

From Sir John Sainsbury Chairman & Chief Executive

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PRIVATE & CONFIDENTIAL

The Rt. Hon. Patrick Jenkin, M.P.  
Department of the Environment,  
2 Marsham Street,  
London SW1P 3EB

13th January 1984

*Dear Secretary of State*

In the last twenty years we have never had results from planning appeals such as we have experienced in the last year. We have, in fact, lost nine of the ten appeals we made, which is both a totally unprecedented ratio for our company, and quite contrary to the experience of our highly qualified, professional advisers.

You will understand that we only go to the great expense of an appeal if, in our judgement, our case is a strong one, and if our expert advisers who specialise in such matters, share that view. This is not to suggest that we can always be right, and in line with our competitors we are never surprised if we lose a proportion of the cases which go to the Secretary of State. Never before, however, has there been such a wholesale dismissal of appeals that we believe had every reason to succeed. It is hard to believe that such a change can be accidental and suggests that your department has altered its attitude on policy in relation to retail developments. Is it that they deliberately wish to discourage the use of the appeal procedure or that your priorities are to preserve the status quo whatever benefit might arise to the consumer by improved shopping.

I am particularly concerned by your department's frequent use of the argument of insufficient need or unacceptable impact of new developments. If your predecessors had followed this line of argument in considering appeals we would still be living in the era of the counter shop rather than the supermarket. Retailing

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always has and always will need change and development, if for no other reason than in order to respond to the changing requirements of the consumer. The argument that it appears you have chosen to be influenced by seems contrary to the policy of this Government and contrary to the reason that I and many others have lent support to the Conservative Party.

The clock is being turned back to the worst of post-war centralist Government. It seems incompatible with your political opinions if you really believe that the Planning Inspectorate or your officials are able to make better judgements of shopping needs than companies like ourselves whose success depends on our judgement and ability to respond to the consumer (you may have noted the comments in yesterday's press that suggest the Chairman of our leading competitor is equally critical of planning procedures).

Surely the planning laws are there to protect the environment, not to protect our company from competition or other companies from competition from ourselves. This is not to say that a significant amount of retail trade should be diverted from traditional town and city centres but rather that the increasing prosperity and mobility of the consumer demands additions to the traditional high street solution.

As you know, I have long been concerned with this issue, but in no case have I been more concerned and indignant than in the last of your nine rejections of 1983, those of Worthing and Shoreham. Having visited the sites (I wonder whether you or your ministers have done so), I can see no environmental arguments about these locations and the argument employed by your Inspector on the subject of need and the effect of greater retail food competition can only be described as being anti-competitive, against change, out of date and contrary to all I believe this Government stands for.

For your convenience I enclose a list of the ten cases concerned. Early next week I will forward a brief summary of the facts of each case. As I was lunching with the Prime Minister this week I have told her of my anxiety and I am forwarding to her office a copy of this letter.

*Z. ...*  
*Patrick Jenkin*

	Date of Planning Application (1)	Date of Planning Refusal (2)	Date Appeal Lodged (3)	Date of Hearing (4)	Date of Decision and Result (5)	Period between cols. 1&5 (Months)
GLOUCESTER, Barnwood (JS)	17. 4.80 6.10.80	18.12.80 Deemed	18.12.80	2. 6.81	Dismissed 9. 6.83	38
IPSWICH, Warren Heath	23.12.80	18. 3.81 Deemed	18. 3.81	15. 9.81	Allowed 27. 1.83	25
RAYNES PARK (SavaCentre)	30. 3.81	8. 7.81	21.12.81	21. 9.82	Dismissed 17. 6.83	27
SWINDON	27. 1.82	27. 4.82 Deemed	27. 4.82	1. 3.83	Dismissed 12. 5.83	16
ST. ANNES	19. 3.82	21. 5.82 Deemed	21. 5.82	16.11.82	Dismissed 29. 9.83	18
SHOREHAM 2nd app.	8. 3.82 26.11.82	26. 4.82	21. 5.82	22. 2.83	Dismissed 15.12.83	21
WORTHING 2nd app.	22. 2.82 4. 8.82	27. 4.82	21. 5.82	22. 2.83	Dismissed 15.12.83	22
BRENIWOOD	21. 6.82	2. 9.82 Deemed	2. 9.82	19. 4.83	Dismissed 26.10.83	16
WOLVERCOTE, Oxford (second appeal)	15. 6.82	1. 9.82	22.10.82	31. 5.83	Dismissed 16.12.83	18
TORQUAY, Kingskerswell	8. 4.82	5.11.82	19.11.82	26. 7.82	Dismissed 5.10.83	18

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Average Delay: 22 months  
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