number of "Environmental" matters including "specific site features".... of PW</p> <p>The contemporary evidence presented to Haringey has clearly indicated the specific features of the site that are preventing flood impacts and how PW could contribute to wider flood alleviation measures and water quality issues..</p>
Ditto	.NPPF 157 Bullet point 5 "allocate sites to promote development and flexible use of land, bringing forward new land where necessary, and provide detail on form, scale,access and quantum of development where appropriate;	<p>NOT CONSISTANT WITH</p> <p>NPPF 122</p>	<p>Haringey have failed to provide detail on form, scale, access and quantum of development that would also enhance the biodiversity and nature conservation of the site.</p>

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NPPF Para 22	Test	Soundness	Commentary
Is it a deliverable site?	The NLWA and LB Barnet as "value for money" authorities face a significant hurdle to justify their own development of PW	NOT CONSISTANT WITH NPPF 22,	The land at PW has been "available" for development since 1980 but a limited number of offers have been made in the past 30 years. Attempts by Barnet to sell the site or develop it have met with stiff opposition by Haringey planning. There is no evidence that the current land owners are making any effort to market their sites
Ditto	Specific employment development	NOT CONSISTANT WITH NPPF 161	Potential employers wishing to locate to the Bonds Green Area will choose the existing Bounds Green Ind Estate or the B1 units on the Ladderswood estate.
Ditto	Speculative development	NOT CONSISTANT WITH NPPF 173	Developers take their "due dilligence" advice seriously and PW presents a high risk to potential Developers. The technical difficulties of the site (quantity and nature of contamination) combined with the conserted, and focused community opposition to any development proposal would be major factors considered by any potential purchaser of PW.
Ditto	Planning confusion		The land at PW has so many different planning designations that the certainty of, what and where, anything could be built is almost impossible to determine from Haringey's DPD. The DEA boundary is inside the SINC Boundary which overlaps the area of green chain. There is no indication of the area of development that would be permissable and the Tfl widening line (Appendix E), allocated along the northern boundary of the site, has not even been considered by Haringey. All this is compounded by the entire site being designated as Public Open Space in Barnet's strategy and policies. Appendix F
Employment land needs	Relation to supply		The loss of what would be a small area of employment land that may be possible on PW will be inconsequential to Haringeys employment land supply especially as they have failed to determine the class of uses that may be acceptable.