

# CAPITA

## London Borough of Haringey Local Plan Consultation

### Representations submitted on behalf of Capital & Regional plc

#### Introduction

Capita Property and Infrastructure act on behalf of Capital & Regional (C&R) in respect of The Mall Shopping Centre at Wood Green. On behalf of our client, we set out below representations to the Council's draft Site Allocations DPD and Development Management DPD. The attached location plan shows the extent of C&R's ownership edged in red.

C&R is the leading community shopping centre owner in the UK and currently operates eight major centres. C&R acquired The Mall at Wood Green in 1996, since which time it has made substantial investment to modernise both the malls and car park and to broaden the range of uses, introducing a cinema and restaurants. C&R has been a major investor in Wood Green for 20 years and is committed to further investment in The Mall to improve both the quality and range of its offer to visitors.

C&R is a major landowner in Wood Green Town Centre and therefore a key stakeholder in the plans to bring forward development.

#### Site Allocations DPD (February 2015)

As a major investor in Wood Green Town Centre, C&R support the principle of growth and the increased investment that is proposed in the draft document.

#### **SA16: Wood Green Library**

The proposals in respect of Wood Green Library incorporate a significant area of land that is in the ownership of C&R. The site requirements refer to:

- an enhanced library use to be provided by the development;
- a new urban square with primary town centre uses addressing the urban realm;
- a new connection through the site to create a clear, visible link' from the High Road through the urban square to the western heartland;
- height limited to 8 storeys with a landmark tower up to 15 storeys; and
- first and ground floor uses will be town centre uses with residential above.

The development guidelines indicate, in part:

- height to be restricted on parts of the site directly opposite residential;
- the River Moselle culvert to be made safe and the potential explored for it to be deculverted; and
- parking to be minimised due to excellent local transport connections.

Delivery of these aspirations would rely on the involvement of a number of landowners across a range of different land uses. Some sites are identified for substantial new development, whilst others would provide the public spaces, infrastructure and facilities that are necessary to facilitate it. There is no detail of how delivery of these aspirations would be coordinated or financed in a comprehensive and equitable way.

The identification of the site to accommodate a landmark building and the suggestion that it be limited to 15-storeys in height appears somewhat arbitrary at this stage in the local plan process. The same is true of the general eight-storey restriction in other parts of the policy area. These limitations appear to rely on the *Haringey Urban Character Study* (February 2015), which forms part of the plan's evidence base. However, it does not provide maximum parameters in respect of the tallest buildings, suggesting simply that such

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structures could be '11 plus storeys'. Similarly, other heights are provided as a range rather than a specific maximum.

We are concerned that the policy is setting design parameters that are not supported by the evidence base. Matters such as the height of buildings, their location and particularly the location of a landmark building, are issues that can only be addressed as part of a detailed design analysis. At this stage, the evidence base would only support the broad parameters in respect of building height and not specific limits.

## **SA17: The Mall**

The draft allocation notes that buildings will be retained for their current uses over the plan period but with opportunities to make the site less dominant by improving the public realm around the site. It is also noted that a new legible east-west link should be created to the north.

C&R is committed to continually improve the visitor experience of The Mall and this includes the public realm adjacent to the shopping areas. Such improvements are essential to attract high quality occupiers and help the centre compete against other retail destinations beyond Haringey. However, this needs to be viewed in the context of the development opportunities identified in respect of SA16 and the potential for a comprehensive regeneration of the wider environment.

The policy needs to recognise the changing context of town centres in the face of competition from online retailers and the increase in residential uses in town centre locations. There is a growing emphasis on leisure uses in town centres, which serve to complement and support the retail offer. The policy should reflect this and provide for further complementary uses such as residential and hotel as part of the retail offer. In this regard, there is an opportunity to provide for hotel and/or residential development above The Mall's existing service yard site fronting Pelham Road and we would ask that this is acknowledged within the site allocation.

Additional residential use in town centres increase vitality and viability. It makes a town centre more vibrant and offers opportunities to combine leisure and retail and expand the evening and night time economy, to the overall benefit of the town centre's health.

## **Development Management DPD (February 2015)**

### ***Policy DM5, Siting and design of tall buildings***

Map 2.2, which accompanies the policy, identifies the broad locations where taller buildings may be acceptable, subject to the criteria set out in part B of the policy. However, the scale and quality of the map render it almost impossible to read.

The policy does identify an inconsistency with the approach adopted in respect of Policy SA16 in the emerging Site Allocations document, which prescribes specific locations and maximum building heights. If DM5 is to be effective, the suitability of a tall building must be considered against the criteria set out in part B of DM5. The location and height of a proposed building would then be arrived at by way of detailed design considerations. The current approach set out in Policy SA16 appears to have been arrived at in isolation and effectively pre-supposes the outcome of criteria based assessment. There is an internal conflict between DM5 and the Site Specific Allocations document.

### ***Policy DM17, Housing Mix***

Part C of the policy indicates that the Council will not support mono-tenure developments or proposals that contain a mix exclusively made up of 1 or 2-bed units, unless they are part of larger developments or within neighbourhoods where such provision would help address existing imbalances with regard to housing choice. Part A (a) of the policy states that the suitability of a proposed housing development would be considered, in part, on the basis of '*individual site circumstances, including location, character of its surrounds, site constraints and scale of development proposed*'. There is an internal conflict between this part of the policy

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and Part C. The latter appears to apply an absolute requirement which fails to acknowledge that there may be individual site circumstances, as set out in Part A (a) that militate against such an approach. For example, family sized units may not always be compatible with high density and/or high rise town centre schemes. Part C, should be amended to acknowledge this and to provide some consistency with Part A (a).

## ***Policy DM52, Loss of employment land and floorspace***

The draft policy is excessively onerous with regard to the requirement for a marketing campaign covering a minimum continuous period of three years in order to justify a change to a non-employment use, having first considered the potential for a community use. This approach does not sit comfortably with the policies of the National Planning Policy Framework (NPPF).

*'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'*

### Paragraph 22

As currently drafted, the policy would apply this restrictive requirement to all forms of employment space, including the type of ancillary office floorspace that is present at The Mall. Some of these spaces can be marginal from a viability perspective and their arbitrary protection could prevent their conversion to an alternative use that offers a non-business class source of employment and/or a use that supports the wider retail use.

Policy DM48 makes the distinction between the key employment locations - Strategic Industrial Locations, Locally Significant Industrial Sites, Local Employment Areas – and those outside these allocations. The requirements of DM52 would appear to apply to all employment uses, irrespective of their position in this hierarchy. The policy should be amended to reflect these differences, with a less onerous requirement in respect of land and buildings that does not fall within one of the strategic or local allocations.

## ***DM53, Development within town centres***

In principle, C&R support the protection of A1 uses in the town centre. However, the policy does not provide sufficient flexibility to enable a destination such as The Mall to respond to the ever changing retail environment. The growth of online retailing and competition from higher order destinations require a speed of response that this policy would not provide. The effect of the two year vacancy period does not, in practice, protect key retail uses. The effect is to bring forward short-term, low value retail uses that detract from the overall quality of the shopping centre and the user experience. Uses such as restaurants, cafes and banks serve to support the retail function of the shopping centre, providing uses that encourage shared trips and support the long-term health of the town centre. This has been a particular trend over the preceding five years as town centres struggle to adapt to the changing face of retail and particularly the competition from online retailers.

The policy needs to recognise the wider value of non-retail uses in supporting the primary retail function by providing the flexibility required to meet changing markets. The Government's Planning Practice Guidance document recognises the economic drivers that influence town centre uses and requires local planning authorities to have regard to them:

*'Local planning authorities should take full account of relevant market signals when planning for town centres and should keep their retail land allocations under regular review. These market signals should be identified and analysed in terms of their impacts on town centres. This information should be used*

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*to inform policies that are responsive to changes in the market as well as the changing needs of business.'*

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As currently drafted the policy lacks the flexibility required to respond to these 'market signals', to the potential detriment of The Mall's longer term health. The policy needs to respond more quickly and flexibly to changes in consumer behaviour, such as the recent demand for A3 uses in town centres. The emphasis of the policy should perhaps be amended to facilitate changes between A class uses.

***Policy DM59, Managing the quality of Community Infrastructure***

From the 1<sup>st</sup> 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.