

Mr Simon Grundy  
Stockton-on-Tees Borough Council  
Planning Services  
Municipal Buildings  
Church Road  
Stockton on Tees  
TS18 1LD

**By Email:** [Simon.Grundy@stockton.gov.uk](mailto:Simon.Grundy@stockton.gov.uk)

24280/A3/DO  
21 December 2015

Dear Simon

**PROPOSED FOODSTORE, YARM ROAD, STOCKTON-ON-TEES, TS13 3RX  
PLANNING APPLICATION REF: 15/2447/FUL  
COMMENTS ON BEHALF OF LUNAR STOCKTON SARL AND M&M ASSET MANAGEMENT**

We write on behalf of our client, Lunar Stockton Sarl and M&M Asset Management, (M&M) which is the owner of Wellington Square Shopping Centre in Stockton-on-Tees town centre, to object to the proposed Lidl foodstore on Yarm Road.

The Wellington Square Shopping Centre opened in 2001 and has nearly 50 retail units, anchored by Lidl, Marks & Spencer, Debenhams as well as many other retail chain stores and national multiples.

M&M acquired the shopping centre as part of a portfolio of retail assets in March 2014 and since that time it has made a number of improvements to enhance the asset as well as seek to retain and attract retail tenants. It is a successful shopping centre, attracting customers from a wide catchment area, which helps to add to the vitality and viability of the whole Town Centre.

M&M has recently submitted a planning application to extend Unit 28 at Wellington Square to provide a larger foodstore (ref: 15/2932/OUT). The unit is currently occupied by Lidl and given that Lidl is seeking alternative sites, M&M's application proposals have been developed with Lidl's requirements in mind, matching the layout and store format as submitted as part of its Yarm Road proposal. M&M is keen to retain Lidl as a tenant and its planning application has been submitted to demonstrate how a larger foodstore could be provided in the town centre.

Against this background, we write to object to Lidl's Yarm Road proposal as M&M believes that the proposed scheme could be harmful to Stockton Town Centre. M&M's comments are as follows:

- Lidl has stated that it intends to retain its foodstore within Wellington Square as well as open a new store at Yarm Road, although M&M is concerned that this will not be the case.



Registered in England  
Number: OC342692

Barton Willmore LLP  
Registered Office:  
The Blade  
Abbey Square  
Reading  
RG1 3BE  
F/ +44 (0)118 943 0001

Lidl's lease at Wellington Square is due to expire in September 2016 and M&M has sought to contact Lidl, including serving the relevant notices, to prompt discussions to renew the lease. Lidl has not responded to M&M, which indicates that it does not wish to renew the lease for the Wellington Square unit. This is clearly of concern to M&M from both a landlord and town planning perspective, given that the amount of convenience offer in the town centre will decrease and the vacancy rate will increase. M&M has demonstrated that a larger format foodstore, preferably occupied by Lidl, can be provided in the town centre, which is the preferred location for new retail development in planning policy terms.

- The planning application at Yarm Road seeks permission for a 2,470 sqm foodstore with 150 car parking spaces in an out-of-centre location. M&M's proposal is to extend an existing Lidl town centre foodstore to provide a 2,415 sqm unit with 128 dedicated spaces. Whilst the overall floor area of the unit is slightly smaller, M&M has instructed its architects to design a unit to accommodate all of Lidl's requirements as shown on the drawings submitted with the Yarm Road planning application. In addition, M&M has reconfigured the multi-storey car park to the rear of the unit to allow for 128 dedicated car parking for visitors to the foodstore, allowing for the opportunity for customers to claim refunds for parking at the in store checkouts.
- Lidl's Yarm Road planning application is contrary to planning policy as it is in an out-of-centre location and it has not fully met the requirements of the Sequential Test. In Rapleys' accompanying Planning and Retail Statement, the existing Wellington Square site has not been considered as a sequential site. M&M has demonstrated that Lidl's requirement can be provided, with a minor degree of flexibility, on the town centre site and therefore the Yarm Road proposals fail the Sequential Test.
- The Wellington Square site proposes an extension to an existing foodstore within the Primary Shopping Frontage (PSF) of Stockton town centre, where both national and local planning policy states is the most appropriate location for such development. The unit is occupied by an existing foodstore operator and it is proposed to be extended into an adjacent vacant unit (24-26) and the service yard to the rear, maximising the efficiency of the land
- The adopted Core Strategy and the Saved Policies in the Local Plan recognise that the retail economy of Stockton town centre must be strengthened and its role expanded as a strong and attractive destination to preserve its status as a Town Centre. The Council should be fully committed to both maintaining and improving the role of the Primary and Secondary Shopping Frontage as the heart of retailing activity within the Town Centre.

In considering the above comments, M&M is clear that the right location for a new/extended Lidl foodstore in Stockton-on-Tees is in the town centre, which is consistent with local and national planning policy. Given that Lidl has not wished to enter into discussions to renew the lease on its Wellington Square unit, it is clear that it intends to close its town centre store and pursue the Yarm Road site. As M&M has demonstrated that a fit for purpose Lidl foodstore can be provided at Wellington Square, the Council should support M&M's proposal and refuse Lidl's out-of-centre scheme.

If you have any queries, please contact me at this office.

Yours sincerely



**BARTON WILLMORE**