

Sadiq Khan (Mayor of London)  
New London Plan  
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**Your ref:**

Dear Mr Khan,

## **Draft New London Plan**

We write on behalf of our client intu Properties plc ('intu') in response to the above consultation paper. We set out below a brief background to intu and its interest within London before setting out the Company's consultation response.

### **Background to intu's interests**

Intu is the UK's leading owner, manager and developer of prime regional shopping centres, with seventeen shopping centres throughout the UK. Together these centres support over 120,000 jobs, representing 4 per cent of the total UK retail workforce.

Within London, intu's interests comprise intu Uxbridge Shopping Centre, in Uxbridge town centre. Intu Uxbridge is a major retail and leisure destination with 443,000 sq ft of retail, catering and leisure floorspace. The shopping centre attracts 12 million visitors per year and provides 787 jobs within Uxbridge and the wider area. Intu is a key town centre stakeholder within Uxbridge Metropolitan Centre. In the wider sub-region, intu's interests include intu Watford and intu Lakeside located just outside London.

Intu is committed to ongoing investment in all its assets, including intu Uxbridge, in order to ensure that its shopping centres continue to provide modern, attractive accommodation for retail and leisure operators, and facilities that are attractive and accessible to all members of the communities in which they are located and that they serve. For example, ongoing investment is made to replace outmoded floorspace and facilities, as well as extensions in existing locations.

Intu places great emphasis on planning policy documents in order to inform and guide future investment decisions. The Company therefore takes an active role in the formulation of planning policy at all levels, from strategic consultations such as this, to working with local planning authorities in local policy formulation.

### **Consultation Response**

The focus on good growth throughout London in the Draft New London Plan, benefiting Londoners now and in the future, is supported in principle by intu. Metropolitan Town Centres, such as Uxbridge, have an

important role to play in supporting and realising such growth. Top shopping venues like intu Uxbridge, in particular, play a key role in providing comparison retail shopping.

There have been significant changes to town centres over the past 5 years and further changes will be essential to help them to evolve and adapt in order to meet the changing needs and demands of shoppers, to overcome the continued slow growth since the recession, Brexit uncertainty and increase in internet shopping. To remain competitive, town centres need to provide other town centre uses, such as restaurants, cafés and leisure, in order to attract visitors, increase their dwell time and thereby extend their trading hours.

It is vitally important that town centre policies provide flexibility to support positive outcomes from these changes and that they do not undermine the core aspects of town centres, which help attract people to visit and stay longer. Against this context, we outline below intu's specific concerns relating to draft policies of the Plan below.

### 1. Housing (Policy H1)

The emphasis in the draft Plan of maximising the potential of urban locations, such as town centres, to contribute to increasing housing supply is understood, given the target number of new homes required within London. Intu believes that it is important, however, that this emphasis is balanced against the vitally important role of retail and leisure facilities in town centres, and ensuring that the needs of communities in terms of access are met.

In this regard, the current drafting of Policy H1 is of concern to intu. This states Boroughs should “*optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions*” especially on the following categories of sites:

“...a) sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a Tube station, rail station or town centre boundary

b) mixed-use redevelopment of car parks and low-density retail parks

c) housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses...”

The drafting of the policy could be interpreted as requiring residential use within all town centre development schemes. It is essential that the policy is not worded in such a way that it could be applied in this inflexible way, because this approach could inadvertently make unviable or inappropriate requirements of proposed investment in retail and leisure assets. The current draft policy approach in turn could put at risk the vitality and viability of Metropolitan Centres.

To address this concern, intu suggests the following amendments to the wording of Policy H1 B.2:

“...boroughs should optimise the potential for housing delivery on **all** suitable and available brownfield sites through their Development Plans and planning decisions. **The development of housing on town centres sites should not undermine strategies for promoting the vitality and viability of town centres in accordance with Policy SD6. The following sources may have the potential to contribute to housing capacity...**”. [suggested changes in **bold**]

These amendments would ensure that the provision of housing in London continues to be supported in town centres, whilst still preserving the role and function of prime retail and leisure assets, such as intu Uxbridge.

## 2. Transport (Policy T6 and T6.3)

Intu has concerns relating to proposed retail car parking standards set out in the draft London Plan for Outer London town centres such as Uxbridge.

The current London Plan recognises the distinct characteristics of Outer London town centres, particularly those like Uxbridge located on the edge of the capital which are competing with more car-friendly out-of-London centres (para 6.45). The current Plan appropriately supports a more flexible approach to town centre parking, in order that centres continue to remain vital and viable (policy 6.13). This is also reflected in the Town Centres SPG (4. Promoting Accessibility and Connectivity).

It is important that this flexibility is maintained in the New London Plan to ensure Outer London Metropolitan Centres like Uxbridge can continue to be compete and be successful. To address this concern intu requests that the current wording of Policy 6.13 is re-added to Policy T6:

**“J. In town centres where there are identified issues of vitality and viability, the need to regenerate such centres may require a more flexible approach to the provision of public car parking to serve the town centre as a whole.”**[suggested changes in **bold**]

This amendment would ensure a more flexible approach to car parking in Outer London’s town centres where there is a demonstrable need.

## 3. Economy (Policy E9)

Intu has a number of concerns with the current drafting of Policy E9 C, regarding controls on locations of hot food takeaways. The current approach creates a number of challenges and uncertainties for town centre investors such as intu.

The approach to not permitting A5 uses within 400m walking distance of primary or secondary schools would currently be applicable to much of Uxbridge town centre and many other designated town centres in London. The draft policy is not considered to be consistent with the National Planning Policy Framework (NPPF), which states that local planning authorities should *‘promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres’* (Para 23, bullet 4). Nor is it consistent with the sequential approach. Class A5 is a main town centre use. There may be circumstances where there is a nearby school where new Class A5 uses are prevented from occupying units in town centres; this could inadvertently push such uses towards out-of-centre locations so that they are not near any school, which would be unsustainable and inconsistent with the NPPF. With this potential unintended consequence, the draft Plan is clearly unsound.

The proportion of Class A1 retail uses in town centres has decreased in recent years, whilst Class A3 and A5 food and drink uses have significantly increased in proportional terms to just over 15% in 2017 (Source: GOAD). Growth in Class A3 to A5 uses within town centres is likely to continue in the future, as town centres seek to broaden their attraction and provide a more experiential shopping trip in response to the challenge created by the increase in multi-channel shopping, particularly with the rise in popularity of internet shopping. Given the importance of a variety of uses contributing to the success of Metropolitan Centres, they must have flexibility to respond to visitor demands and give in-principle support to food and drink uses. Similarly, any policy approach of managing *“an over-concentration of A5 hot food takeaway uses”* within centres needs to be applied flexibly and appropriately, recognising the significance of food and drink uses to the vitality and viability of centres.

The policy drafting also fails to acknowledge there is often not a clear distinction between Class A5 and A3 uses. Characteristics will vary depending on the occupier, the size of the premises, the amount of seating and

the amount of hot food sold for consumption off the premises – all making the application of policy challenging for landlords, prospective occupiers and councils. The blanket approach to A5 hot food takeaways, furthermore, does not distinguish between healthy and non-healthy operators, which undermines its purpose and places a constraint on 'healthy' A5 operators and once again, creates further inflexibility for landlords when managing assets. Arguably, some Class A3 operators are equally if not more unhealthy than Class A5 operators.

These concerns are highlighted by the current circumstances in Uxbridge, where intu Uxbridge has 73 units of which 16 are in food and beverage or leisure use. Intu takes a proactive approach to asset management to facilitate tenants moving or relocating within the shopping centre and for new tenants coming in. This process is essential in order: to keep the offer fresh for visitors; to be able to respond to changing tenants and consumer requirements; and to create opportunities for new and exciting operators, befitting of a Metropolitan Centre. As drafted, the policy could resist an existing A5 operator seeking relocation within the shopping centre, which in turn would place an undue constraint on the ongoing operation of the shopping centre. It would also create fewer options and more uncertainty for intu when making decisions on new operators coming to the centre.

Given the above concerns, intu's conclusion is that the draft policy should be deleted. If not deleted, it should be amended to better reflect the current and future role of town centres, and the importance of food offer within them. It should therefore read as follows:

"C. Development proposals **outside defined town centres** containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance of an existing and proposed primary or secondary school." [suggested changes in **bold**]

## **Conclusions**

We trust that these comments will be of assistance in the next stages of the New London Plan. We ask that they be taken into consideration by the Mayor in any proposed changes to be considered on examination, and in the final Plan, to ensure that the good growth London needs is achieved. Should our comments raise any queries, or should you wish to discuss any aspect further, please do not hesitate to contact me.

Yours sincerely

**Alison Bembenek**  
Associate Director

cc  
Matthew Nicholson – intu Properties Ltd  
David Matthews - intu Properties Ltd