



Representations to Draft London Plan

Lidl UK GmbH

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1. Introduction

- 1.1 These representations have been prepared by GVA on behalf of Lidl UK GmbH ('Lidl') in relation to Draft London Plan consultation document, issued in December 2017 ('the draft Plan'). They provide Lidl's comments on a number of aspects of the consultation document, including retail and town centre policy, parking provision and the approach to assessing development proposals in strategic industrial areas.
- 1.2 Lidl is one of the leading national grocery retailers in the UK, with over 700 stores. It is the 9th largest grocery retailer by market share and the 6th most visited grocer¹. It has 79 stores across the Greater London area and has an aspiration to significantly expand this number, by around 250, over the coming years.
- 1.3 Lidl appreciates the importance of ensuring that communities across different parts of the capital have easy and convenient access to food retail provision. Foodstores play an important part in contributing to the role, function and attractiveness of town centres in different levels of the retail hierarchy and provision in easily accessible locations to local communities.
- 1.4 As a consequence, Lidl takes considerable interest in the content of the development plan for London and welcomes the opportunity to make a contribution to shaping the strategy for the capital's town centres and development management policies.
- 1.5 The content of these representations is as follows:
- Section 2 outlines Lidl's views regarding the proposed car parking policies in the draft London Plan.
 - In Section 3, we outline Lidl's views on the structure of draft policies which guide development proposals in the different strategic industrial areas
 - Finally, in Section 4 we provide Lidl's views on the different retail and town centre policies in the draft Plan.

¹ Data provided by GlobalData for 2017

2. Car Parking Policies

- 2.1 Section 10 of the draft Plan consultation document outlines the proposed strategy for Transport. This section includes the proposed approach to car parking provision for different land uses, including retail. Having reviewed the proposed strategy and policies, Lidl appreciates the need to provide policies to (A) ensure that certain land uses need to be located in locations which are accessible via choice of means of transport, and (B) set targets for the increased use of public transport.
- 2.2 Alongside this acknowledgement, Lidl is also keen to ensure that the London Plan is realistic in terms of these aspirations and that the Plan acknowledges the different characteristics of different types of retail and other main town centre uses. As a consequence, Lidl wishes to make a series of comments on Policy T6.3.
- 2.3 Policy T6.3 sets out a series of several objectives for retail-related parking. Lidl's response to these is as follows:
- Lidl does not consider that a flat-rate maximum standard for parking provision for retail development is appropriate, reasonable or justified in the context of the London Plan. As noted below, it is wholly unrealistic to apply one standard to all retail development (in whatever Use Class in Class A).
 - Lidl understands why the starting point for the consideration of some types of Class A retail development should be the use of existing public car parking in town centres and other locations. However, this can (A) only ever be a starting point for detailed assessment in a development management context, and (B) ignores the obvious nuances between particular types of retail use, particularly the differences between Class A1 food/grocery uses and other Class A1 and A2/3/4/5 uses.
 - Lidl supports reasonable opportunities to make the best use of shared car parking. It accepts that there may be salient opportunities to do so, but each case should be reviewed on its individual merits.
 - The comment at Part (D) that *"If on-site parking is justified it should be publicly-available"* is unclear and confusing. By way of example, a foodstore within or on the edge of a town centre is likely to require on-site parking. That car park is clearly accessible to the general public although, for obvious and reasonable reasons, it is to be expected that visitors to the car park will use the store and also, possibly, other parts of the town centre. It would be unreasonable for users of the store's car park to not visit the adjacent/associated store.
- 2.4 In relation to the proposed approach to parking standards for retail development, Lidl has the following comments to make:

- 2.5 First, Policy T6.3 and Table 10.5 need to be much clearer over which types of retail development the proposed policy applied to. Do they apply to just Class A1 shops or wider Classes A2/3/4/5?
- 2.6 Second, if (for reasons we disagree with below), the Plan contains maximum parking standards for Class A1 retail land uses, then the proposed approach in Table 10.5 is unsound, unreasonable and should be replaced with a more appropriate policy. Whilst maximum standards are contained in the existing adopted Plan, the proposed new standards are significantly different and a review of the published evidence base on draft London Plan web-site has not uncovered any material relating to retail land use parking.
- 2.7 Third, it is completely inappropriate for the Plan to try and propose a one size fits all for parking standards for certain types of Class A1 retail development. Such an approach does not appear to be supported any evidence base documents and/or any other research. In setting just one standard for all retail land uses, the draft Plan fails to acknowledge that there are significant differences between how shoppers use food and non-food retail stores and also other Class A retail uses. In particular, whilst it is common for comparison goods stores selling non-bulky goods to rely on general public car parks which can be located in different parts of a town centre, larger food stores, particularly those who serve main food shopping needs (either in part or as a whole), require easy and adjacent car parking provision to allow customers to transfer purchases to their cars. Public (surface level and multi-storey) car parks cannot generally serve this purpose and it is necessary for larger foodstores to propose dedicated immediately adjacent car parking areas.
- 2.8 The size of the store is therefore directly related to the size of car parking area needed. This is quite rightly acknowledged in Chapter 6 of the adopted Plan and Lidl considers that, if maximum standards are to continue in the new Plan:
- The parking ratio for larger foodstores should be higher – i.e. more spaces per square metre; and
 - There should be a separate ratio for foodstores as opposed to non-food stores and other types of Class A retail floorspace.
- 2.9 Lidl's experience of operating foodstore in London is that its car parks are very well used, which is evidence of demand for parking and the requirement to provide car parking. Removing car parking from similar new stores will not solve the perceived problem and instead the proposed parking standards will have a negative impact upon the quality of access to day to day shopping facilities.
- 2.10 Fourth, Lidl considers that imposing just one specific flat-rate maximum standard in each of the three tiers of area across the whole of London will not provide the best outcome for ensuring that appropriate levels of parking provision are provided for individual development proposals. Whilst

it may well be the case that more central areas of London with good access via a choice of means of transport do not need to provide any parking provision for certain retail land uses, the decision to treat all 'inner London' and 'outer London opportunity areas' as automatically falling within the same category is not justified by any robust evidence and fails to acknowledge that specific locations are likely to have their own individual characteristics. The same comment applies to the decision to treat all 'rest of outer London' areas as falling into the same category.

2.11 Without reasonable levels of car parking associated with foodstores in a number of outer London areas, it will be impossible for grocery retailers such as Lidl to operate stores, which in turn will have a detrimental impact upon retail investment across London.

2.12 There is also a need for parking for a range users, including the disabled, elderly and parents with children. The proposed parking levels would have a severe impact upon the ability to provide parking for these groups and could isolate and disadvantage more vulnerable users.

2.13 In light of the above, the contents of Table 10.5 and Policy T6.3 of the draft Plan consultation document are not sound and are not justified by the available evidence. Lidl is firmly of the view that the content of T6.3 should be replaced with the following:

- Part A should be deleted and replaced with a policy which requires an appropriate level of on-site parking provision based upon the characteristics of the proposed development and the characteristics of the area in which proposed development is located. Table 10.5 should be deleted.
- Part B should be revised to make it clear that whilst the starting point for the need for parking provision should be existing provision, the reliance on existing provision will depend upon a number of factors including:
 - The nature of the proposed retail use
 - The level of existing provision
 - The type of existing provision
 - The location of existing provision
 - The accessibility of the area in terms of the choice of means of transport
- Lidl considers that whilst the sharing of car parking provision is a laudable aim, it is likely to be unworkable in most instances and therefore Part C should be deleted. In particular, "working hours" and the demand for retail parking throughout the day are likely to substantially overlap.
- Part D requires revision in order that it becomes clearer and acknowledges that, if on-site parking is justified, then it should primarily relate to the use proposed with opportunities to be explored in relation to how parking provision can benefit nearby town centre areas.

3. Industrial Area Policies

- 3.1 Lidl wishes to make representation to the following 'economy' policies in Chapter 6 of the draft Plan:

Policy E5 – Strategic Industrial Locations ('SIL')

- 3.2 Lidl acknowledges that the SILs across London are particularly important to the functioning of London's economy. It is therefore correct that they should attract the highest level of protection in the new London Plan.

- 3.3 However, SILs have the potential to change over time and, as a consequence, Lidl supports the principle of Part D of proposed Policy E5 which allows for proposals for alternative land uses to be approved in certain circumstances. This should include a criteria based approach including demand assessments to ensure that former industrial sites/premises are not unrealistically safeguarded when market signals suggest otherwise.

- 3.4 In addition, Lidl also considers that Part C(6) should be expanded to include shops and services which are related to the needs of local employees.

Policy E6 – Locally Significant Industrial Sites

- 3.5 Lidl agrees that it should be the role of each borough's development plan to identify locally significant industrial sites. It considers that the recommended approach in parts A1 and A2 to be reasonable and sound but considers that an additional element to the policy is required in order for it to be consistent with proposed policies E5 and E7.

- 3.6 In particular, Lidl recommends that E6 is expanded to include a third element which requires boroughs to include within their 'locally significant industrial sites' policies clear guidance as to how proposals for non-Class B uses will be dealt with. Such guidance is likely to be based upon the contents of parts B, C, D, E and F of proposed Policy E7 and will also include demand assessments to ensure that former industrial sites/premises are not unrealistically safeguarded when market signals suggest otherwise.

Policy E7

- 3.7 Lidl is generally supportive of the contents of proposed Policy E7 which deals with the intensification, co-location and substitution of Class B land and premises. It is correct for the draft Plan to acknowledge that industrial land and premises will change over time as it responds to changes in the economy, including technology and working practices. However, Lidl considers that a number of changes are required in order to make the draft policy sound:

- Whilst protection of the SIL areas is likely to attract more strict criteria, there is no reason why LSIS sites cannot be adequately protected through the development management process. Sticking with rigid and inflexible SIL policies without site specific considerations is likely to stymie employment rather than protecting employment. As a consequence, the last sentence of Part C should be deleted.
- Lidl considers that Part D offers useful criteria for the assessment of proposals for alternative land uses. However, the following changes are required:
 - The policy should not just single out residential and mixed use development proposals. It should be subject to all non-Class B land use proposals.
 - Sub-section (2) should replace the words 'residential or mixed-use development' with 'alternative land uses'.
 - The words 'mixed-use' in the paragraph after sub-section (4) should be replaced with the words 'alternative land use'.
- Lidl considers that, in Part E, the 'intensification' of industrial uses should not just be judged on the basis of floorspace. Instead, proposals should also be judged on the basis of job-creating capacity as modern industrial floorspace may be able to create and sustain the same or more jobs from a smaller physical area than older equivalent floorspace. In addition to Class B uses, it should also be noted that a Lidl foodstore typically employs circa 50 people and additional jobs are also created in its head office and regional distribution centres. In many instances, this level of job creation is more than traditional Class B existing users in industrial areas.

4. Retail and Town Centre Policies

4.1 Lidl is generally supportive of the draft Plan's approach to retail land uses and the focus upon town centres across London.

4.2 However, it does have some specific comments to make in relation to the following policies:

- Policy SD6 – Town Centres
- Policy SD8 - Town centres: development principles and Development Plan Documents

Policy SD6 – Part B

4.3 Lidl is supportive of the draft Plan's aspiration to allow town centres to adapt and restructure to technological changes and customer behaviour. The way in which people use town centres, and how they go shopping for groceries, has changed over the past decade and will continue to evolve. Therefore, it is entirely correct for Policy SD6 to acknowledge this evolution and be positive about the need for change. In Lidl's view, the Plan must acknowledge two particular aspects of change. First, it is likely that the format of retail space within centres will change as it responds to multi-channel retailing and service provision. Second, traditional town centres can, in some instances, be placed at a disadvantage when compared to e-commerce and therefore they will need a flexible policy environment in which to compete. This should be acknowledged in the Plan when it discusses the support for maintaining and enhance the role and function of town centres.

Policy SD6 – Part C

4.4 Lidl agrees in general terms that the introduction of new residential uses in and around town centres can help to add vitality to centre and boost the spending power of the local population. As such, it is correct for SD6 to encourage residential uses in certain situations.

4.5 However, Lidl would like the content of SD6 Part C to be revised to ensure that the promotion of residential accommodation does not have a detrimental impact upon the ability to provide a range of retail units to meet the needs of retailers. In particular, at the present time the only control in the draft policy relates to residential-only (re)development schemes outside of the defined primary and secondary shopping frontages. Such schemes would be appropriate where: *"they would not undermine local character and the diverse range of uses required to make a town centre vibrant and viable"*. Lidl considers that this latter consideration focuses too much on negative impacts of residential only development proposals and fails to accord with the overall strategy in Policy SD6 which aims to promote and enhance town centres. Therefore, given that the Plan aims to pursue a town centres first policy for retail uses, there should be a presumption

against residential-only developments within town centre boundaries. Otherwise, there is a concern that town centres could well fail to continue to provide adequate modern new space for retail uses (plus other uses which make a positive contribution to providing active ground floor frontages), with the content of SD6 Part C falling into conflict with Policy SD8 which required local planning authorities to allocate sites to meet identified needs.

- 4.6 Part C does not contemplate residential-only schemes in the primary and secondary frontages. Whilst this is to be welcomed, Lidl considers that the policy should go further and ensure that residential development on the upper floors of development proposals do not compromise the ability to provide different types of retail accommodation to meet acknowledged demand from convenience and comparison goods retailers. This should include larger format units to allow grocery operators to operate in central locations. Lidl's experience of residential-led mixed use developments in and around town centres in London is that the inclusion by developers of ground floor retail space is merely a 'box ticking' exercise and leads to retail space which is incompatible with the needs of the retail sector and poor quality. The policies in the plan need to ensure that this does not happen in the future.

Policy SD8

- 4.7 In line with comments made above in relation to Policy SD6, Lidl supports the contents of Part C(4) of Policy SD8 which requires a range of commercial unit sizes. Lidl considers it helpful if the requirement in C(4) takes into account identified needs.
- 4.8 Part A of Policy SD8 aims to set out the general development management context for retail and other main town centre uses. Parts (1) and (2) provide the required reference to the sequential and impact tests, although Lidl considers the wording of the policy could be improved for clarity. In particular:
- Part (2) gives the impression that no out of centre retail development will be permitted. Clearly, such an approach is contrary to the NPPF and this part of the policy should be reworded to indicate that out of centre proposals will be resisted only where there are suitable and available sequentially preferable in-centre, edge of centre and more accessible and better connected out of centre sites and premises.
 - Whilst Lidl do not wish to comment on the residential land use aspects of Part (4), the imposition of a bar to net increases in retail and leisure floorspace in out of centre locations is contrary to the NPPF. The policy should be revised to allow for net increases in retail and leisure floorspace where they accord with the sequential and impact tests.
- 4.9 Lidl is supportive of the general principles in Part 5 of SD8, although wishes to repeat its comments at Policy SD6 whereby mixed use residential intensification proposals should not lead to the loss of

opportunities to provide a range of retail unit sizes in locations which capitalise on the availability of services within walking and cycling distance of current and future public transport provision.

4.10 Lidl considers that the reference to the 'sequential approach' in the Glossary should be revised and expanded in the following ways:

- Whilst Lidl appreciates that the existing text in the Glossary introduces the general principles of the sequential approach for all relevant land uses, the text needs to be expanded to acknowledge that out of centre locations may also be suitable in instances where there are no suitable and available in-centre or edge-of-centre sites and premises.
- Clarity is also needed in relation to what makes an in-centre location – i.e. sites and premises within the defined Primary Shopping Area in each 'town centre'².

² As a consequence of this, the Glossary should also define 'town centre' and 'primary shopping area' boundaries.