

Appendix 2.5 - Comments on the Community Infrastructure section of the Local Plan: Development Management Policies Regulation 18 consultation Feb-Mar 2015

Comments on DM58 of the Local Plan: Development Management Policies Regulation 18 consultation Feb-Mar 2015

Respondent ID	Comment ID	Respondent	Topic	Summary of Response	Council Response
260	DM723	Catalyst Housing (CgMs Consulting)	Community facilities	Note requirements of protection of existing social and community facilities (such as hospitals), and that there is a process through which a release and redevelopment or change of use of such accommodation will need to be tested to provide appropriate justification. Example: Coppetts Wood Hospital is a former high security unit for infectious diseases and has been vacant since 2008. It is now being disposed of by the NHS Trust. There are occasions when evidence of need for a particular facility or the fact that it cannot be utilised for other community purposes (because of its size, configuration and so on), can be demonstrated clearly without the need for a 12 month marketing period (as set out in criteria c). This is particularly pertinent for large estate rationalisations, especially health facilities where the clear reason for closure, lack of adaptability and requirement for wholesale redevelopment (subject to heritage) is clear and should not be held up by irrelevant marketing requirements. It is appreciated that this would be on a case by case basis, but this flexibility should be inserted within the policy or made clear in the supporting text at least.	The Council acknowledges that, where it can be demonstrated that the disposal of existing community assets (such as health facilities) is part of an agreed programme of social infrastructure re-provision to provide for the continued delivery of the related service, the policy should not unduly prevent or delay such investment. The Council will therefore amend the policy to ensure sufficient flexibility as suggested. Action: Amend policy to provide greater flexibility, as set out above.
412	DM724	NHS Property Services	Community Infrastructure	The NHS requires flexibility in its estate. In particular, the disposal of unneeded or unsuitable sites and properties for best value is an important component in funding new or improved services within an area. Restrictive policies that prevent the loss or change of use of community facilities and include healthcare facilities within this definition can prevent or delay required investment in alternative facilities and work against the Council's aim of providing essential services for the community. In particular it should be noted that requirements for surplus healthcare facilities to be marketed would prevent or delay the sale of unneeded or unsuitable properties and therefore this should not be imposed. Where it can be demonstrated that healthcare facilities would be lost or have their use changed as part of the wider NHS estate reorganisation programme it should be accepted that this provides sufficient evidence that a facility is neither needed nor viable and that adequate alternatives would be provided in accessible locations. Surplus healthcare facilities are normally purpose built and at the end of their useful lives, and can only be disposed of once the NHS's rigorous testing and approval processes have been satisfied. NHSPS would only support Policy DM58 if it is clear that evidence of the wider NHS estate reorganisation programme would be accepted as justification for the loss of a community facility. On this basis, any such new policy or its supporting text should include the following clarification, which would also be consistent with paragraph 3.87A of the London Plan (FALP): <i>The loss or change of use of existing community facilities will be acceptable if it is shown that the disposal of assets is part of a wider estate reorganisation programme to ensure the continued delivery of public services and related infrastructure, such as those being undertaken by the NHS. Evidence of such a programme will be</i>	The concerns raised are noted. However, the Council does not consider the policy to be unduly onerous, as the matters raised in respect of healthcare facilities apply equally to the much wider range of community facilities and services that the Council itself provides. As the population of London and Haringey increases so too does the demand & need for additional community infrastructure to support healthy and sustainable communities. In addition, land values across the Capital continue to increase and in turn negatively impact upon the viability of delivering new or additional community infrastructure. Land availability for all types of land uses, but especially essential infrastructure, also remains scarce. For these reasons, the Council considers it appropriate that all efforts should be taken to retain existing land and buildings in community use even where they are surplus to the existing operator's requirements. Nevertheless, the Council does agree that, where it can be demonstrated that the disposal of existing community assets is part of an agreed programme of social infrastructure re-provision to provide for the continued delivery of the related service, the policy should not unduly prevent or delay such investment. The Council therefore agrees that wording similar to that suggested be inserted into the policy's supporting text. Action: Amend policy to provide greater flexibility, as set out above.

				<p><i>accepted as a clear demonstration that the facility under consideration is neither needed nor viable and that adequate facilities are or will be made available to meet the ongoing needs of the local population. In such cases no accounts or marketing information will be required.</i></p> <p>Although no other specific amendments are suggested, it is noted Policy DM58 is unduly onerous. If a community facility is no longer required in its current use, then it would be excessive to impose further requirements. Policy DM58 should be amended on this basis, to allow redundant sites where there is no ongoing operator requirement to be considered favourably for alternative, viable uses, in accordance with the NPPF's presumption in favour of sustainable development. The Council should justify any further requirements, should it make them, with a robust, up-to-date evidence base that clearly demonstrates the local level of need for community uses and facilities.</p>	
583	DM725	Planware Ltd	Public Houses	Public houses should be removed from the definition of community facilities. The Framework does not include public houses as a community facility.	The Council has included public houses within the definition of community facilities in line with NPPF paragraph 70.
583	DM726	Planware Ltd	Overly restrictive	It is considered that 12 months is highly restrictive in the current economic climate. It is unfeasible and unreasonable to expect a developer to wait for a year for the chance to develop. This is contained within the policy to stop developers even trying to develop	The concerns raised are noted. However, the Council does not consider the policy criterion to be unduly onerous.
583	DM727	Planware Ltd	Viability	No consideration is given to the viability of the community facility. The policy outlines that consideration will be made if the facility is "no longer required" . This is considered vague and does not effectively outline parameters of exception. It is considered that Policy DM58 would support the retention of an unviable community facility	Policy DM58(C) gives consideration to financial viability. Action: Amend policy wording to clearly reflect that financial viability will be considered in proposals involving a loss of facility.
583	DM728	Planware Ltd	not positively prepared, justified, effective or consistent with the NPPF	The proposed policy is overly protective and not justified or positive in its approach. This is contrary to para 14 of the Framework which advises authorities to positively seek opportunities to meet development needs of their area. Thus the policy is inconsistent with para 19 and 21 of the Framework. Para 19 states: <i>Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.</i>	Disagree. To help deliver sustainable development the Council's Local Plan policies seek to ensure that the borough is appropriately supported by social and community infrastructure. NPPF paragraph 70 states that planning policies should guard against the unnecessary loss of valued facilities and services. Given the expected increase in demand for social infrastructure that will coincide with population growth, the Council considers it prudent to set a rigorous, criteria-based approach to considering proposals which involve the loss of community facilities.
603	DM729	The Theatres Trust	Supports Policy	The Trust supports the amendments made to the policy for community infrastructure. We are pleased the term 'community infrastructure' has been clarified and now clearly includes cultural facilities and Policy DMP58 protects and enhances existing community infrastructure. This reflects the National Planning Policy Framework item 70 which states that to deliver the social, recreational and cultural facilities and services that the community needs, planning policies and decisions should plan for the use of shared space and guard against unnecessary loss of valued facilities. Also to ensure that established facilities and services are retained and able to develop for the benefit of the community.	The Council welcomes support for this policy.
616	DM730	CgMs on behalf of Parkstock Ltd	Clarification on ACVs	Supporting para. 6.11 notes that whilst an Asset of Community Value (ACV) designation is important, it is not an objective assessment of community value and the value of an ACV still needs to be assessed objectively on a case-by-case basis. However, Policy DM58 relates to all ACV and therefore does not take into account the requirements	Agreed. The policy will be amended with paragraph 6.11 in the supporting text retained to appropriately reflect assessment of ACV on case by case basis. Action: Amend policy to delete references to assets of

				contained within para. 6.11 which notes that the value of an ACV needs to be assessed on a case-by-case basis. In order to ensure consistency with para. 6.11 we therefore recommend that Policy DM58 does not contain a blanket requirement relating to all ACV but instead requires the assessment of the community value of each ACV on a site-by-site basis, before the requirements of Policy DM58 are applied.	community value
653	DM731	CBRE on behalf of Hermes and Argent	Developer contributions	We recommend that a new sub-section is included in the DPD which summarises the overall strategy for developer contributions. This should make clear that pooled section 106 contributions will be only be sought where they are specified in the DPD in specific site allocations, and that where pooled contributions are sought the Council recognises that it may have a bearing on the extent to which developments can bear site-specific section 106 contributions (including affordable housing).	Haringey's Strategic Policies Local Plan policy SP17 sets out the approach for plan delivery, including through planning contributions. However it is considered that an additional policy can help to clarify and reinforce the Council's approach and a new policy will be added. It is noted that further details on section 106 contributions are set out in the Council's adopted Planning Obligations Guidance SPD. Action: New policy on the use of planning obligations.
659	DM732	Haringey Federation of Residents Associations (HFRA)	Our Tottenham Charter	<p>IMPROVE COMMUNITY FACILITIES:</p> <ul style="list-style-type: none"> - Protect and expand the 'social infrastructure' our communities value and rely on, including community centres, local pubs, corner shops, playgrounds, parks, GP surgeries, post offices etc - All planning policies must ensure that Tottenham gets the best facilities to serve our communities eg protect and expand our local community-run community centres <p>SUPPORT AND EXPAND YOUTH SERVICES AND FACILITIES:</p> <ul style="list-style-type: none"> - Encourage and support local youth speaking out for the services, centres and facilities they need - All planning policies must: demand the best possible opportunities and funding due to young people (equal to the best practice elsewhere); support organisations who work with young people - in a way they are happy with - to deliver future services (using successful youth activities and projects as an example to emulate); Re-establish and open additional dedicated venues for young people to meet and socialise, that are adequately supported and resourced; Ensure young people can access the information and skills they need <p>DEFEND AND EXPAND THE PROVISION OF GOOD, FREELY-ACCESSIBLE TO ALL, PUBLIC SERVICES</p> <ul style="list-style-type: none"> - They should be responsive to the everyday needs of our communities eg Health, Education, Welfare, Social Services and Social Care, Public Transport etc 	Our Tottenham Charter is noted. The Local Plan seeks to increase the provision of social and community infrastructure across the borough to meet identified need.
659	DM733	Haringey Federation of Residents Associations (HFRA)	S106	Do S106 agreements lead to actual planning gains? Community facilities and amenities of all kinds essential to sustainable communities (eg open spaces, childrens' play areas, health, education, sports, leisure and meeting places, local shopping parades etc) are not only failing to be extended to address existing deficiencies, let alone the ever greater population pressures, but are under threat and being eroded on a daily basis in local neighbourhoods and town centres alike. No amount of S106 contributions (or contributions from the future Community Infrastructure Levy fund) can mitigate such real effects on the ground.	The framework for securing S106 agreements and Community Infrastructure Levy funding is set out by Government policy and legislation. Both S106 and CIL have scope to fund social and community infrastructure requirements. The Council's Planning Obligation Guidance SPG sets out details on the types of obligations and charges that will be required in connection with different types of development. Comments regarding capture of funding / contributions are noted. The CIL charge is set on the basis of a viability appraisal and will be subject to review over the plan period. S106 contributions are required to make proposed development acceptable in planning terms. The Local Plan policies seek to ensure that Haringey's communities are

					appropriately supported by social and community infrastructure.
659	DM734	Haringey Federation of Residents Associations (HFRA)	Protect community facilities amenity land	How can we ensure that, in boroughs with serious land stress and competition, that all available land is earmarked for community needs - rather than for what developers can grab in order to make the most profit? Existing amenity land (eg for health services, education, and community facilities and services of all kinds) is being whittled away and sold off.	Haringey's Local Plan must be consistent with the NPPF and as such plan positively for the development and infrastructure required in the area. Available land will need to be used to accommodate a range of uses to meet objectively assessed needs, including for community uses. The Council will use site allocations to assist in delivering social and community infrastructure on individual sites, responding to identified need particularly in key growth areas. In addition, the DM policies seek to ensure that existing community facilities are protected and wherever possible enhanced.
667	DM735	Turnaround Publisher Services	Ambulances	It's a matter of deep concern that so many residents are expected to live and work in an area in which emergency ambulance call out performance is unacceptable - one of the worst in the country. People suffering life threatening emergencies simply are not being cared for adequately in Haringey and Barnet. Until response times improve, it is reckless to place more people at risk. The infrastructure is inadequate, and A&E departments are too inaccessible to sustain massive current housing and employment development plans	Concerns are noted. Emergency ambulance response times and patient care are outside the scope of the Local Plan. The Council has prepared an Infrastructure Delivery Plan (IDP) to assist in the identification of key infrastructure, including health infrastructure, needed to support delivery of the spatial strategy. The IDP will be updated and monitored over the course of the plan period. The Council will continue to engage with key stakeholders to facilitate delivery of identified infrastructure programmes and projects.
698	DM736	Savills on behalf of the London Diocesan Fund	Redeveloping social infrastructure	These representations consider that the criteria within draft Policy DM 58 should be an "either/or" situation and importantly recognise that where there is no longer an operator requirement on site for a particular community related use then that should be sufficient to consider alternative, viable land uses where appropriate and in accordance with a presumption in favour of sustainable development.	The Council does not consider that the policy criteria should be applied on an 'either/or' basis. As the population of London and Haringey increases so too does the demand & need for additional community infrastructure to support healthy and sustainable communities. In addition, land values across the Capital continue to increase and in turn negatively impact upon the viability of delivering new or additional community infrastructure. Land availability for all types of land uses, but especially essential infrastructure, also remains scarce. For these reasons, the Council considers it appropriate that all efforts should be taken to retain existing land and buildings in community use even where they are surplus to the existing operator's requirements.
818	DM737	Our Tottenham	Loss of social and community infrastructure	We also demand that any new development encouraged on sites earmarked in the SA DPD should not lead to any net loss of social infrastructure, and should include additional social infrastructure to serve the existing and future residents of the Borough. There should be a strict policy of protection of existing community centres - some of which are under threat or seeking new or longer leases, of pubs, post offices, and corner shops from change of use.	The Local Plan seeks to increase the provision of social and community infrastructure across the borough to meet identified need. It is considered that a 'no net loss' approach on all individual site allocations does not provide for sufficient flexibility to deliver the spatial strategy. Site allocations require re-provision of community facilities, where appropriate. This policy sets out the approach for managing provision of social and community infrastructure. It sets criteria to ensure that proposals involving the loss of community facilities demonstrate that the facility is no longer required in current use, the loss would not result in a shortfall of related provision and there is no demand for alternative community uses on site. In addition, the DM Policies seek to resist the loss of public houses.

Comments on DM59 of the Local Plan: Development Management Policies Regulation 18 consultation Feb-Mar 2015

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259	DM738	Archdeacon of Hampstead Fr Luke Miller	Traffic	Successful and sustainable community facilities including churches will generate traffic as community facilities are not solely for local people but also for communities of interest, those who have mobility difficulties and others with a valid reason for vehicular access.	Noted. In promoting sustainable development the Local Plan seeks to ensure that high trip generating uses, such as community facilities, are located where there is good public transport accessibility. It is recognised that community facilities will be used by communities of interest and users with specialist needs. Accordingly, the Local Plan seeks to ensure access for all including by requiring that all developments secure inclusive environments. The DM policies also include consideration for blue badge parking via parking standards.
566	DM739	Capita on behalf of Capital & Regional plc	Pooling planning obligations	From the 1st April 2015, the Community Infrastructure Regulations will limit the number of s106 contributions that can be pooled to provide a single item of infrastructure, or contribute to a single 'pot', to five. The policy needs to make reference to this change	The proposed Alterations to the Strategic Policies Local Plan appropriately reference changes in Government legislation and policy relevant to s106 contributions. The Council does not consider it necessary to set out further information in the Development Management Policies document.
659	DM740	Haringey Federation of Residents Associations (HFRA)	Our Tottenham Charter	<p>IMPROVE COMMUNITY FACILITIES:</p> <ul style="list-style-type: none"> - Protect and expand the 'social infrastructure' our communities value and rely on, including community centres, local pubs, corner shops, playgrounds, parks, GP surgeries, post offices etc - All planning policies must ensure that Tottenham gets the best facilities to serve our communities eg protect and expand our local community-run community centres <p>SUPPORT AND EXPAND YOUTH SERVICES AND FACILITIES:</p> <ul style="list-style-type: none"> - Encourage and support local youth speaking out for the services, centres and facilities they need - All planning policies must: demand the best possible opportunities and funding due to young people (equal to the best practice elsewhere); support organisations who work with young people - in a way they are happy with - to deliver future services (using successful youth activities and projects as an example to emulate); Re-establish and open additional dedicated venues for young people to meet and socialise, that are adequately supported and resourced; Ensure young people can access the information and skills they need <p>DEFEND AND EXPAND THE PROVISION OF GOOD, FREELY-ACCESSIBLE TO ALL, PUBLIC SERVICES</p> <ul style="list-style-type: none"> - They should be responsive to the everyday needs of our communities eg Health, Education, Welfare, Social Services and Social Care, Public Transport etc 	Our Tottenham Charter is noted. The Local Plan seeks to increase the provision of social and community infrastructure across the borough to meet identified need.
659	DM741	Haringey Federation of Residents Associations (HFRA)	S106	Do S106 agreements lead to actual planning gains? Community facilities and amenities of all kinds essential to sustainable communities (eg open spaces, childrens' play areas, health, education, sports, leisure and meeting places, local shopping parades etc) are not only failing to be extended to address existing deficiencies, let alone the ever greater population pressures, but are under threat and being eroded on a daily basis in local neighbourhoods and town centres alike. No amount of S106 contributions (or contributions from the future Community Infrastructure Levy fund) can mitigate such real effects on the ground.	The framework for securing S106 agreements and Community Infrastructure Levy funding is set out by Government policy and legislation. Both S106 and CIL have scope to fund social and community infrastructure requirements. The Council's Planning Obligation Guidance SPG sets out details on the types of obligations and charges that will be required in connection with different types of development. Comments regarding capture of funding / contributions are noted. The CIL charge is set in view of a viability appraisal and will be subject to review over the plan period. S106 contributions are required to make proposed development acceptable in planning terms. The Local Plan policies seek to ensure that Haringey's communities are appropriately supported by social and community infrastructure.

Appendix D (5) Development Management Policies Document Consultation Statement

659	DM742	Haringey Federation of Residents Associations (HFRA)	Protect community facilities amenity land	How can we ensure that, in boroughs with serious land stress and competition, that all available land is earmarked for community needs - rather than for what developers can grab in order to make the most profit? Existing amenity land (eg for health services, education, and community facilities and services of all kinds) is being whittled away and sold off.	Haringey's Local Plan must be consistent with the NPPF and as such plan positively for the development and infrastructure required in the area. Available land will need to be used to accommodate a range of uses to meet identified needs, including community uses. The Council will use site allocations to assist in delivering social and community infrastructure on individual sites, responding to identified need, particularly in key growth areas. In addition, DM policies seek to ensure that existing community facilities are protected and wherever possible enhanced.
667	DM743	Turnaround Publisher Services	Ambulances	It's a matter of deep concern that so many residents are expected to live and work in an area in which emergency ambulance call out performance is unacceptable - one of the worst in the country. People suffering life threatening emergencies simply are not being cared for adequately in Haringey and Barnet. Until response times improve, it is reckless to place more people at risk. The infrastructure is inadequate, and A&E departments are too inaccessible to sustain massive current housing and employment development plans	Concerns are noted. Emergency ambulance response times and patient care are outside the scope of the Local Plan. The Council has prepared an Infrastructure Delivery Plan (IDP) to assist in the identification of key infrastructure, including health infrastructure, needed to support delivery of the spatial strategy. The IDP will be updated and monitored over the course of the plan period. The Council will continue to engage with key stakeholders to facilitate delivery of identified infrastructure programmes and projects.

Comments on DM60 of the Local Plan: Development Management Policies Regulation 18 consultation Feb-Mar 2015

Respondent ID	Comment ID	Respondent	Topic	Summary of Response	Council Response
258	DM744	Ladder Community Safety Partnership	Support	Welcomes protecting public houses from unnecessary re-development or cynical change of use.	Council welcomes support for this policy.
583	DM745	Planware Ltd	Not positively prepared, justified, effective or consistent with the NPPF	The proposed policy is overly protective and not justified or positive in its approach. This is contrary to para 14 of the Framework which advises authorities to positively seek opportunities to meet development needs of their area. 2.4 Thus the policy is inconsistent with para 19 and 21 of the Framework.	Disagree. To deliver sustainable development the Local Plan policies seek to ensure that the borough is appropriately supported by social and community infrastructure. Consistent with the NPPF, the Council considers that public houses are essential community facilities and seeks to safeguard against their unnecessary loss. The London Plan also encourages boroughs to set policies to retain, manage and enhance public houses.
583	DM746	Planware Ltd	Overly prescriptive	This is substantially more prescriptive than the test in para 21 "Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstance". No consideration is given to the achievement of sustainable development as required throughout the Framework. No consideration has been given to the potential negative impact that the policy may have on the local community, employment provision or to sustainability.	The Council considers that the policy, whilst seeking to protect against the loss of community use, is sufficiently flexible enough to allow other development proposals to come forward.

Comments on DM61 of the Local Plan: Development Management Policies Regulation 18 consultation Feb-Mar 2015

Respondent ID	Comment ID	Respondent	Topic	Summary of Response	Council Response
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Appendix D (5) Development Management Policies Document Consultation Statement

593	DM747	John Crompton, local resident	Nurseries and child care	Need another criteria to state that the use can only be carried out within the curtilage of the premises.	The Council considers planning applications on the basis of proposed uses within identified site boundaries, having regard to the adopted Development Plan. Development and uses carried out where they are not permitted are dealt with via planning enforcement, which is outside the scope of the Local Plan.
593	DM748	John Crompton, local resident	Nurseries and child care	Also, is the policy saying that this is not permitted at all within flats?	The proposed policy sets out that the Council will not permit day nurseries and child care facilities within flats.
418	DM749	Sport England	Nurseries	<p>Sport England requests that the policy be amended to include an addition bullet 'g' which states:</p> <p>"The proposal does not result in the loss of playing field land"</p> <p>* As defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010.</p>	The Council recognises the importance of open space provision, including recreational playing fields, in supporting sustainable communities. The Council considers that Policy SP13 and the proposed open space DM policy provide appropriate policy protection for open space in the borough and the suggested additional criterion is not considered necessary in light of other Local Plan policies.

Comments on DM62 of the Local Plan: Development Management Policies Regulation 18 consultation Feb-Mar 2015

No comments

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No comments