
CHAPTER 10 TOWN CENTRES AND SHOPPING

Policy/Para 11.18
Modification ref: D/TOWN/7
Further Modification Ref: D/TOWN/11

Issues

- (i) The Policy should reflect key objectives of the Draft London Plan.
- (ii) The proposed subsequent modification is unduly restrictive and exceeds the requirements of the sequential test set out in PPG6.

Inspector's appraisal and conclusions

10.1. As both issues are clearly separate but interrelated I deal with them together. The GLA is concerned that although the text reflects some elements of the Draft London Plan it should reflect that Plan's requirement to resist out of centre development and intensification of existing out of centre locations. The Council agrees with the objector and has proposed an additional modification to the text of modification D/TOWN/7 to address this issue. Sainsbury's supermarkets contend that this additional modification is excessive and does not reflect the requirements of PPG6 and subsequent ministerial statements that clarify the use of a sequential test.

10.2. Current national policy guidance in PPG6 allows for the location of travel-generating retail uses in out-of-centre locations that do not accord with development plan policies when there is a clearly identified need and the sequential test has been applied. While the conditions of this test are very stringent, it is a far more clearly defined test than the term "most exceptional circumstances" used in the suggested modification. This lack of clarity does not reflect the precise nature of national planning guidance in PPG 6 and subsequent ministerial clarifications. It could be used to prevent retail development that would otherwise be acceptable. Although this phrase may reflect the Draft London Plan, the form of Policy 3D.2 of that Plan is questioned in the Panel Report as containing "*an unnecessary and potentially unhelpful elaboration of the PPG6 approach*" (paragraph 6.28 and R6.12 of the Panel report). As that Plan has not been published and, given the Panel's comments, I can only give very limited weight to the Draft London Plan's provisions, I do not regard that as justifying the putting aside of national policy guidance. I note that Paragraph 11.17 sets out the position regarding national planning guidance and the sequential test and paragraph 11.18 recognises that the Draft London Plan will replace RPG3. I therefore recommend that modification D/TOWN/11 be not made.

RECOMMENDATION

10.3. I recommend that the UDP be modified by D/TOWN/7 but not by D/TOWN/11.

Policy/Para 11.19
Modification ref: X/TOWN/8
Further Modification: D/TOWN/12

Final Version

Issue

Paragraph X/TOWN/8 should refer to the Draft London Plan as well as LPAC guidance.

Inspector's appraisal and conclusions

10.4. In this instance the proposal to make a general reference to the Draft London Plan provides an informative contribution to the UDP which does not conflict with existing national policy. In response the LPA suggested an additional modification which I consider meets the objector's concerns.

RECOMMENDATION

10.5. I recommend that the UDP be modified by X/TOWN/8. In addition I recommend that the following modification (D/TOWN/12) also be made:

- (i) 'the Draft London Plan' be added to the first sentence of paragraph 11.19 after '1996'.**
- (ii) 'suggest' be replaced by 'suggests' in the same sentence.**
- (iii) In the second sentence 'the guidance specifies' to replace 'LPACs policy also identifies'.**
- (iv) In the penultimate sentence 'consolidation-neutral trend' to replace 'consolidation'.**