



Technical consultation on planning

Response by ACS (the Association of Convenience Stores)

ACS (Association of Convenience Stores) welcomes the opportunity to respond to the Technical consultation on planning. ACS represents 33,500 local shops across the country including the Co-operative Group, Spar UK, Nisa Retail, Costcutter Supermarkets and thousands of independent retailers. ACS supports the Government's proposals to simplify national planning and to establish communities as the ultimate decision makers in local planning policy.

ACS' focus during the Government's review of the planning system has been to ensure that the Town Centre First policy is promoted effectively in the National Policy Planning Framework. ACS is also a member of the Government's Future High Streets Forum and the Chair's Task and Finish Group, leading on policy development.

ACS has responded to the relevant sections below:

Neighbourhood planning

Local businesses and communities are able to shape their neighbourhoods and to influence the planning system through neighbourhood plans. In order for local businesses, communities and councils to understand how neighbourhood planning can be used effectively, ACS has produced a [guide](#) setting out practical guidance.

Communities should be able to shape the development of their neighbourhoods. However, we believe that the Government has a role to play in promoting town centres, including secondary and tertiary high streets which may fall into neighbourhood boundaries. Enforcing the National Planning Policy Framework on town centre first planning effectively is vital to create diverse high streets that support job growth and investment into communities.

Question 1.8: Do you agree that regulations should require those preparing a neighbourhood plan proposal to consult the owners of sites they consider may be affected by the neighbourhood plan as part of the site assessment process?

ACS agrees that those preparing a neighbourhood plan should consult the owners of sites they consider may be affected. This would ensure retailers' involvement in developing neighbourhood plans and ensuring that specific sites are not allocated in such a way that negatively affects convenience stores.

Reducing planning regulations to support housing, high streets and growth

ACS believes that a strong town centre first policy is necessary in supporting a mixed and vibrant high street that is at the heart of local communities. We support the Government's commitment to 'Town Centre First' planning and ensuring local authorities retain the necessary powers to protect businesses.

Question 2.8: Do you agree that the shops (A1) use class should be broadened to incorporate the majority of uses currently within the financial and professional services (A2) use class?

Question 2.11: Do you agree that there should be permitted development rights for A1 and A2 premises to change use to restaurants and cafés (A3)?

Question 2.12: Do you agree that there should be permitted development rights for A1 and A2 uses to change use to assembly and leisure (D2)?

ACS supports greater flexibility in the use class order system and finding other uses for unused retail premises. The [report](#) 'High Street Performance and Evolution' notes that the leisure aspect of shopping trips significantly drives footfall, with high streets that include a range of leisure services, cafés and restaurants increasing the average time and spend in town centres. Many of ACS' members have converted part of their stores into seated café areas, highlighting that convenience stores are responding to their local communities' needs.

However, we believe a plan led approach is vital in order to deliver flexibility in use classes wherever possible. Allowing local shops to convert to restaurants, cafés, assembly and leisure spaces or financial and professional services that are otherwise well used by customers would be significantly damaging to retailers.

We would therefore welcome clarification on how a retail premises would be defined as being a 'local service' and what safeguards would be provided when allowing A1 to A3 conversion so as to not negatively affect successful convenience stores and the surrounding shopping area.

Question 2.13: Do you agree that there should be a permitted development right for an ancillary building within the curtilage of an existing shop?

Question 2.14: Do you agree that there should be a permitted development right to extend loading bays for existing shops?

ACS supports allowing retailers to use their parking facilities more effectively. However, most convenience stores are small; 91% are less than 2,000 square feet in size¹. Many are based in high streets and suburban parades where parking is shared between a number of shops, and therefore these shops would not benefit from being able to construct an ancillary building.

Extending loading bays for shops to allow for more storage of click and collect goods would benefit retailers who provide these services. Many convenience stores offer services which allow customers to collect parcels and other packages, consequently helping to drive footfall in stores.

Question 2.16: Do you agree that parking policy should be strengthened to tackle on-street parking problems by restricting powers to set maximum parking standards?

Adequate parking facilities are vital to the success of convenience stores. 39% of customers drive to stores², meaning that over a third of the sector's trade is dependent on accessibility by car. Parking space in town centres is also crucial to drive footfall and ACS has previously recommended that parking policy must be dealt with as part of the wider transport strategy in relation to high streets.

Tackling on-street parking problems is important for retailers with free, but time restricted, parking bays outside their stores. Retailers wish to avoid these bays being used for long periods of time when they are intended for short purchases in store.

It is vital that local authorities ensure Local Plans are reviewed to update parking policies. However, 79% of local authorities have a published Local Plan in place and only 13% of local authorities have a NPPF compliant up-to-date adopted Plan³. ACS believes that steps should be taken to ensure that local authorities have Local Plans that comply with the NPPF and consequently that parking policies are brought up to date.

ACS believes that parking policies should be strengthened and set at a national level in order to ensure that parking standards do not vary greatly between local authorities. It is often the case that local authorities do not consider the impact that parking restrictions have on convenience stores and their reliance on impulse trading from motorists. We support measures that create parking spaces in town centres

¹ ACS Local Shop Report 2014

² ACS Local Shop Report 2014

³ [Positive Preparations: A Review of Housing Targets and Local Plans: Nathaniel Lichfield & Partners – March 2014](#)

and previous actions taken to remove national planning restrictions on setting parking policies favour developments out-of-town, where parking is less restricted by the availability of space. We therefore support local authorities incorporating parking standards into their Local Plan where appropriate.

Question 2.19: Do you agree that the permitted development rights allowing larger extensions for shops, financial and professional services, offices, industrial and warehouse buildings should be made permanent?

It is important that the success of high streets and secondary parades is not undermined by permitting large stores to significantly increase floor space at the expense of smaller stores. However, the extension of a shop by up to 100 square metres would not allow larger stores to extensively expand and therefore ACS supports larger extension rights being made permanent.

Improving the use of planning conditions

ACS supports the Government's view that conditions that add unnecessary burdens to development should be removed. However, we do believe that this should only be the case for small format retail stores. Larger retail developments particularly impact upon local communities and town centres, and therefore details for approval should be fully scrutinised in a planning application process.

We would welcome further clarification on what applicants would benefit from being able to serve a deemed discharge on the local planning authority. ACS is keen to engage further in the on-going development of deemed discharges.

For further information on this submission please contact Sophie Mew at sophie.mew@acs.org.uk or call 01252 515001.