

Comment

Agent Katherine Sneedan (1174609)
Email Address [REDACTED]
Address [REDACTED]
Consultee ASDA Stores Limited (1174618)
Email Address [REDACTED]
Address [REDACTED]
Event Name Darlington Local Plan 2016-2036 (Regulation 19)
Comment by ASDA Stores Limited (1174618)
Comment ID DBLPPS678
Response Date 16/09/20 14:51
Consultation Point Policy TC 4 District and Local Centres ([View](#))
Status Processed
Submission Type Email
Version 0.6
Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

- Justified
- Consistent with national policy

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

As you will be aware Asda operate three stores within Darlington Borough and two of these lie within allocated Local Centres as set out in the adopted development plan i.e. at Whinfield Local Centre and Neasham Road Local Centre. The new revised NPPF, published in July 2018, acknowledges the

importance of planning policies defining a network and hierarchy of centres and promoting their long-term vitality and viability.

Asda are concerned that the Council are proposing within the Submission Draft to remove a number of Local Centre allocations from the retail hierarchy including the above two, and are just retaining two centres at Cockerton (District Centre) and Mowden (Local Centre) as set out at draft Policy TC4.

The draft Local Plan acknowledges at paragraph 8.2.1 that 'the District and Local Centres are important in meeting local needs, providing food shopping and a range of other local shops, services and leisure uses. They are both accessible and help reduce the need to travel.' Asda are concerned that there is a lack of evidence as to why the existing allocated local centres are proposed to be removed. This is at odds with the statement in the Issues and Scoping document from May 2016 which states that "We propose retaining and protecting the existing hierarchy of district and local centres set out in the IPPS and the Core Strategy". The Core Strategy clearly sets out that Whinfield and Neasham Road are Local Centres in the hierarchy set out at Policy CS9.

Whinfield Local Centre provides services for local residents through the Asda supermarket, pharmacy, betting office, petrol filling station, public house. There has been no change in the range of goods since the Core Strategy was adopted which would warrant a change in the allocation of the Local Centre.

In terms of Neasham Road Local Centre it provides an Asda supermarket, Matalan, Farmfoods, Poundworld, and a Ladbrokes. Again there has been no change in the range of goods since the Core Strategy was adopted which would warrant a change in the allocation of the Local Centre.

To propose to remove a number of Local Centres, which continue to provide an important local function, is at odds with the revised NPPF as well as the Council's own Core Strategy. Removing the Centres from the hierarchy will remove any protection from detrimental impact of any future retail proposals which are only required to assess impact on defined centres. The result of this could be impact on the viability and vitality of these important local facilities.

Question 4

Changes Sought

Please Note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. There is the opportunity to attach Word or PDF files before submitting your comment.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues identified for examination.

Please set out what change(s) to the Local Plan you consider necessary to make it legally compliant or sound. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text.

Asda respectfully request that the Local Centres of Neasham Road and Whinfield are reinstated.

Question 5

Attendance at Examination Hearings

If your representation is seeking a change, do you consider it necessary to participate in the examination hearings?

No, I do not wish to participate at the examination hearings

Question 6

Do you request to be notified that the Local Plan has been submitted to the Secretary of State for independent examination under section 22(3) of

Yes, I request to be notified

**the regulations and to be notified of the adoption
of the Local Plan?**

Comment

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Question 1b	
Do you consider that the Local Plan sound?	Yes

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

Asda support the aim of this policy to ensure that new development should be sited, designed and laid out to protect the amenity of existing users of neighbouring land and buildings and the amenity of the intended users of the new development.

National Planning Policy Framework, February 2019, states at paragraph 182 that “Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”Recent experiences throughout the UK have come to light where established Asda stores or distribution centres have been affected by development on land adjacent to them. Often Asda stores operate around the clock to ensure that produce is delivered to stores to meet customers’ needs. Housing development in particular can cause some issues.

Asda therefore support this policy but would recommend that it is bolstered by reference to the NPPF and the Agent of Change principle.

Question 5

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Do you request to be notified that the Local Plan has been submitted to the Secretary of State for independent examination under section 22(3) of the regulations and to be notified of the adoption of the Local Plan?

Yes, I request to be notified