

London Borough of Haringey

Haringey Local Plan Preferred Option consultation of 4 Local Plan Documents held Feb-Mar 2015:

Development Management DPD

Regulation 22(1)(c) Consultation Statement

October 2015

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1. Introduction

The Consultation

- 1.1 Consultation on the Preferred Option of four Haringey Local Plan Documents took place between 5th February and 27th March 2015. These were:
- Amendments to the Local Plan: Strategic Policies (Adopted 2013);
 - Development Management Policies,
 - Site Allocations, and
 - Tottenham Area Action Plan.
- 1.2 The consultation was undertaken in accordance with the Council's Statement of Community Involvement and in line with the Town and Country Planning (Local Planning)(England) Regulations 2012. These regulations required the Council to produce a statement (the 'Consultation Statement') setting out the consultation undertaken in the course of preparing the Local Plan document, a summary of the main issues raised at consultation, and to detail how the Council took account of the comments received in preparing the subsequent version of the Plan - the Preferred Option version.

This Document

- 1.3 The details of the consultation undertaken are included in the next section, which includes reference to the consultation documentation, who was contacted seeking consultation responses, and a summary of respondents.

Process & next steps

- 1.4 This consultation report, submitted to Cabinet October 2015, builds upon the recommendations made by Regulatory Committee (September 2015) on a summary version of this document.
- 1.5 Following decisions on amendments to the documents, the next stage will be to conduct a Pre Submission consultation, seeking comments on soundness and legality, prior to submission to the Secretary of State for Examination in Public of the planning documents by an independent Planning Inspector. The exact dates for the submission, and length of time taken to examine the documents, will depend on the number of issues arising from the pre submission consultation. It is expected that the Pre Submission consultation will take place for six week, December 2015-January 2016, with Submission and Examination taking place in 2016. Following the Examination, the Inspector will issue an Examination Report on the soundness of the plan. It is expected that should they decide the Plan is sound, the Council will adopt the plan in mid-late 2016.

2. Summary of consultation undertaken on the Development Management DPD Preferred Option consultation document

Summary of consultation undertaken on the Development Management Regulation 18 consultation document

2.1 Following Cabinet approval in January 2015, the alterations to the Strategic Policies and the 'preferred option' drafts of three Local Plan documents, were published for public consultation from 9 February to 27 March 2015.

2.2 Public consultation on the four Local Plan documents was carried out in accordance with the Council's adopted Statement of Community Involvement (2011) and statutory requirements, this included:

- Notification by letter/e-mail on 9 February to over 1,200 individuals and organisations already registered on the planning consultation database;
- A reminder e-mail sent to those on the database on 14 March;
- Notification letters to all landowners and occupiers within the boundary of sites proposed for allocation;
- Public notice placed in the local newspaper on 12 February;
- Reference and loan copies of each document and the accompanying sustainability appraisals were made available in each of the Borough libraries, at the Civic Centre & Planning Reception at River Park House, and on the Council's website.

2.3 In addition to the above, and in an effort to engage the wider public in the consideration of the draft local plan documents, articles were placed in the February editions of the Haringey People Magazine (which is delivered to all households in the Borough) and the Tottenham News. The following series of drop in sessions and public meetings were also held:

- Turner Avenue Steering Group (22 Jan)
- Park Grove and Dunsford Road Steering Group (29 Jan)
- St Ann's & Haringey Area Forum Meeting (3 Feb)
- Northumberland Park Area Forum (5 Feb)
- Tunnel Gardens / Blake Estate Residents Meeting (5 Feb)
- Highgate & Muswell Hill Area Forum (5 Feb)
- Tamar Residents Meeting (12 Feb)
- Reynardson Residents Meeting (12 Feb)
- River Park House drop in session (16 Feb)
- Tangmere Steering Group (18 Feb)
- Broad Water Farm RA (18 Feb)
- Turner Avenue Drop in Session (Sat 21 Feb)
- High Road West / Love Lane RA (25 Feb)
- Wood Green Library drop in session (25 Feb)
- River Park House Member drop in session (4 Mar)
- Hillcrest RA (9 Mar)
- West Green & Bruce Grove Area Forum (9 Mar)

Appendix D (1) Development Management Policies Document Consultation Statement

- Musewell Hill Library Drop in Session (10 Mar)
- Stellar House, Altair Close, The Lindales and Bennetts Close Residents and Community Association (10 Mar)
- 163 Park Lane Drop in Session (11 Mar)
- Northumberland Park and Park Lane Residents and Community Association (12 Mar)
- All Ward Member drop in session (18 Mar)
- Headcorn & Tenterden Residents Association (24 Mar)
- Summersby Road RA (26 Mar)

2.4 The aim of the consultation was to invite public and stakeholder views and comments on the proposed policies or sites being put forward for consideration, and to enable consultees to offer up further information, to enable the preparation of the next iterations of the documents – the pre-submission versions.

2.5 Notwithstanding the above, criticism was received on the extent and adequacy of the consultation process. Whilst meeting the obligations within the Council's adopted Statement of Community Involvement (2011), officers have subsequently met with some of the concerned parties representing residents groups to see how consultation on the documents could be improved. Where feasible, these new techniques and standards have been incorporated in the update to the Council's Statement of Community Involvement. Officers will also be seeking to ensure that the lessons learnt and feedback received on the earlier consultation process can be incorporated into the next round of consultation on these documents planned for later in the year.

3. Who responded and number of representations received

3.1 A total of 149 individuals, organisations, community groups and government agencies responded to the Development Management Local Plan, Regulation 18 consultation document. These 149 respondents accounted for 749 individual comments.

3.2 The Development Management policy which attracted the most responses was DM51 Warehouse Living, with 66 respondents and 196 comments.

3.3 There were three other policies which generated more than 17 responses: DM5 Siting and design of tall buildings (22 representations, 37 comments), DM17 Housing Mix (17 representations, 26 comments) and DM26 Open Space (17 representations, 32 comments).

3.4 There were a further three policies which received more than 20 comments: DM12 Management of the Historic Environment (9 representations, 21 comments); DM50 Facilitating Site Regeneration and Renewal (9 representations, 23 comments); and DM56 Hot Food Takeaways (6 representations, 27 comments).

3.5 All other policies received 19 or fewer comments and were commented on by 16 respondents.

4. Summary of Issues Raised During the Consultation

- 4.1 The following section of this report summarises the main issues raised through consultation on the proposed Development Management Local Plan. The comments are arranged by section and policy in the order in which they appeared in the consultation document (Jan – March 2015). For organisational purposes, some policy summaries have been grouped by key topic area.

Development design comments

DM1 (Delivering high quality design)

11 respondents, 16 comments

DM2 (Design standards and quality of life)

7 respondents, 13 comments

DM3 (Privacy and protection from overlooking)

12 respondents, 17 comments

DM4 (Public art)

2 respondents, 2 comments

- 4.2 Overall, consultation comments addressed the level of detail included within the draft design policies. Some respondents felt certain policies were overly prescriptive whilst others felt they would benefit from further detailed requirements and guidance. The Council is committed to delivering high quality development whilst ensuring sufficient flexibility for proposals to respond to individual site circumstances. The level of detail included within each policy is that which the Council considers necessary to deliver the spatial strategy.
- 4.3 There were comments noting that the plan does not include specific guidelines for backland sites. The London Plan states that boroughs can include such policies within Local Plans where this is justified by local evidence. The Plan has therefore been amended to include a new DM policy on backland, infill and garden land development.
- 4.4 There were several comments stating that Policy DM2 is too ambiguous on the requirements for protection of amenity, particularly on the appropriate levels of daylight and sunlight for existing and new residents. The Council does not intend to set specific standards in this regard as proposals should be considered on a case by case basis. However, the supporting text has been updated to refer to good practice guidance for proposals.
- 4.5 Some respondents disagreed with findings of Urban Characterisation Study (UCS), such as character assessments in the Highgate area. There was particular concern that this evidence would inform the setting of building heights and densities. The UCS applied a consistent methodology to set baseline evidence informing plan production. The Council notes that character is but one consideration in determining the appropriate height and density for new development.
- 4.6 There were several objections to the proposed building separation distances in DM3. It was argued the policy is overly prescriptive and not deliverable. The policy has

been amended to allow a more flexible approach whilst ensuring a robust basis to ensure amenity is protected from overlooking.

- 4.7 It was suggested that there should be a policy confirming the Council's commitment to Rights of Light on Council estates. Rights of Light are considered through specific legislation separate to the Local Plan. However the DM policies address daylighting as part of considerations on amenity.

DM5 (Siting and design of tall buildings)

22 respondents, 37 comments

- 4.8 There were various objections to Policy DM5 and the corresponding Map 2.2. Several respondents argued the policy was too prescriptive, would effectively put a ceiling on building heights and limit the full development potential of sites. Others expressed concern that the policy would allow the development and clustering of tall buildings across the borough, with adverse impacts on amenity and local character. A few respondents suggested Haringey is not at all a suitable location for tall buildings. The policy sets a positive framework for managing tall buildings in line with the London Plan. The policy has been refined to set requirements on proposals for 'tall' as well as 'large' buildings, drawing on baseline evidence from the Urban Characterisation Study and other technical evidence. This will provide a framework for considering building height on a case specific basis having regard to individual site circumstances.
- 4.9 Respondents stated that the Council should clarify the definition of tall buildings. The Strategic Policies already includes a definition of a "tall building" having regard to the definition in the London Plan (30 metres plus), which equates to approximately 10 storeys. The Plan has been amended to reflect this definition consistently throughout.

DM6 (Locally important views and vistas)

6 respondents, 12 comments

- 4.10 It was noted that a number of views noted in Conservation Area Management Plans (CAMP) which are not set out in DM6 and the corresponding map, and that these should be considered as locally important. The Council notes that not all views within CAMP were picked up by Urban Characterisation Study and reflected in the map. The supporting text has been revised to require applications to consider views which identified in USC as well as CAMP.
- 4.11 Some respondents suggested several additional views to be included in the plan. These views will be considered and assessed using the LVMG methodology through additional evidence base study. Those views that meet the criteria may be promoted for inclusion.

DM7 (Shopfronts, signage and on-street dining)

5 respondents, 16 comments

DM8 (Advertisements)

2 respondents, 3 comments

- 4.12 It was noted that DM7 and DM8 exceed the criteria permitted in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the advice in national policy and guidance. The DM policies have been revised to ensure consistency with the regulations, national policy and guidance.

- 4.13 It was suggested that DM8 approach on advertisements is overly restrictive and entirely negative in its view on how advertisements contribute to public realm. The Council considers that the proposed policy provides a sufficient basis for controlling this type of development. All new development should positively respond to local context, having regard to Haringey's Development Charter.
- 4.14 Transport for London noted that it imposes requirements on advertisement boards on the Transport for London Road Network (TLRN). Policy DM8 supporting text has been amended to signpost TLRN requirements.

DM9 (Telecommunications)

2 respondents, 5 comments

- 4.15 Respondents suggested that the wording of DM9 is ambiguous, potentially overly restrictive on telecoms equipment and not fully recognising the role of telecoms in supporting sustainable economic development. The Council agrees and the policy has been amended to require that apparatus are limited to minimum operational requirement. In addition, the Plan has been updated to reflect the Council's support for telecoms in delivering economic development.

DM10 (Waste management for all development)

3 respondents, 7 comments

DM11 (New waste facilities)

1 respondent, 1 comment

- 4.16 Respondents stated that DM10 needs flexibility to respond to waste collection arrangements which may change over the course of the Plan period. The Council considers that the policy is sufficiently flexible to enable the waste collection authority to change its collection arrangements if required.
- 4.17 There were suggestions for an additional policy for refuse storage in conversions. Respondents considered that too often there is not enough space in the front amenity areas to accommodate bins. The policy will apply to all development proposals including conversions. Further DM policies will ensure new development is designed to respond to local character and protect amenity.
- 4.18 Detailed requirements have now been set for flatted development to ensure that there is appropriate provision for waste management and recycling facilities.

DM12 (Management of the historic environment)

9 respondents, 21 comments

DM13 (Heritage led regeneration)

2 respondents, 2 comments

DM14 (Facade retention)

2 respondents, 2 comments

DM15 (Archaeology)

0 respondents, 0 comments

- 4.19 Respondents challenged the soundness of the policies on heritage and conservation on the basis they are not fully consistent with national policy. The full suite of policies has been reviewed in light of these representations and the Plan has been updated to ensure it is consistent with the NPPF. In particular, the revised policies are now considered to appropriately reflect considerations for heritage assets and their setting, the statutory tests for loss or substantial harm to heritage assets and considerations for enabling development.
- 4.20 Respondents stated that the cumulative loss of architectural features should be limited, if not stopped altogether, in all areas in the borough. The Local Plan seeks to preserve and enhance the significance of heritage assets and their setting, however recognising the need to include scope for consideration of proposals that would result in harm or loss of heritage assets in line with national policy.
- 4.21 It was noted that policy DM14 (facade retention) appears to relate to all buildings regardless of whether they are heritage assets. Following a review of the heritage section, DM14 has been deleted and its key principles merged with the revised policies. The Plan has been amended to clarify the approach applies to buildings where the facade concerns a heritage asset or its setting.

Housing comments

DM16 (Housing supply)

6 respondents, 12 comments

DM17 (Housing mix)

17 respondents, 26 comments

DM18 (Housing design and quality)

11 respondents, 18 comments

- 4.22 Some respondents argued that DM17 does not meet the flexibility tests within the NPPF. It was stated that the policy should not put restrictions on housing mix as this could create delivery problems. Comments suggested the policy should include a caveat related to viability. The Council's view is that consideration of viability is inherent across the whole Local Plan. Although viability it is not referred to in every policy, this does not mean the policy fails to meet the flexibility tests within the NPPF.
- 4.23 There were objections to DM17c which is considered to be overly restrictive on proposals made up exclusively of 1 and 2 bedroom units. It was argued the policy does not give sufficient weight to site constraints, scheme viability and housing market demand. The Council notes that the policy is not a blanket restriction on such proposals, rather it sets out opportunities where such provision can contribute to mixed and balanced communities. This approach is consistent with NPPF in that it will ensure housing needs are met through the provision of a range of housing types and sizes. The policy wording has been changed to provide greater clarity on the type of development the policy seeks to manage.
- 4.24 It was noted that the 2014 SHMA sets out a shortfall of 1 and 2 bed units, and therefore the DM17c restrictions on schemes made exclusively of 1 and 2 bedroom units will lead to sub-letting / subdividing of existing housing units or a rash of Houses in Multiple Occupation (HMOs). The Council considers that DM17c has flexibility to enable such schemes to come forward where they contribute to mixed and balanced communities. The policy approach to meet need for family housing and to better manage conversions and HMOs is provided in DM22 and DM23. The Plan should be read as a whole.

- 4.25 Respondents suggested the word 'affordable' is misleading as it cannot be equated with 'social'. The Council notes that DM17 is consistent with the Government's definition of affordable housing.
- 4.26 Respondents stated that the Local Plan should guarantee no net loss of social housing units and no displacement of existing tenants as part of any plan for an estate. The policy for the re-provision of affordable housing is set out in SP2 and DM19.
- 4.27 Respondents suggested that the key consideration for housing should not be density but quality of proposed development. It was therefore argued that the Council should not apply the London Plan density matrix prescriptively. The policy recognises the density matrix is but one consideration informing the optimum housing potential of a site. All proposals will be required to be designed to positively respond to local character in line with DM1 and DM2.
- 4.28 There were comments stating that the internal space standards are too small. The Council will apply the London Plan internal space standards, which are recommended minimum standards. These are consistent and acceptable standards applicable across the Capital.
- 4.29 It was suggested the Local Plan should reflect findings of Government Housing Standards Review. This will be monitored by the Council. Policies will be subject to outcomes of the Review, changes to Building Regulations and emerging Minor Alterations to the London Plan.
- 4.30 Respondents suggested that the Council should develop local standards for play space. The Council will apply the play space standards set in the London Plan Supplementary Planning Guidance, which are considered appropriate for the borough.
- 4.31 Consultation comments suggested that there should be a commitment to meaningful pre-application discussion with the local community on housing design issues. DM1 recognises the need for early engagement with the local community and Council as an important part of the design process.
- 4.32 There were concerns that the policy supporting residential extensions will lead to a loss of garden land. In response to these concerns, the Local Plan will include a new DM policy on backland development to set out further details in this regard.
- 4.33 Consultees suggested that the proposed target of 10% of the total new homes to be wheelchair accessible should be raised to 20%. The Council will continue to apply London Plan policy in this respect. Requirements may be subject to change following the Minor Alterations to the London Plan and any revised Building Regulations.

DM19 Affordable housing

8 respondents, 12 comments

- 4.34 Some respondents objected to the methodology on viability assessments for affordable housing, suggesting that the Council should consider other assessment models (e.g. developer's return value or market value approach). In line with London Plan approach, the Council considers that existing / alternative use value is the appropriate benchmark approach for determining the level of affordable housing a scheme can viably deliver. This approach is well established, accepted through the planning appeal process and is considered to be easily definable based on the current planning land use designation.
- 4.35 Respondents stated that the policy should be amended to reflect national policy, which exempts schemes of 10 and fewer dwellings from affordable housing

obligations. The application of the Ministerial Statement as representing national policy has been successfully challenged in the courts (September 2015). An appeal against the judgement is expected. The Council will monitor the position over the coming months. For now the policy remains extant.

- 4.36 There was opposition to the reduction in the affordable housing requirement for development above 10 units from 50% to 40%, with some suggesting that it should be increased to the maximum possible. Viability evidence indicates that the 50% target is not viable in Haringey and that a reduction to 40% is appropriate to ensure that provision of affordable housing does not harm overall housing delivery. Continuation with an “unviable” policy would fail the test of soundness in the examination process.
- 4.37 Some respondents stated that the Local Plan should set a separate and clear percentage for social rented housing in the affordable housing provision target; and 70% of that affordable housing target should be social rented housing. The Local Plan approach to affordable housing is consistent with national and regional policy by definition. The Council has tested the viability of the affordable housing target. The affordable housing tenure split is in conformity with the London Plan.

DM20 (Self-build and custom build housing)

1 respondent, 2 comments

DM21 (Specialist housing)

5 respondents, 8 comments

- 4.38 A definition of self-build housing has been added to the glossary following respondent suggestions.
- 4.39 There were objections to the requirement for all student accommodation proposals to be made available for occupation by members of a specified educational institution(s). The Council considers the policy is in conformity with the London Plan. However, the policy has been revised to clarify that proposals must meet identified need for student bed spaces.
- 4.40 Respondents suggested that a higher proportion of new dwellings should be specialist accommodation for the elderly. The Council considers that the draft policy supports proposals which increase housing provision and choice for the elderly.

DM22 (Residential conversions)

7 respondents, 10 comments

DM23 (Houses in Multiple Occupation)

5 respondents, 5 comments

- 4.41 Some respondents suggested that DM22 should include a gross original floorspace threshold, as required for dwellings outside the family housing protection zone (FHPZ). It was also stated that Policy DM22.B would allow smaller family homes to be converted in the FHPZ, which is not believed to be the intention of the policy. The Council notes that Policy DM22 includes a gross original floorspace threshold as requirement. Outside of the FHPZ, the Council will apply the London Plan internal space standards.
- 4.42 One consultee stated that DM23 does not allow for consideration of regeneration benefits that may be brought about through the redevelopment of poor quality HMOs.

The Local Plan aims to drive up the standards of all types of accommodation including HMO accommodation. Whilst poor quality HMO accommodation can usefully provide low cost accommodation options, this is often done without planning permission or satisfying Haringey's Environmental Health Standards. The Local Plan (and associated Housing strategy) reflects the Council's commitment to high quality housing for everyone.

DM24 (Basement development and light wells)

4 respondents, 7 comments

- 4.43 It was suggested that the Council should adopt basement policies modelled on those in Kensington and Chelsea and which Camden is preparing. The Council is seeking to ensure the alignment of its proposed basement policy with Camden Council, which is in the process of updating their basement policy.

Environmental sustainability comments

DM25 (Nature conservation)

3 respondents, 5 comments

- 4.44 There were concerns raised with the balance between new development and nature conservation. The Council notes that the balance between competing land use requirements is determined by the adopted spatial strategy, to which the DM policies seek to give effect, as well as the presumption in favour of sustainable development, which requires that important or significant areas for nature conservation are not adversely impacted by development.
- 4.45 It was considered that DM25 has too much emphasis on mitigation whereas the policy focus should be on protection and enhancement of biodiversity in the first instance. The Council considers that the Local Plan is clear that the priority is for protection and enhancement of nature assets. However, the policy has been revised to provide more detailed guidance on how proposals should respond to this requirement, along with further criteria to deal with mitigation where appropriate.
- 4.46 Some consultees stated that the policy is not supported by up-to-date evidence. The Council notes that the Open Space and Biodiversity study has informed plan production. The emerging Playing Pitch Strategy will also be considered as part of the Infrastructure Delivery Plan.

DM 26 (Open Space)

17 respondents, 32 comments

- 4.47 It was noted that the DM26A wording on development proposals resulting in loss of open space is ambiguous. The policy wording has been amended to bring it in line with NPPF paragraph 74.
- 4.48 Some respondents considered that DM26 is too restrictive in requiring assessments to justify the loss of undesignated open space. The policy has been amended to clarify requirement is for designated open space and non-designated open space where used for sports or recreation purposes.
- 4.49 There were concerns that DM26D is too prescriptive in requiring that ancillary facilities must be small scale. The term 'small scale' has been replaced with

‘ancillary’, which provides a better basis for considering the impact of proposals on a case by case basis.

- 4.50 It was also felt that the policy should introduce more flexibility to allow for enhancements to existing educational facilities, such as ancillary facilities for sport, which a respondent noted is a vital part of the national curriculum. The Council considers that the policy is sufficiently flexible to allow new or enhanced ancillary uses for sport, irrespective of whether they are linked to education facilities.
- 4.51 Some consultees considered that the requirement for all new development to provide open space or make financial contributions is not consistent with national policy. The policy has been amended to clarify that, where sites can provide for their own open space needs the expectation is that provision will be made on site. The Council will use CIL receipts toward strategic green infrastructure, as per Regulation 123. On-site open space will be sought, either by planning obligations or through a condition, on major sites in areas of deficiency.
- 4.52 One respondent noted that there was no consideration given to the replacement or enhancement of existing open space provision as part of a development scheme. The policy has been amended to enable reconfiguration of open space, provided this will not result in a net loss of open space and there are demonstrable benefits in doing so.
- 4.53 There were a number of comments stating that the policies should not allow for development to encroach on or at edges of parks and open spaces, as this would have an adverse impact on local character. Respondents also expressed concern that some site allocations contradict proposed policy DM26e. The Council considers that the Local Plan design policies will effectively manage development adjacent to open space.
- 4.54 There were concerns that there do not appear to be plans for new open space provision, particularly when some site allocations suggest existing open space will be removed (e.g. development on publically owned green and open spaces, such as on housing estates). The Local Plan policies protect against loss of designated open space, and require new development to ensure appropriate provision of open and amenity space. Furthermore, recognising the limited opportunities for creation of new open space within the borough, the Local Plan policies seek to improve access to and quality of existing open space.
- 4.55 One respondent stated that DM26 would preclude the installation of small serviced mooring bollards and posts along the River Lee Navigation. The Council notes that the policy allows for ancillary uses of open space, which includes the Blue Ribbon Network.
- 4.56 Comments suggested there is not an adequate definition or justification supporting the designation of significant local open land (SLOL). Furthermore, it was noted that SLOL is not listed on London Plan typologies of open space. Boroughs have the discretion to identify land uses of importance locally and to recognise these in the Local Plan. The SLOL designation has already been through examination and was found sound. A definition has now been added to the glossary.

DM27 (Green Grid)

6 respondents, 9 comments

- 4.57 There were concerns with the impact of proposals to promote use of Lee Valley Regional Park for leisure use. This is because parts of the park are European protected sites, including the Lee Valley wetlands. The Local Plan is subject to Habitats Regulations Assessment screening to assess impacts on European sites.

Individual applications will be considered against their impact upon protected sites, habitats and species.

DM28 (Allowable solutions)

5 respondents, 4 comments

- 4.58 There were objections to DM28 on the basis that it is not consistent with national policy. The Council notes that since publication of the Regulation 18 document, the Government has announced that it is not proceeding with a national allowable solutions framework. The policy has therefore been removed from the Plan. However, the Council will continue to seek contributions for carbon offsetting to meet carbon reduction targets, where this is permitted through higher level policy.

DM29 (Sustainable refurbishment and retrofitting)

1 respondent, 1 comment

- 4.59 There were no major issues identified through the consultation responses.

DM30 (Decentralised energy)

5 respondents, 6 comments

- 4.60 Some respondents argued that DM30 is not sufficiently flexible to ensure that development comes forward in a timely and viable manner and therefore not consistent with national policy. The policy and supporting text have been revised to clarify that requirements will be subject to technical feasibility and financial viability. The policy has also been amended slightly to provide greater flexibility e.g. the Council will expect developments to prioritise connection to DE networks rather than require, in line with the London Plan.

DM31 (Overheating and cooling)

2 respondents, 2 comments

DM32 (Living roofs and green walls)

3 respondents, 3 comments

DM33 (Improving the sustainability of heritage assets)

2 respondents, 3 comments

- 4.61 Respondents broadly supported the approaches for these sustainability policies and no major issues were identified through the consultation.

DM34 (Environmental protection)

5 respondents, 8 comments

- 4.62 Respondents supported the environmental protection policies and no major issues were identified through the consultation. There was one suggestion that the policy should include further requirements on air quality management for new waste facilities. The Council considers this matter is suitably addressed through draft Policy DM11 and further requirements to be included in the North London Waste Plan.

DM35 (Managing and reducing flood risk)

2 respondents, 5 comments

DM36 (Flood risk assessment)

2 respondents, 17 comments

- 4.63 One consultee noted that the NPPF sets out when a Flood Risk Assessment (FRA) will be required and suggested that DM36 is not an essential policy to have in its own right. DM36 has therefore been merged with DM35 and now includes signposts to NPPF requirements on FRA.
- 4.64 In response to consultation comments, draft Policy DM35 has been amended to require that flood storage compensation be provided on-site and only off-site if this cannot be achieved.
- 4.65 It was noted that some allocated sites are not included in the Strategic Flood Risk Assessment (SFRA). The Council will revisit the SFRA to ensure all allocated sites are included.
- 4.66 It was recommended that the Sequential Test be revisited to clarify requirements for FRA, to confirm Flood Zones within sites, and to consider allocated sites in Flood Zone 2 for highly vulnerable uses. The Council agrees and the Sequential Test will be revisited as recommended.

DM37 (Sustainable drainage systems)

4 respondents, 7 comments

- 4.67 It was suggested that the policy be strengthened to ensure surface water run-off rates are reduced as much as possible. The policy has been amended to require proposals to demonstrate that, where a Greenfield run-off rate cannot be achieved, the run-off rate has been reduced as much as possible.

DM38 (Critical drainage areas)

1 respondent, 1 comment

- 4.68 The policy was supported and no significant issues were raised.

DM39 (Protecting and improving groundwater quality and quantity)

2 respondents, 2 comments

- 4.69 The policy was supported however one respondent suggested that the plan should be amended to include policies to stop fracking. The NPPF along with published technical guidance set out policies and guidance relevant to minerals development. NPPF paragraph 144 requires that when determining planning applications, the Council should ensure there are no unacceptable adverse impacts on natural environment or human health. The Council does not propose to include further local policy requirements in this regard.

DM40 (Watercourses and flood defences)

2 respondents, 6 comments

4.70 It was suggested that the policy should require applicants to provide justification if they cannot implement river restoration measures where appropriate. The policy has been amended accordingly.

4.71 One consultee suggested the need for stronger emphasis on improving watercourses in terms of ecology and the European Water Framework Directive. The plan policies has been amended to include further requirements for improving water quality and supporting text updated to set in context the WFD.

DM41 (Drainage connections and waste water)

3 respondents, 4 comments

4.72 In response to comments the policy has been revised slightly to clarify requirements for mains foul drainage and surface water.

4.73 One consultee suggested that the plan should provide additional detail to address the need for adequate provision of water supply and sewerage / wastewater infrastructure. The scope of this policy has been broadened to include provision for water supply.

DM42 (Sustainable transport)

6 respondents, 8 comments

4.74 A consultee suggested that the criteria in the revoked SPG7 on adopting roads should be included in the plan. The Council has amended the supporting text to signpost relevant legislation and the approach on this matter. Generally, the Council will not adopt access roads unless they are of sufficient public utility to justify being maintained at public expense.

DM43 (Parking)

7 respondents, 7 comments

4.75 One consultee supported the policy but suggested a more flexible approach in the application of parking standards. The Council will seek to consistently apply the London Plan parking standards.

4.76 It was recommended that the policy should protect garage courts as they are underused and could provide valuable parking. The Council will require development to meet the identified parking standards. Where garages have ceased use, these sites are considered brownfield land and considered as potentially suitable for alternative uses to meet local needs.

DM44 (Crossovers and vehicle access)

6 respondents, 7 comments

DM45 (Driveways and front gardens)

4 respondents, 6 comments

4.77 Some respondents felt that the transport policies needed further requirements to manage damage to gardens and streetscapes, the number of crossovers and illegal parking spaces. Draft Policies DM44 and DM45 recognise the potential damage to gardens arising from vehicle access and front garden parking, and seek to minimise

and mitigate impacts. Illegal off-street parking can be managed through the Highways Act.

4.78 It was suggested that there is a need for an effective substitute for guidance document SPG1b. The Council notes that this guidance was not formally adopted and has been replaced by permitted development rights.

4.79 It was suggested that the policy should state that proposals for crossovers on the TfL Road Network will require approval from Transport for London as well as from the borough. The policy has been amended to reflect this.

DM46 (Cycle storage in front gardens)

1 respondent, 1 comment

DM47 (Mini cab offices)

0 respondents, 0 comments

4.80 Consultation comments did not result in significant changes to these transport policies.

Employment and economy comments

DM48 (Safeguarding employment land and sites)

8 respondents, 8 comments

4.81 Some respondents considered there to be an inconsistency between evidence in the Employment Land Study and the proposed policy for protection of non-designated employment sites. The Council considers that evidence indicates a need to retain employment land, that non-designated employment sites make an important contribution to economic development and should be safeguarded against loss unless there is no demonstrable need. To provide further clarity on this matter, the policy on loss of employment land has been updated to reflect considerations for both designated and non-designated sites, with DM48 deleted as its remaining requirements repeat adopted policy SP8.

DM49 (Maximising the use of employment land and sites)

7 respondents, 15 comments

4.82 Some respondents raised concerns with the requirement for “maximising employment floorspace”. It was suggested that the wording is too ambiguous and not clear enough in expectations for future proposals. The policy has been amended to clarify that the Council will seek to ensure that proposals optimise the use of employment land, both through providing the maximum amount of floorspace reasonable and intensifying the number of jobs on site. The policy provides sufficient flexibility for consideration of individual site circumstances and the nature of proposed uses. However, there is a presumption for full replacement floorspace and increases wherever possible. The policy is considered necessary to deliver the spatial strategy and achieve the borough’s jobs target.

4.83 The policy has also been amended to provide clarification that it refers to designated employment land and not other regeneration areas, which are dealt with separately.

DM50 (Facilitating site regeneration and renewal)

9 respondents, 23 comments

- 4.84 Some respondents objected to the proposal for no net loss of employment floorspace on relevant schemes. The policy has been revised to provide more flexibility for development proposals whilst seeking the maximum reasonable amount of floorspace. In particular, applicants will be required to submit a viability assessment demonstrating the minimum amount of residential floorspace needed to enable employment development.
- 4.85 There were further concerns that the requirement for affordable commercial rents could render some schemes unviable. The Council considers affordable workspace is necessary to support economic growth and provision will be required where viable.
- 4.86 Some respondents suggested that the policy should be extended to allow relevant mixed-use schemes in PTAL 3 locations rather than the prescribed PTAL 4 requirement. In response, the policy has been amended to provide greater flexibility for considerations on a site by site basis, with the PTAL reference removed from policy. However, mixed use schemes in non-designated employment sites will not normally be permitted in areas of low public transport accessibility.

DM51 (Warehouse Living)

66 respondents, 196 comments

- 4.87 Consultation comments generally reflected positively on the approach to recognise and establish a dedicated warehouse district in the borough.
- 4.88 Many respondents consider the organic nature of development of the existing warehouse community to be positive. They are therefore strongly opposed to potential comprehensive redevelopment and new build. This is noted, however, the Council considers there is a need to regularise existing uses and set a framework to manage development so that sites continue to support employment generating uses over the long term. The Local Plan policies seek to ensure provision for the existing creative community and to capitalise on the area's strengths.
- 4.89 There was broad support from the existing warehouse community for the provision of affordable workspace and residential accommodation currently available. There was opposition to policies promoting exclusive residential or employment designations. This is supported by the existing policy framework.
- 4.90 There was opposition to design requirement for structural division between workspace and living accommodation in new developments. The Council considers that new dedicated workspace in some form is necessary in the warehouse district. Provision for commercial development is essential to meeting the wider employment objectives of the plan.
- 4.91 There were a number of objections to the policy requiring re-provision of original employment floorspace, partially on grounds that Lawful Development Certificates for residential use have been granted. The Council notes that consideration of sites with an existing LDC will be part of the site masterplanning process as set out in the draft policy.
- 4.92 Consultees raised concerns with proposals that could result in the opening up of the railway arch at Ashfield Road. Increased accessibility is essential to enabling the full potential of the warehouse area, including the connection to strategic cycling and walking routes.

- 4.93 There were mixed views on proposed building heights in the related site allocations. Some suggested the heights are excessive whilst others considered them too prohibitive. The Council considers that multi-storey buildings are needed to promote a mix of uses and to facilitate appropriate warehouse living accommodation. In response to consultation feedback, indicative building heights have been removed from the site allocations. The Development Management policies have also been revised to set a clear framework and criteria for assessing proposals for large and tall buildings across the borough.
- 4.94 Consultees generally expressed a willingness to work collaboratively with the Council on an approach to warehousing living. It is noted that the Local Plan will leave a number of issues to be dealt with through a masterplan for the area. The DM policy sets a requirement for applicants to engage with local residents on and surrounding the site in this process.
- 4.95 Respondents noted their support for community management of the warehouse district. The Council will welcome considerations for community management as part of the site masterplanning process.
- 4.96 There were concerns that development could add traffic to local roads, particularly in light of existing road closures. Transport considerations will be addressed through the site master planning process, having regard to the nature and scale of development and associated servicing requirements.

DM52 (Loss of employment land and floorspace)

11 respondents, 12 comments

- 4.97 Several respondents argued that the requirements covering the release of employment land and floorspace should be relaxed, including marketing requirements and the policy covering non-designated sites. The Council considers the proposed policy is in line with London Plan guidance on managing employment land, and appropriate to ensure sufficient provision to meet need over the plan period. Release of land to non-employment uses will be carefully managed and monitored.

DM53 Development within town centres

8 respondents, 9 comments

DM54 Town centre uses out of centres

1 respondent, 1 comment

- 4.98 One respondent suggested that the town centre policies should seek to secure continuity of retail frontages. The policies have been revised to set additional criteria in this regard.
- 4.99 It was stated that there should be greater flexibility over restriction on change of use from A1 (retail) to other uses such as A3 (café/restaurant). The Council considers the proposed policy approach will provide sufficient flexibility for change of use whilst ensuring town centre vitality.
- 4.100 The town centre policies have been revised in response to comments that the plan does not provide sufficient flexibility to respond to market signals. A new policy to deal with vacant shops and meanwhile uses has now been included. This will provide a more positive basis for considering proposals where there is evidence of vacancy rates that threaten town centre vitality and viability.

4.101 It was suggested that the plan should better recognise the contribution of residential and mixed use development in supporting town centres. This is agreed and a new policy on maximising town centre land and floorspace has been included in the DM Policies. This includes consideration for uses on the upper-levels of designated shopping frontages.

4.102 The town centre policies have also been updated to ensure consistency with national policy on sequential tests and impact assessments.

DM55 Betting shops

6 respondents, 6 comments

DM56 Hot food takeaways

6 respondents, 27 comments

4.103 There were a number of objections to these policies. It was argued that they are not supported by evidence and are therefore unsound. The Council has prepared local evidence in conjunction with the NHS and this has informed policy development. It is noted that this evidence was not readily available to the public but has now been uploaded to the Council's evidence base webpage. The policy supporting text has been amended to appropriately reference this evidence.

4.104 There were objections to the 400m hot food takeaway exclusion zone from primary and secondary schools. The Council considers that the evidence is sufficient to support the policy and notes there are similar policies adopted in other London boroughs.

4.105 There were other objections to the policies on the basis they would undermine town centre vitality and viability. The Council considers that the policies will ensure an appropriate balance of uses in town centres and help to prevent the overconcentration of non-retail uses.

DM57 (Access to jobs and training)

1 respondent, 1 comment

4.106 The respondent considers that this policy is insufficient as it does not set relevant targets or cross-reference other documents. The Council has a jobs target which is set by the London Plan and is referred in the Strategic Policies. Furthermore, Annex 3 of the Strategic Policies Local Plan sets targets and monitors for jobs, skills and training having regard to Policy SP8 and SP9. It is recognised that a dedicated policy on the use of planning obligations could be of benefit and will now be included in the plan.

Community infrastructure comments

DM58 (Managing the provision of community infrastructure)

10 respondents, 15 comments

DM59 (Managing the quality of community infrastructure)

4 respondents, 6 comments

Appendix D (1) Development Management Policies Document Consultation Statement

- 4.107 There was a concern that DM58 will restrict institutional health care providers from managing their estates in a way which best meets existing and future service requirements. The policy has been amended to provide greater flexibility. Loss or change of use of facilities may be acceptable where it can be demonstrated that the disposal of existing community infrastructure (such as health facility) is part of an agreed programme of social infrastructure re-provision to provide for the continued delivery of the related service.
- 4.108 Some consultees stated that new development on site allocations should not lead to any net loss of social infrastructure and should also include additional social infrastructure to serve the existing and future residents. The Council considers that a 'no net loss' approach on all individual site allocations does not provide sufficient flexibility to deliver the spatial strategy. Site allocations will require new or re-provision of existing community facilities where appropriate. The DM policies protect against the loss of community facilities.
- 4.109 There was similar concern that the Council is not doing enough to ensure a sufficient number of community facilities. The site allocations will assist in delivering social and community infrastructure on individual sites. DM Policies seek to enhance and protect against loss of community facilities. Furthermore, applicants will be required to engage with the Infrastructure Delivery Plan to ensure development is appropriately supported.
- 4.110 One respondent suggested that policy DM58 should not contain a specific requirement relating to Assets of Community Value. This is agreed and the policy has been amended to reflect that these should be considered as any other community facilities for the purpose of the policy.
- 4.111 Other respondents suggested the proposed policy is overly protective, not positive in its approach and contrary to national planning policy. The Local Plan policies seek to ensure an appropriate level of social and community infrastructure to support delivery of the spatial strategy. The Council anticipates that demand for facilities will increase and it is therefore prudent to guard against the loss of existing capacity where there is demonstrable need.

DM60 (Public Houses)

2 respondents, 3 comments

- 4.112 Respondents stated that the policy is overly protective of pubs and that pubs should not be included in definition of community facilities. The Council considers that public houses are essential community facilities, in line with the NPPF, and that policies are required to guard against their unnecessary loss.

DM61 (Provision of day nurseries and child care facilities)

2 respondents, 3 comments

- 4.113 Respondents suggested that the policy should be amended to state that proposals will only be granted where they do not result in the loss of playing field land. Policies on the management of school playing field provision are covered by elsewhere in the Local Plan and further details in this respect are not considered necessary for this policy.

DM62 (Burial space)

0 respondents, 0 comments

- 4.114 No representations were received.

DM63 (Hotels and visitor accommodation)

0 respondents, 0 comments

- 4.115 No representations were received.