

Firstplan

PROPOSED LIDL FOODSTORE

**FORMER SWIMMING POOL SITE,
BOTWELL LANE, HAYES**



PLANNING STATEMENT

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Firstplan Ref: 13131/MM/bb

Date: October 2015

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SECTION 1: INTRODUCTION

- 1.1 This Planning Statement has been prepared in support of a planning application submitted by Lidl UK GmbH for a new foodstore of 2,824 sq m (GEA) at the former swimming pool site, Botwell Lane, Hayes.
- 1.2 By way of background, planning permission was granted on 11 September 2014 for the construction of a Lidl foodstore extending to 2,085 sq m GIA (ref: 1942/APP/2013/3565). The approved scheme relates to the eastern part of the former swimming pool site. At the time the previous scheme was approved, Lidl had acquired the western part of the site and intended to sell the land for other development. However, since planning permission was granted, the Lidl trading format has evolved and it is now to redevelop the whole site to accommodate the proposed foodstore.
- 1.3 The utilisation of the full site allows the following key improvements to be made:
- The relocation of the store to the eastern boundary of the site;
 - A slight increase in the sales area of the foodstore from 1,407 sq m to 1,689 sq m;
 - An enhanced shopping environment for customers through an improved store layout, including the provision of wider aisles;
 - An increase in car parking spaces from 62 to 146;
 - The relocation of the vehicular access point from Central Avenue to Church Road; and
 - The provision of a more substantial dedicated pedestrian route to the south of the store.
- 1.4 As confirmed by the recent grant of planning permission, the application site is situated within the Hayes Town Centre boundary, approximately 100 metres from the Primary Shopping Area. The provision of a foodstore in this location offers an invaluable opportunity to provide a much needed anchor foodstore for Hayes Town Centre with genuine potential for linked trips. The trading characteristics of Lidl ensure that the proposed store will *complement* rather than compete with the



existing independent specialist and ethnic retailers in the town and support its vitality and viability by boosting town centre footfall.

1.5 A strong, vibrant town centre is vital to the success of recent regeneration efforts in Hayes which include a number of major building projects such as the new leisure centre adjacent to the site, as well as the forthcoming Crossrail proposals. The proposed Lidl represents a significant investment on a strategic town centre site which may well otherwise continue to remain vacant. The new foodstore will also directly create 40 new jobs.

1.6 Whilst the principle of the development has already been established, for completeness, this Planning Statement addresses the planning policy matters relevant to the proposed development. The report should be read alongside the following documents, which have also been revised, form part of the planning application:-

- Transport Assessment/Travel Plan prepared by Gateway TSP
- Energy/Sustainability Statement prepared by Red Engineering Design;
- Design and Access Statement prepared by Poole and Pattle
- Landscape Statement prepared by ACD Landscape Architects
- Air Quality Assessment prepared by RPS Group
- Foul Drainage Statement and Flood Risk Assessment prepared by Peter Brett Associates;
- Tree Survey/Arboricultural Assessment prepared by Landmark Trees
- Statement of Community Involvement prepared by Firstplan;
- Noise Assessment, prepared by Acoustic Consultants Ltd;
- Ecology Survey, prepared by PJC Consultancy.

1.7 The remainder of the report is structured as follows;

- **Section 2** – provides a description of the application site and its planning history;



- **Section 3** – provides details of the proposed development including an explanation of the Lidl Business Model;
- **Section 4** – sets out relevant national, regional and local planning policy;
- **Section 5** – provides an assessment of the retail planning issues associated with the development;
- **Section 6** – provides an assessment of other planning matters associated with the development; and
- **Section 7** – draws conclusions.



SECTION 2: PLANNING BACKGROUND

a) Description of the application site and surrounding area

- 2.1 The application site occupies the former swimming pool site on Botwell Lane, Hayes and extends to 0.725 ha. Following the opening of the new Botwell Green Sports and Leisure Centre in May 2010, the former Hayes Swimming Pool building has been demolished by the Council in order to encourage its redevelopment for alternative uses. The site is currently cleared and surrounded by hoarding.
- 2.2 The site is bounded to east by Central Avenue, by Botwell Lane to the south and Church Road to the west. There are residential properties to the north of the site at Holmbury Gardens and a pay and display car park.
- 2.3 The site falls within Hayes Town Centre as shown on the Hillingdon Unitary Development Plan Proposals Map (2007). Botwell House to the south is a Grade II listed building and the Hayes Village Conservation Area lies just over 100m to the north east. The site is not allocated for any specific purpose in the UDP or the emerging Local Plan: Part 2.

b) Accessibility and linkages between the site and the primary shopping area

- 2.4 The site is located within the defined Hayes Town Centre Boundary. The site benefits from excellent linkages to the Primary Shopping Frontage which is less than a two minute walk (approximately 100m) via an attractive pedestrian-friendly route with wide, tree lined pavements on both sides of the road and existing signalised pedestrian crossings on Botwell Lane. In order to fully integrate the site with the town centre, the approved scheme provides two pedestrian walkways within the site to allow access directly through the customer car park to Botwell Lane and Central Avenue. By utilising the full extent of the former swimming pool site, the current proposal is able to further improve upon this by providing a much more generous pedestrian walkway adjoining the southern end of the store. The dedicated pedestrian area will also accommodate 42 cycle spaces (16 long stay spaces and 26 short stay spaces). There will be a further 12 cycle spaces located on the trolley bay.
- 2.5 The site is also strategically located adjacent to the new leisure centre creating a gateway of new development when approaching Hayes from the north.



- 2.6 In addition, the site has good accessibility to public transport with a PTAL rating of 4. Hayes Station is located approximately 750m south of the site which will be upgraded as part of the Crossrail project. It is possible that the PTAL rating will increase with the addition of Crossrail to the area. The site is also well served by buses. Further details relating to the accessibility of the site are set out in the Transport Assessment accompanying this application.

c) **Previous Planning History**

- 2.7 Prior to the recent grant of planning permission, the planning history of the site largely relates to its use as a swimming pool and is therefore not relevant to the current application. More recently, planning permission (Ref. 1942/APP/2010/31) was granted in August 2012 for:

Redevelopment of site to provide 72 residential units with associated access, amenity space, landscaping and car parking, including demolition of existing swimming pool (Outline application with details of access, layout and scale only).

- 2.8 As previously noted, this residential permission was secured by the Council but has not progressed further as it failed to attract market interest at a level deemed acceptable by the Council. The principle of allowing a foodstore on this site in the light of the extant residential permission is considered in Section 5 of this statement.



SECTION 3: THE APPLICATION PROPOSAL

- 3.1 The current application proposes a new foodstore with a gross external floorspace (GEA) of 2,824 sq m to be occupied by Lidl. The sales area of the store will extend to 1,689 sq m of which 80% will be used for the sale of convenience goods and 20% for the sale of comparison goods. As such, the sales area of the current proposal is only marginally larger (282 sq m) than the approved scheme.
- 3.2 The proposed store will be positioned along the eastern boundary of the site with customer parking to the west. Vehicular access to the store will be taken via Church Road. A generous pedestrian walkway is provided to the south of the foodstore allowing direct access to and from the store to Botwell Lane and Central Avenue. The service yard will be located adjacent to the northern elevation. A total of 146 car parking spaces will be provided.
- 3.3 Further details of the design of the proposed foodstore are provided in the Design and Access Statement and Transport Assessment which accompany the application.
- a) **The Lidl business model**
- i) **Trading Characteristics**
- 3.4 The proposed foodstore will be occupied by Lidl. An understanding of Lidl's distinct trading characteristics is essential in assessing the potential impact of the store on Hayes Town Centre and in the application of the sequential test.
- 3.5 The Lidl business model is well established in the UK with the Company currently operating approximately 620 stores from sites and premises both within and outside town centres. The Company was recently named "Grocer of the Year" for 2015. The UK business model is based firmly on the success of Lidl's operations abroad with approximately 10,000 stores trading across Europe.
- 3.6 Lidl's strategy is to serve local needs through the provision of smaller stores at convenient locations within or close to residential areas, which are capable of serving both the local shopping needs of the immediate surrounding areas and the main food shopping needs of local residents. This operation is based upon a more traditional supermarket format with prices that are 'deeply discounted'. The company is able to



offer very competitive prices whilst keeping the quality of its goods extremely high. It achieves this by:-

- a) bulk purchasing across Europe;
- b) a concentration on own brands;
- c) a much more limited product range
- d) operating systems that reduce operational costs; and
- e) simple product display and stock handling procedures.

3.7 The standard Lidl business model/foodstore offers a product range that includes:-

- “everyday” core grocery items;
- selected non-branded household products;
- a limited range of fresh and frozen pre-packed meat;
- a range of fresh fruit & vegetables lines; and
- wrapped fresh bread/morning goods.

3.8 A typical Lidl will 1,800 product lines, of which 90% are own brand products with very limited duplication of products. In contrast, the main supermarkets (Asda, Tesco, Sainsbury’s and Morrisons) stock in excess of 10,000 lines offering a range of one type of product.

3.9 Lidl also offers a limited range of non-food items which typically occupy around 20% of the sales area. There is no standard or constant comparison goods range offered in store and the goods mostly comprise weekly specials. By comparison, larger supermarkets can have between 30-50% non-food floorspace dedicated to the sale of comparison goods.

3.10 Lidl also differentiates itself from larger food retailers and small local convenience stores by not offering any of the following concessions and services:

- Fresh Meat Counter
- Fresh Fish Counter



- Delicatessen/cheese counter
 - Hot Food Counter
 - Pharmacy
 - Dry cleaning
 - Film Processing
 - Post Office
 - Café/restaurant
 - Cigarettes and tobacco products
- 3.11 By not incurring the additional staffing costs which would be required to manage the sale of these concessions, Lidl is able to pass on savings to their customers by reducing the prices of their products.
- 3.12 The fact that Lidl does not offer the concessionary services often found in town centres and/or larger supermarkets means that Lidl does not compete to any significant degree with other retailers. Instead, Lidl stores are *complementary* to the existing pattern of convenience shopping within an area, providing an enhanced consumer choice. Many larger supermarkets are a 'one stop' destination for their customers whereas Lidl operates as a complementary retailer, with a significant proportion of customers also choosing to visit other retailers to fulfil their needs. As such, Lidl stores successfully trade immediately adjacent to larger superstores and smaller convenience stores in numerous locations across the UK.
- 3.13 The complementary nature of Lidl is particularly important in this instance as the proposed store will complement rather than replace the role of the numerous existing independent specialist and ethnic convenience stores in Hayes town centre. Equally, the Lidl store will not directly compete with existing out of centre supermarkets or the permitted Asda supermarket at Westlands Way, Millington Road.
- 3.14 At present, there are no existing deep discount retailers in Hayes Town, the nearest being the Lidl store on Uxbridge Road (1.5 miles away) and the Aldi store in Yiewsley (over 3 miles away). The 'deep discount' food retailer is an established niche in the overall convenience goods sector. The application proposal will therefore provide a



genuine addition to customer choice which, given the nature of the business operation and the strategic location within the town centre, will complement and support the existing offer.

ii) Store format

- 3.15 The current minimum store size that is required by Lidl to enable it to operate its standard business model efficiently, unless there are unusual circumstances, is approximately 1,850 sq m gross on a single level (1,300 sq m sales area) on a minimum site size of 0.4ha.
- 3.16 The market position of Lidl as a 'deep-discounter' is dictated by its ability to cut cost throughout its business. Critical to this is efficient stock handling procedures. Products are displayed from the original pallets which were delivered to the store and in their original boxes rather than them being stacked on shelves which reduce the cost associated with manual handling.
- 3.17 In order to operate this system, Lidl has one of the highest net:gross sales floorspace ratios compared to other stores within the grocery sector. This enables the products to be put straight out for sale on their pallets rather than requiring large areas for storage. A single level of store is also critical for the pallet loads to be moved directly to the sales area.
- 3.18 A number of appeal decisions have firmly established these operating requirements for a Lidl store (including a decision in LB Merton in 2006 and Cowley, Oxford in 2005). The implications of these design and layout requirements for the sequential approach are discussed in Section 5 of this report.



SECTION 4: RELEVANT PLANNING POLICY

- 4.1 This section of the report discusses the key planning issues affecting the application proposal in the light of the relevant planning policies.
- 4.2 Hillingdon's adopted development plan is comprised of:
1. The Hillingdon Local Plan: Part 1- Strategic Policies;
 2. The extant 2007 Saved Unitary Development Plan policies adopted as the "Hillingdon Local Plan: Part Two", pending the preparation and adoption of subsequent site specific allocations, development management policies and a policies map; and
 3. The London Plan Consolidated with Alterations Since 2011 (March 2015).
- 4.3 In retail terms, although the site is within Hayes Town Centre Boundary, it is considered an edge of centre site and therefore the proposal is assessed in line with policies contained within the National Planning Policy Framework and relevant local policies.
- a) **National planning guidance**
- i) **National Planning Policy Framework (NPPF) (March 2012)**
- 4.4 The NPPF sets out the Government's planning policies for England, and how these are expected to be applied. The NPPF supersedes *all* the existing national planning policy guidance notes. Paragraph 2 confirms that it is a *material consideration* in planning decisions. National Planning Practice Guidance has been published to support the NPPF.
- 4.5 The NPPF states that at the heart of the planning system, there is a "presumption in favour of sustainable development", which should be seen as a "*golden thread*" running through both plan-making and decision taking.
- 4.6 The document makes it very clear that LPAs should take a positive approach to decision making. LPAs should positively seek opportunities to meet the development needs of their area, approving development proposals that accord with the



development plan without delay and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted” (paragraph 14).

- 4.7 LPA's should look for *solutions* rather than problems, and decision-takers at every level should *seek to approve applications for sustainable development where possible*. LPA's should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area (Paragraph 187).
- 4.8 In assessing and determining development proposals, *LPAs should apply the presumption in favour of sustainable development* (Paragraph 197).

Town Centres

- 4.9 The NPPF re-confirms the previous PPS4 principle that town centres come first. It reiterates that local authorities should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period, which should include recognising town centres as the heart of their communities and pursue policies to support their viability and vitality. It should promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres (paragraph 23).
- 4.10 The NPPF retains the key tests from PPS4, including the sequential test for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. LPAs should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only, if suitable sites are not available, should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale (paragraph 24).



- 4.11 In this instance, the application site is in a highly sustainable location which is extremely well connected to the Primary Shopping Area. Its redevelopment will serve to enhance the vitality and viability of Hayes town centre by providing a much needed retail anchor which will help retain trade and provide a genuine opportunity to boost footfall through linked trips. The new Lidl store will enhance customer choice and complement the existing convenience offer within the town centre.
- 4.12 In addition, paragraph 26 states that when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment, if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). In this instance, at 2,824 sq m GEA, the proposed Lidl falls above the 2,500 sqm threshold over which an impact assessment is required. The Hillingdon Local Plan requires impact assessments for any retail proposal not within the town or district centres, which exceeds 200 square metres additional gross retail space. However, on the basis that the principle of a 2,085 sq m Lidl store has already been accepted on the site, it is clear that the assessment of impact in relation to the application proposal should only relate to the minor increase in sales area (282 sq m). As such, the impact of the proposal on Hayes Town Centre is considered within this context in Section 5 of this report.
- 4.13 The NPPF goes onto explain that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should not be approved (paragraph 27).

b) Regional planning policy

i) The London Plan (March 2015)

- 4.14 This document provides overarching guidance and sets the context for the development of London over the next 20-25 years.
- 4.15 The London Plan **Policy 2.15** relates to Town Centres and supports a strong “*town centres first*” policy. Any development proposals are required to conform with policies 4.7 and 4.8 in the Plan which seeks to sustain and enhance the vitality and viability of town centres, accommodate economic growth, enhance competitiveness and the quality of the town centre offer, be in scale with the centre, promote safety



and security and improve the environment and reduce road user conflict and promote access by non car modes of transport.

- 4.16 **Policy 4.7** relates to Retail and Town Centre Development at a strategic level the Mayor supports a strong partnership approach to assessing need and bringing forward capacity for retail, commercial, culture and leisure development in town centres, managing growth within and on the edge of town centres, encouraging joint work between public and private sectors and bring forward new leisure development and commercial development opportunities. The policy states that:

‘Development of edge-of-centre locations should be well integrated with the town centre, particularly in terms of providing safe, convenient and attractive access by walking and cycling’.

- 4.17 **Policy 4.8** states that the Mayor will, and boroughs and other stakeholders should, support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of this Plan, especially town centres.

- 4.18 Annex Two of the London Plan supports Policies 4.7 and 4.8, identifying the existing role and function of town centres in the network and providing a broad indication of the future growth potential of each town centre together with anticipated changes to classifications over the plan period. Hayes Town Centre is identified as a District Centre and there are no anticipated changes to the classification of Hayes to 2031.

ii) London Town Centre Health Checks (2009)

- 4.19 This document provides a ‘health check’ assessment of all town centres within Greater London and is part of the evidence base, which justifies the classification of centres into International, Metropolitan, Major and District Centres. It sets out a series of core indicators and floorspace characteristics, which are used to classify the various centres and are based on an ‘average’ of all centres within that specific classification. Hayes is identified as a District Centre in the ‘medium’ growth potential category (along with the majority (90%) of town centres).

c) Local policy guidance

- 4.20 The application site is not allocated for any specific land use in either the adopted UDP or Local Plan. The site falls within the Hayes Town Centre boundary in the



UDP. The site is also within the Hayes/West Drayton Corridor which forms part of the Hillingdon Heathrow Opportunity Area.

i) Hillingdon Local Plan: Part 1 Strategic Policies (Adopted Nov 2012)

- 4.21 Part 1 of Hillingdon's Local Plan was adopted in November 2012 and contains the planning visions and strategies for the Borough.
- 4.22 The Strategic Objectives of the Plan include **Policy SO16** which seeks to manage appropriate growth, viability and regeneration of town and neighbourhood centres.
- 4.23 **Policy E5** Town and Local Centres states that the Council will accommodate additional retail growth in established centres, in accordance with the conclusions of the latest evidence base. If appropriate, specific locations for growth in convenience goods will be determined through the production of the Hillingdon Local Plan: Part 2- Site Specific Allocations Local Development Document. Planning decisions will be taken in accordance with the provisions of national guidance, particularly the sequential and impact tests. The policy also seeks to ensure an appropriate level of parking provision is provided for accessibility to local services and amenities.
- 4.24 The site falls within the Hayes and West Drayton Corridor which is identified as a key location for employment growth in the Heathrow Opportunity Area. The Local Plan identifies the importance of Crossrail to Hayes. Crossrail will provide a direct link from Maidenhead to the City, east London, Essex and Kent, travelling through the southern part of Hillingdon on the route of the existing Paddington line. Two existing stations (Hayes and West Drayton) will be upgraded as part of the Crossrail works. It is envisaged that these works will take place during the period 2015/ 2016. The improved Crossrail stations will provide the catalyst for the regeneration of Hayes and West Drayton and will bring extra travellers through these stations who will need to travel to and from their original destination by feeder mode.
- 4.25 The enhanced stations will act as a driver for market-led investment in Hayes, maximise regeneration and growth opportunities, create new jobs, and generate increased footfall within the town centres which will support their retail and leisure functions and development of a night time economy. Redevelopment of the station area has already commenced and includes the provision of a new Tesco store.



- 4.26 **Policy BE1** Built Environment requires all new development to achieve a high quality design which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place and improve areas of poorer environmental quality, including within the areas of relative disadvantage such as Hayes. The proposed development builds upon the high quality design set by recent regeneration projects in the immediate area including the new leisure centre.
- ii) Hillingdon Local Plan: Part 2
- 4.27 The Proposed Submission Version of the Development Management Policies, Site Allocations and Designations and Policies Maps were subject to six week's public consultation in September 2014. On 19 March 2015, Cabinet approval was given to undertake further consultation on Proposed Changes to the Local Plan Part 2 documents that have resulted from the publication process. This further consultation is expected later this year.
- 4.28 Given the early stage of preparation, very limited weight can be attached to policies contained within the Part 2 documents. However, it is relevant to note that the application site is not identified for any specific purpose in the emerging Site Allocations and Designations document.
- 4.29 It is also relevant that Policy DMTC 1: Town Centre Developments support 'main town centre uses' where the development is consistent with the scale and function of the centre and consistent with other policies of the Local Plan. Maximum car parking standards are set out in Appendix A and reflect standards contained within the London Plan.
- iii) Hillingdon Unitary Development Plan (1998)
- 4.30 A number of policies have been saved in the Hillingdon UDP. The UDP defines the boundary of Hayes Town Centre as well as the Primary and Secondary Shopping Areas within the boundary.
- 4.31 Several design related policies have been saved within the UDP. **Policy BE13** seeks for the layout and appearance of the development to harmonise with the existing street scene and features of the area. **Policy OE1** prohibits proposals that are to the detriment of the character and appearance of the surrounding properties or area.



- 4.32 Policies specifically relating to transport are discussed in the Transport Assessment submitted in support of this application.

d) **Other relevant documents**

i) Retail Studies

- 4.33 Scott Wilson were commissioned by the Council to carry out a Retail Assessment for the Borough in 2006 (London Borough of Hillingdon Town Centre and Retail Study 2006), to consider its requirements for new retail floorspace to inform the production of its LDF. The assessment was updated by Strategic Perspectives in 2012 (Convenience Goods Retail Study Update). The findings of these assessments are discussed in the following section of this report.



SECTION 5: ASSESSMENT OF RETAIL PLANNING ISSUES

a) Introduction

- 5.1 The principle of the development has already been established through the approval of planning permission reference 1942/2013/3565. On the basis that the size of the net sales area is only increasing marginally by 282sq m, the current application proposal is acceptable in retail planning policy terms. However, for the sake of clarity and completeness, the retail policy issues are assessed below.
- 5.2 Whilst the application site is situated in the defined town centre boundary of Hayes, it is not situated within the defined shopping frontage and is approximately 100 metres from the Primary Retail Area. Accordingly, in strict policy terms, the site occupies an edge of centre location and is assessed as such below.

b) Existing retail context

- 5.3 This section examines the role and current 'health' of Hayes Town Centre in order to provide a context from which to assess the impact of the retail proposal on the vitality and viability of the town centre.

i) Hayes Town Centre

- 5.4 The principle centre in LB of Hillingdon is Uxbridge, which is defined as a Metropolitan Centre. Hayes Town Centre is identified as a Minor Town Centre in the adopted UDP. Hayes is defined as a District Centre in the London Plan and this designation is carried forward into Hillingdon's adopted Local Plan.
- 5.5 Hayes Town Centre comprises approximately 200 retail units, providing a gross retail floorspace of 30,900 sq m. The Primary Shopping Area is located on Station Road and Coldharbour Lane.
- 5.6 The Hillingdon Local Plan identifies future growth opportunities for Hayes. There has already been significant developer interest in Hayes with major new investment at London Gate (Blyth Road), Hyde Park (Millington Road) and Ballymore's High Point development. The introduction of Crossrail will create further regeneration opportunities through an improved transport interchange.



ii) Existing convenience provision

5.7 Hayes Town Centre is heavily reliant on comparison shopping, but has few national multiple retailers and no large anchor food store. The town centre also has a high proportion of private, low-end operators and a high proportion of service providers. Existing convenience provision is limited and primarily consists of independent, specialist and/or ethnic shops. The only national multiple convenience retailers are:

- **Iceland** – 25/37 Station Road
- **Tesco Express** – Station Road
- **Costcutter** – 10 Coldharbour Lane

5.8 The Convenience Goods Retail Study Update prepared by Strategic Perspectives on behalf of the Council in 2012 indicates that some 94% of main food shopping expenditure available to Hayes is lost to out-of-centre destinations, with 69% taken by three dominant stores. These are the Tesco Extra at Bulls Bridge (43%), the Tesco Extra at Glencoe Road (10%) and a Sainsbury's foodstore at Lombardy Retail Park (16%). The Strategic Perspectives Retail Study (2012) notes that;

'the results of the 2011 HTIS [household survey] show that Hayes retains approximately 2.5% of convenience expenditure within its primary catchment area, almost none from the secondary area, but approximately 1.9% from the OCA. The majority of this is accounted for by secondary and top up food shopping. Less than 1% of respondents within any of the catchment areas identified Hayes as the location where they undertake their main food shop. The local, specialist and independent shops in the town centre play an important role in retaining convenience expenditure locally, both within the SCA and the wider OCA.'

5.9 The Study also notes that:

'there may be a qualitative argument for provision of an additional store to provide facilities for a main food shop. However, this would need to complement rather than compete with current specialist offer in the town centre'.



iii) Other commitments

- 5.10 Despite the existence of a number of supermarkets outside Hayes town centre, there is continued pressure on the centre from new out of centre proposals and commitments.
- 5.11 Most notably, a new Asda store was permitted at appeal on 15 November 2012 (app ref: 32157/APP/2011/872). British Steel Pension Fund and Asda Stores Ltd secured planning permission for a mixed use development including a new 7,998 sq m gross (4,111 sq m net) foodstore with 420 car parking spaces and a petrol filling station at Westlands Estate, Millington Road, Hayes. The new store opened on 6 July 2015.
- 5.12 In addition, planning permission for an Asda foodstore (8,539 sq m), an 11 screen cinema and five restaurants on the former Arla Food Depot, Victoria Road, Ruislip (App Ref: 66819/APP/2013/1467) was granted by Hillingdon Council on 24 December 2014. (The application is currently subject to a Judicial Review)
- 5.13 The above applications clearly demonstrate the continued pressure Hayes town centre faces from out of centre convenience proposals and therefore underlines the need to ensure that the town centre remains competitive.

iv) Summary

- 5.14 Hillingdon Council previously drafted The Southern Hillingdon Area Action Plan (SHAAP) as part of their Local Development Framework. In December 2008, the Council decided not to pursue it as a separate document. As such, it no longer forms part of the Local Development Framework. Notwithstanding this, the SHAAP includes a useful summary of the Council's assessment of Hayes which states that:
- Hayes Town Centre has only limited car capacity and parking. Access to the town is restricted with no direct north south route through the town. As a result these factors deter people from coming to the town centre;
 - Many of the retail units in Hayes Town do not meet the needs of modern retailers and due to the fragmentation of property ownership, it makes it difficult to redevelop sites;



- Although the centre has a loyal population, the retail offer and limited offer of other town centre uses tends to detract customers from Hayes Town as they are attracted to more vibrant locations which have a stronger retail and leisure offer.

5.15 In summary, whilst Hayes remains relatively vibrant, it is inhibited by a limited retail offer and experiences continued pressure from new and existing out of centre convenience provision. An anchor foodstore in the town centre would clearly assist Hayes in fulfilling its role as a District Centre. In assessing the approved scheme, the planning officer concluded in the committee report that the development will have *‘a positive impact on the vitality and viability of Hayes Town Centre, enhancing its roles as a District Centre’*.

c) **Application of the sequential approach**

5.16 The application site is located within the defined Hayes Town Centre boundary. However, the site is not situated within the defined shopping frontage and is approximately 100m from the Primary Shopping Frontage. The NPPF defines ‘edge of centre’ as *‘a location that is well connected and up to 300 metres from the primary shopping area’*. The site is therefore situated in an edge of centre location and is assessed as such in strict policy terms.

5.17 NPPF requires the sequential test to be applied to retail proposals on edge of centre sites. Paragraph 24 states that:

“Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale”.

5.18 Lidl has identified a requirement for a new foodstore in Hayes. There are currently no deep discount operators in the town and the new store seeks to address this qualitative deficiency in the existing retail offer. As such, our assessment of potential sites has extended to potential sites within Hayes Town Centre only (i.e. the defined primary and secondary frontages). It is not considered appropriate to look for



alternative sites in any other defined centres given the need for the new store in Hayes and the limited catchment a deep discounter such as Lidl typically serves (A deep discount foodstore will typically serve 'neighbourhood' catchments usually extending to no more than 5 minute drive time).

- 5.19 In seeking to identify potential town centre sites, reference is taken from the recent Asda decision (**Appendix 1**). The permitted Asda store will occupy an out of centre site, as the site is some 325m outside of the defined town centre boundary and 650m from the primary shopping area (7 to 8 minutes walk). As such, the appellant was required to undertake a sequential assessment. The assessment examined ten alternative town centre and edge of centre sites and concluded that none of these sites would be better able to accommodate the proposed development. The Council accepted the findings of this assessment and it has therefore been used to inform the sequential assessment in respect of this application.
- 5.20 The majority of the ten sites identified are in edge of centre locations which, given the excellent connections between the application site and town centre, are not considered sequentially preferable. Only one site, referred to as the Western Core, Hayes Town Centre is located in the Primary Shopping Area and can therefore reasonably be considered sequentially preferable. However, it has previously been accepted by the Council that this site is not suitable to accommodate the proposed Asda store. Notwithstanding this, the site has been reassessed as part of the current application to consider its suitability for the proposed Lidl.
- 5.21 The Western Core Area is identified in the adopted UDP (1998) as a potential development site. The UDP Policy PR2 states:

Redevelopment of the northern part of the west side of station road, hayes, as shown on the proposals map, for retail or mixed development comprising retail with office and residential uses at first floor level, will be considered acceptable in principle subject to:

(i) provision of adequate parking and rear servicing;

(ii) removal of non-conforming uses;

(iii) improved servicing facilities to existing retail premises; and

(iv) high quality landscaping, where appropriate, around the periphery of the site.



- 5.22 The site is also identified under Policy SA11 of the emerging Site Allocation and Designations document as suitable for mixed use development comprising retail units at ground floor with 60 residential units above.
- 5.23 The site is currently occupied by a number of small retail units, but the Post Office at the southern end of the site is a large unit which is currently vacant.
- 5.24 The site is not considered suitable for the proposed Lidl. As previously mentioned, Lidl's business model requires a minimum size of store for trading operations to be viable and this has been confirmed at a number of planning appeals (including decisions in Oxford and the London Borough of Merton). In these decisions it has been agreed that the minimum size of site for Lidl's business model would be 0.48ha with a minimum store sales area of around 1,300 sq m. In order to demonstrate flexibility, the Western Core site is considered based on the above requirements which are considerably below those proposed in the current application or indeed the approved scheme.
- 5.25 Even allowing for flexibility, the site is not considered suitable for accommodating the proposed Lidl. The site is highly constrained in terms of its size and location. As concluded in the Asda assessment, the site better lends itself to traditional high street retailers and is not considered suitable for a stand alone supermarket. In addition, there is limited capacity to accommodate the 146 car parking spaces proposed to serve the store and to allow for access by service vehicles.
- 5.26 At the time of visiting, the Post Office is currently vacant but all other units are fully occupied and there is no indication that any of the businesses are due to relocate. Accordingly, this site is not available for Lidl. Furthermore, it is understood that the site is within multiple ownerships and there is no evidence that the individual plots could be amalgamated to enable the delivery of a foodstore. In any event such a site would be difficult and expensive to acquire and ultimately this would render the site unviable for a deep discount supermarket.
- 5.27 The National Planning Practice Guidance (2013) advises that '*As promoting new development on town centre locations can be more expensive and complicated than building elsewhere local planning authorities need to be realistic and flexible in terms of their expectations*'.



5.28 In conclusion, the Western Core Area is not considered suitable, available or viable to accommodate the proposed Lidl. No other potential sequentially preferable sites to the application site have been identified.

5.29 The same approach as set out above was taken in applying the sequential test in respect of the approved scheme. In assessing the approved scheme, officers concluded that *'there are no preferable sites following the sequential approach to site selection'*. In our view, there are no material changes since planning permission was granted in September 2014, which should alter this conclusion.

d) **Assessment of impact**

5.30 This section assesses the retail impact of the application proposal having regard to paragraphs 26 and 27 of NPPF and Policy E5 of Hillingdon's Local Plan.

5.31 The NPPF confirms that an assessment of impact should include:

- **the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and**
- **the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.**

5.32 The National Planning Practice Guidance confirms that *'the impact test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible'*.

i) **Impact on existing investment in Hayes Town Centre**

5.33 As identified in Strategic Perspectives Retail Study, existing convenience provision in Hayes Town Centre is limited and primarily consists of independent, specialist and/or ethnic shops. Our review of the town centre confirms that this is still a true reflection of the current situation in Hayes. As discussed in this report, the proposed Lidl is likely to have a *positive* impact on these existing retailers for the following reasons:



- The Lidl store will act as a much needed anchor to Hayes Town Centre providing additional consumer choice and increasing the overall attraction of the centre.
- As a 'deep discount' retailer, Lidl will not directly compete with the existing specialist town centre retailers. Lidl does not provide a specific fresh meat, fish or deli counters and there will be no concessions within the store such as post office, dry cleaners etc. The opening hours are limited. The store will therefore *complement* existing retailers and boost trade through increased footfall.
- The site is within the town centre boundary with real potential for linked trips. The site is less than a two minute walk from the Primary Shopping Area via a pleasant pedestrian route which will be enhanced by two pedestrian walkways within the site.
- The proposal will provide an additional 146 parking spaces within the town centre.
- The proposal represents a significant investment in Hayes creating 40 new jobs. The new store may also improve investor confidence and attract new retailers.

ii) Impact on committed/planned investment

5.34 No planned investment/commitments which the application would have an impact on have been identified. Furthermore, no site specific proposals are identified through the LDF proposal which the Lidl store would prejudice. In our view, the proposed Lidl store would serve to enhance Hayes centre and provide adequate convenience facilities for the potential growth of Hayes as a result of the planned station upgrade associated with the Crossrail development. The Lidl would also assist in strengthening Hayes against the threat from planned and proposed investment outside the centre and in other nearby centres.

5.35 In respect of the permitted Asda scheme, the site is located in an out-of-centre position, some 325m south-east of Hayes Town Centre and approximately 650m



from the Primary Shopping Frontage. The NPPF does not therefore require an assessment of the impact of the proposed Lidl on this out of centre commitment.

- 5.36 Notwithstanding this, in determining the appeal, the Inspector concluded that the Asda store would give rise to a sufficient level of linked-trips to bring significant benefits to the town centre. The appeal decision notes that:

“[Comparisons from other Asda stores] has led the appellants to conclude that between 15% and 30% of shopping trips to the proposed ASDA store could result in a linked trip to the town centre, suggesting a positive net change to the Hayes Town Centre turnover of between £0.5 million and £2.5 million per annum. Such predicted increases in turnover, which were not challenged by the Council, would provide a clear benefit and boost to the town’s vitality and viability.

Furthermore, it is of note that the proposed ASDA store would be likely to attract its custom from other stores of similar size and character and would therefore be unlikely to have any direct impact on any of the stores within Hayes Town Centre”

- 5.37 The Inspectors findings are relevant to this application in two respects. Firstly, the Inspector concluded that the 7 to 8 minute walk between the appeal site and the existing town centre and primary shopping frontage is not ‘insignificant’ but would nevertheless give rise to a sufficient level of linked trips. In contrast, the Lidl site is less than a two minute walk from the town centre. Therefore, as asserted in this report, it stands to reason that the proposed Lidl would facilitate, at the very least, a similar proportion of linked trips.
- 5.38 Secondly, the Inspector’s findings indicate that the Lidl store would not have a significant impact on the Asda development which would attract its custom from other stores of similar size and character. As detailed previously, Lidl has very different trading characteristics from a mainstream supermarket such as Asda and will not directly compete. This is further confirmed by the findings of the Competition Commission’s report which confirm that Lidl provides a different offer from the main food retailers. The report states that *deep-discounters, such as Lidl, do not impact to any significant degree upon larger food retailers* (para 4.7.1, table 4.5). The proposed Lidl would therefore not prejudice the permitted Asda store coming forward.



iii) Improved consumer choice

- 5.39 As mentioned, Hayes Town Centre lacks an anchor foodstore and is largely characterised by independent specialist and ethnic food retailers. It is recognised that the permitted Asda will improve consumer choice but the store is in an out of centre location and duplicates existing mainstream supermarket provision. The proposed Lidl store will provide a true town centre anchor and introduce a deep discount supermarket to Hayes which will enhance consumer choice and the overall vitality of the centre.

iv) Improved Town Centre parking

- 5.40 National Planning Practice Guide requires LPAs to adopt a 'town centre first' approach. LPAs are encouraged to develop Town Centre Strategies through the Local Plan this positive approach should include seeking to improve the quality of parking in town centres (in line with the National Planning Policy Framework) and, where it is necessary to ensure the vitality of town centres, the quantity too.
- 5.41 Although the parking provision provided as part of the approved scheme was considered acceptable in planning terms, concerns were raised during the consultation process that the 62 spaces proposed were insufficient (see paragraph 7.19 of the officer's report to committee). By redeveloping the whole of the former swimming pool site, the current proposal is able to accommodate 146 spaces, significantly more than the approved scheme.
- 5.42 The proposed level of parking is considered appropriate to meet the parking demands of the new foodstore and also support the wider town centre. At present, Hayes town centre has only limited car parking and the provision of these spaces, which will be located within two minutes walk from the Primary Shopping Area, offers a unique opportunity to enhance the quantity and quality of parking in the town. Given that the potential for linked trips between the application site and town centre has been established, the provision of additional parking in this location will support the vitality and viability of Hayes town centre.
- 5.43 Importantly, the maximum London Plan standards for a store of the size currently proposed (2,717 sq m GIA) with a PTAL of 2 – 4 is between 108 – 151 spaces. As such, the proposed 146 spaces fall comfortably within the London Plan standards. This standard is reflects in the emerging Part 2 Local Plan.



- 5.44 It is also relevant to note that of the 146 spaces proposed, only 92 are standard spaces. Of the remaining spaces, 14 are to be allocated as disabled spaces, 7 brown badge spaces and 5 parent and child spaces. In addition, 28 electric charging points are to be provided (14 Active and 14 Passive). This represents a significant increase in the number of specially allocated parking spaces when compared to the approved scheme.

e) Summary

- 5.45 Overall, the proposal is considered to fully satisfy the requirements of national, regional and local policy in retail terms. The development satisfies the sequential test and will have a positive impact on the vitality and viability of Hayes Town Centre enhancing its role as a District Centre.
- 5.46 The principle of the development has already been established through the approval of planning permission reference 1942/2013/3565. On the basis that the size of the net sales area is only increasing marginally by 282sq m, the current application proposal remains acceptable in retail planning policy terms.
- 5.47 The provision of 146 parking spaces fully accords with maximum standards set out in the London Plan. The additional parking is also considered to benefit Hayes town centre given the established potential for linked trips.



SECTION 6: ASSESSMENT OF OTHER PLANNING ISSUES

6.1 The recent approval has acknowledged the benefits arising from the accommodation of a new Lidl store on this site and concluded that the proposal was acceptable in terms of all relevant planning policy criteria. Notwithstanding this, the following paragraphs address the other material considerations that will need to be taken into account in the assessment of the application.

a) Principle of development

i) Loss of leisure facility

6.2 The site is currently vacant. Notwithstanding this, it was last in use as a public swimming pool. Policy R5 of the UDP states that the LPA will not grant permission for proposals which involve the loss of indoor sports and leisure facilities unless adequate, alternative facilities are available. The Botwell Green Sport and Leisure Complex opened in 2010 on the opposite side of Central Avenue. The new modern leisure facility, which includes a 25m swimming pool, provides a replacement for the former swimming pool in accordance with Policy R5. This principle was accepted in granting the residential permission.

ii) Potential loss of housing

6.3 As discussed, the site benefits from an extant planning permission for the provision of 72 residential units (ref. 1942/APP/2010/31), granted in December 2012. It is recognised that by allowing the previous application, that this quantum of units will not be built out. There are however, a number of reasons why the benefits associated with the proposed development outweigh the potential loss of housing on this site:

1. The site was marketed with the benefit of the residential permission for a number of months without success. The permitted residential scheme has therefore proved to be economically unviable and is unlikely to be implemented.
2. The Council's '5 Year Supply of Deliverable Housing Sites 2014/2015 – 2019/2020' published in March 2015 shows that *'the Council has identified a healthy supply of specific deliverable sites that have the capacity to deliver*



2,781 net additional dwellings over the next 5 years. This represents 153% of the minimum 5 year supply target (1,810 dwellings) or a surplus of 1,061 residential dwellings against the target'. As such, even without the permitted 72 residential units on the application site, which in any event are unlikely to come forward, the Borough comfortably exceeds the minimum 5 year supply target.

3. Whilst the residential scheme was permitted, it attracted a number of objections from local residents, Hayes Town Business Forum, Hayes Town Partnership and John McDonnell MP. Many of the issues raised questioned the need for the number of residential units proposed and included concerns regarding the impact on existing infrastructure such as schools and services and the lack of car parking facilities in the town centre. The proposed Lidl would not generate the same concerns. Moreover, the store would provide an additional facility on the edge of the town centre with 146 new car parking spaces.

iii) Regeneration benefits

- 6.4 In addition to the issues discussed above, the major regeneration benefits associated with the current application are a material consideration in determining the acceptability of the proposed development. The proposed Lidl will bring this strategic edge of centre site back into active use having remained vacant for a number of years. The store will act as an anchor to Hayes Town Centre improving its viability through linked trips and increased footfall. The provision of a strong town centre is key to realising Haye's regeneration potential identified in the Local Plan. The store will also provide approximately 30 new jobs for local people and is likely to improve investor confidence and may attract new retailers.

b) Comprehensive Redevelopment

- 6.5 Unlike the scheme approved in September 2014, which related to the eastern part of the former swimming pool site only, the current application incorporates the whole site. Lidl had previously envisaged selling the western part of the site to allow it to be redeveloped for other land uses. However, Lidl have since taken the decision to redevelop the full site to allow improvements to be made to the layout of the development. By redeveloping the full site for retail use, any concerns relating to the piecemeal redevelopment of the site are removed.



- 6.6 It has also been demonstrated by the lack of interest from developers in the Council's own residential permission, that a pure housing scheme on the whole site is not financially viable.

c) **Design**

- 6.7 As noted by the Urban Design Officer in respect of the permitted residential scheme:

‘...the site is prominently located in the Hayes town centre, opposite Botwell Green, and benefits from an attractive setting including tree avenues along Central Avenue, valuable shrubs and mature trees along Botwell Lane in addition to the existing parkland with extensive lawns and groups of attractive trees surrounding the existing building. The site is visually important given the central and strategic location opposite the new Sports Centre, situated a few minutes walk from the town centre’.

- 6.8 The importance of this site to Hayes and the attractiveness of its setting is recognised and has been responded to in the design of the proposed development. Incorporating the full site (rather than just the eastern part as per the approved scheme) has allowed some key improvements to be made to the layout of the proposal including:

- The relocation of the vehicular access point from Central Avenue to Church Road
- The relocation of the store to the eastern boundary of the site;
- A slight increase in the sales area of the foodstore from 1,407 sq m to 1,689 sq m;
- The accommodation of additional car parking and cycle parking; and
- The provision of a more substantial dedicated pedestrian route to the south of the store.

- 6.9 In addition, whilst the design of the building itself remains largely the same as that of the approved scheme, the above changes to the scheme's layout have allowed the store's entrance to be relocated to the south-western corner of the building facing onto the pedestrian walkway. The entrance to the store, and indeed the south elevation, have been redesigned to include additional double-height glazing to



enhance the building's appearance and its relationship with the dedicated pedestrian area.

- 6.10 The Design and Access Statement includes further details on the proposed design
- 6.11 In assessing the permitted residential scheme, officers concluded that given the distance and screening from the mature trees, the proposal would have a negligible impact on the character and appearance of the Hayes Village Conservation Area and the Grade II listed Botwell House. The same conclusions are drawn in this instance.

d) Amenity

- 6.12 It is recognised that there are a number of existing residential properties to the north of the site at Holmbury Gardens and as such, the store has been designed to protect the residential amenities of these properties. The current scheme proposes to retain the store and service yard in a similar location to the approved scheme in order to protect residential amenity. The western part of the site, closest to the Holmbury Gardens properties, is deliberately used for customer car parking to minimise any impact on nearby properties.
- 6.13 It is also relevant that the application site is a brownfield site which has been in commercial use for many years (previously as a public swimming pool).

f) Transport

- 6.14 It is notable that in respect of the approved scheme, the Highway Officer concluded that *'the proposed foodstore is not considered to result in a significant traffic impact on the surrounding highway network'*.
- 6.15 The current application is supported by a Transport Assessment prepared by Gateway TSP. The Assessment has been carried out to specifically consider the transport implications of the current proposal taking into account the relatively small increase in gross floorspace, the new access arrangement and the increased level of parking provision. As per the approved scheme, the Assessment concludes that the proposed development is considered to be acceptable in transport terms and meets with local and national policy criteria. The assessment work undertaken has shown that there would not be any demonstrable harm arising from the proposed scheme and it will not cause any severe impacts. Therefore there are no traffic and transport related reasons why the development should not be granted planning consent.



- 6.16 A draft Travel Plan has also been prepared to promote sustainable travel modes to/from the site.

g) Sustainability

- 6.17 The application is supported by a Sustainability and Energy Statement prepared by Red Engineering Design which details the ways in which the proposal meets London Plan and local energy policy requirements. Overall, the proposal will achieve an improvement on Part L 2010 of 33.2% for regulated CO2 emissions with a much more significant CO2 saving anticipated for operational emissions.

h) Drainage and Flood Risk

- 6.18 The application is supported by a Foul Drainage Statement prepared by Peter Brett Associates. The Statement concludes that the preferred option for the disposal of foul water generated by the site would be to connect to the public sewer.
- 6.19 A Flood Risk Assessment also accompanies the application. The EA's Indicative Flood Zone Map shows the site to lie within Flood Zone 1. This is classified by the NPPF as being at a 'Low' risk of fluvial flooding from Main Rivers, with an annual probability of flooding of less than 0.1%. As the proposed development would consist of the construction of a retail establishment it would be classified by the NPPF as a 'Less Vulnerable' and is deemed an acceptable use of land within Flood Zone 1. A surface water management strategy is proposed in the assessment in order to avoid an increase in flood risk elsewhere.

i) Arboricultural Impacts

- 6.20 An Arboricultural Impact Assessment Report has been prepared by Landmark Trees in support of the application. Overall, it is concluded that the site has potential for development without impacting significantly on the wider tree population or local landscape.

j) Air Quality Management

- 6.21 The application site is located within an Air Quality Management Area due to high levels of nitrogen dioxide (NO2) attributable to road traffic emissions. The planning application is supported by an Air Quality Assessment which considered dust effects during the construction phase and the air quality effects due to the operation of the



proposed development. In addition, the suitability of the proposed development site for its intended use in the context of air quality is also considered. Overall, the assessment concludes that the proposed development does not conflict with national or local policies, or with measures set out in LBH's Unitary Development Plan. As such, there are no constraints to the development in the context of air quality.

k) Noise

- 6.22 Acoustic Consultants Ltd have undertaken an assessment of the noise arising from operations associated with the proposed Lidl store. A noise survey was undertaken to determine the existing baseline noise climate and a modelling exercise was undertaken to determine the plant and delivery operation equivalent noise levels at the façade of the nearby noise sensitive receivers. The Assessment concludes that the proposed plant, servicing operation and car park activities is considered acceptable in terms of noise emission to the dwellings in the vicinity.

l) The Mayor of London's CIL

- 6.23 The Mayor's CIL charging schedule was agreed on 29 February 2012, and applies to all developments approved on or after 1 April 2012, which result in an increase in the gross internal floorspace of 100sqm or more. The Mayor's CIL therefore applies in the case of the current application and the liability payable is £35 per square metre.
- 6.24 A completed CIL payment form accompanies this application.

m) Hillingdon's CIL

- 6.25 Hillingdon Council adopted its CIL Charging Schedule in July 2014.
- 6.26 The plan attached at Appendix B of the Charging Schedule shows that the application site is situated within the defined town centre boundary of Hayes. Accordingly, in line with Table 3.1 of the document, the proposed development would not be liable for the Borough CIL.

n) Summary

- 6.27 Overall, as per the previously approved scheme, the proposed development is considered to accord with relevant national, regional and local policies in terms of land use and design. The proposal is also considered acceptable in respect of other development control issues and is supported by relevant technical assessments.



SECTION 7: CONCLUSIONS

- 7.1 This Planning Statement has been prepared in support of a revised planning application submitted by Lidl UK GmbH for a new foodstore of 2,824 sq m (GEA) on Botwell Lane, Hayes.
- 7.2 Planning permission reference 1942/APP/2010/31 has established the principle of a foodstore on this site. The approved scheme relates to the eastern part of the former swimming pool site. At the time the previous scheme was approved, Lidl had acquired the western part of the site and intended to sell the land for residential development. However, since planning permission was granted, Lidl have taken the decision to redevelop the full site to accommodate the proposed foodstore.
- 7.3 The utilisation of the full site allows the following key improvements to be made to the current proposal:
- The relocation of the store to the eastern boundary of the site;
 - A slight increase in the sales area of the foodstore from 1,407 sq m to 1,689 sq m;
 - An enhanced shopping environment for customers through an improved store layout, including the provision of wider aisles;
 - An increase in car parking spaces from 62 to 146;
 - The relocation of the vehicular access point from Central Avenue to Church Road; and
 - The provision of a more substantial dedicated pedestrian route to the south of the store.
- 7.4 On the basis that the size of the net sales area is only increasing marginally by 282sq m, the current application proposal remains acceptable in retail planning policy terms. The provision of 146 parking spaces fully accords with maximum standards set out in the London Plan and, as discussed above, the additional parking in this location, two minutes walk from the Primary Shopping Area, is considered to benefit Hayes town centre given the established potential for linked trips.



- 7.5 Overall, the proposed development is considered to fully accord with relevant national, regional and local policy. As per the approved scheme, the current application is considered to have '*a positive impact on the vitality and viability of Hayes Town Centre, enhancing its roles as a District Centre*'.

