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KT/1732A/46(28May10)Haringey

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21 June 2010

Dear Sir or Madam

LONDON BOROUGH OF HARINGEY – CORE STRATEGY PROPOSED SUBMISSION DOCUMENT & DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT COMMENTS ON BEHALF OF WM MORRISON SUPERMARKETS PLC

With reference to the above and on behalf of our client, Wm Morrison Supermarkets Plc ('Morrison's'), we write to thank you for providing us with an opportunity to comment on the Core Strategy Proposed Submission Document and the Development Management Policies DPD.

Morrison's is a major food and grocery store operator, which currently operates an in-centre store at Wood Green. The Company would therefore like to be kept informed and consulted on further stages of the preparation of documents which are to comprise the LDF, particularly with regard to any new retail allocations.

Our client would like to make the following comments on the above documents.

Core Strategy Submission Document

We note that Policy SP4 'Working towards a Low Carbon Haringey' indicates that all new non-residential development will be built to at least BREEAM 'Very Good' standard, and should aim at achieving BREEAM 'Excellent' or the current nationally agreed standard. The policy also states that:

"All new non-residential development shall be zero carbon from 2019"

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It is acknowledged that a number of Local Authorities are seeking a percentage of onsite renewable energy generation in new development and, in principle, our client supports this approach. However, we consider that any such policy should incorporate an element of flexibility to allow for circumstances where it will not be viable, feasible or suitable to incorporate renewable energy equipment to reduce CO2 emissions by a given percentage, or indeed for a development to be zero carbon.

We note that paragraph 8 of PPS22 states that local planning authorities may include policies in Local Development Documents that require a percentage of energy requirements to come from onsite renewable energy generation, however this guidance is subject to the caveat that such policies:

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- (i) should ensure that a requirement to generate on-site renewable energy is only applied to developments where the installation of renewable energy generation equipment is viable given the type of development proposed, its location and design;
- (ii) should not be framed in such a way as to place an undue burden on developers, for example, by specifying that all energy to be used in a development should come from on-site renewable generation.

In our view the absence of any such flexibility conflicts with the intentions of Government Guidance within PPS22 and its companion guide, and in this regard, we consider that the Core Strategy document is unsound on the basis that Policy SP4 is not 'Effective' given that it contains no flexibility.

Development Management Policies DPD

We note that Policy DMP12 'Parking for Development' indicates that development proposals will be assessed against the parking standards set out in Appendix 1, and proposals that do not meet these standards will not normally be permitted. The policy also states that *'for larger developments the parking requirement will be assessed on an individual basis as part of the Transport Assessment or Statement'*.

Appendix 1 of the document sets out maximum car parking standards, and in terms of food retail development of between 1,000 and 2,500 sq.m the maximum standards will be one space per 20, 35, or 45 sq.m, depending on the accessibility of the site to public transport.

We are aware that the London Plan advises that the restraint of parking provision should increase in many areas as the availability of alternative means of travel increases. In the most accessible locations, this should sometimes extend to car free developments.

Whilst we acknowledge that the borough faces significant development pressures, we consider that a balance should be struck between encouraging new investment in town centres by providing adequate levels of parking, and potentially increasing traffic congestion caused by too many cars.

In broad terms, to fulfil the objectives of PPS4, it is necessary for town centre retailing to be competitive. Policy EC8 states that local authorities need to ensure the provision of adequate levels of good quality secure parking in town centres to encourage investment and maintain their vitality and viability.

With regard to retail development, Policy DMP16 'Development Within and Outside Town and Local Shopping Centres' states that:

'Proposals for new development outside the identified town and local shopping centres should demonstrate that (inter alia):

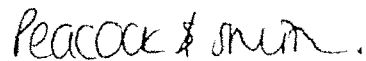
- a) *there is a need (our emphasis) and the sequential approach as advocated by Government guidance has been appropriately applied (PPS4 – Planning for Sustainable Economic Growth)'*

Following the adoption of PPS4 the 'need' test is no longer applicable to the assessment of retail proposals. The main tests that are now applied to developments located outside centres (and developments not in accordance with the development plan) are the sequential approach and retail impact.

In this regard, we consider that Policy DMP16 should be amended to reflect current national guidance, and the requirement for applicants to demonstrate that there is a need for out-of-centre development should be omitted.

We trust that this is helpful and would be grateful if you could ensure that Peacock and Smith is kept informed of the progress of the Core Strategy, Development Management Policies DPD, and other documents that are to comprise the LDF. If you have any queries, please contact Peacock and Smith at the address overleaf.

Yours faithfully



PEACOCK & SMITH

