

Proposed Lidl, Unit 1, George Richards Way, Altrincham

Appraisal of Retail and Town Centre Issues – Supplementary Report

on behalf of Trafford Council

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1.0 Introduction

Our Previous Advice and the Purpose of this Report

- 1.1 Trafford Council (hereafter referred to as 'the Council') has instructed Nexus Planning to provide retail planning advice in respect of planning application reference 98127/FUL/19. The application seeks planning permission for the extension, refurbishment, subdivision and reconfiguration of the existing Homebase store at Unit 1, George Richards Way at Altrincham Retail Park. We provided our initial advice in respect of the application proposal's compliance with retail and town centre planning policy in the form of our Appraisal of Retail and Town Centres Issues Report, issued in October 2019.
- 1.2 Our initial advice found that:
- based on the information submitted by the applicant, it is reasonable to approach the sequential test on the basis that the proposed foodstore use could be 'disaggregated' from the DIY store use, which is already in situ at the Retail Park;
 - the Altair site in Altrincham town centre appears to be both available within a reasonable timeframe and suitable to accommodate the foodstore use (allowing for appropriate flexibility); and
 - the submitted Retail Impact Assessment is flawed, such that we were unable to form a view in respect of the application proposal's compliance with both strands of the retail impact test.
- 1.3 In the above context, this Supplementary Report responds to further information subsequently provided by Rapleys in support of the application proposal. Rapleys' additional evidence is principally comprised of its supplementary Retail Impact Assessment response letter of 24 December 2019 and its supplementary Sequential Assessment 15 January 2020 (read together with subsequent clarification emails). In addition, Lidl wrote to the Council on 1 May 2020 to clarify its intention to trade from two stores in Altrincham (the application site and at the proposed Altair development), and we have also had sight of this letter in formulating our advice. We have also considered relevant third party representations.
- 1.4 The focus of this report is to provide additional commentary on the matters set out above at paragraph 1.2 and to provide the Council with recommendations in respect of retail and town centre planning policy to assist it in the determination of the application. As such, this response should be

read in conjunction with our original October 2019 Appraisal report, which provides an overview of policy of principal relevance and the broad manner in which the sequential and impact tests should be applied.

Structure of this Report

1.5 In the above context, our further advice is structured as follows:

- Section 2 provides our updated advice in respect of the sequential test, with particular reference to the matter of disaggregation and the availability and suitability of the Altair site;
- Section 3 consider the new evidence provided in respect of retail impact; and
- Section 4 summarises our overall conclusions in respect of the proposal's compliance with retail and town centre planning policy.

2.0 The NPPF Sequential Test

Rapleys' Additional Submission of 15 January 2020

2.1 Rapleys additional submission of January 2020 responds to Nexus Planning's October 2019 Appraisal report and also to representations made by Avison Young on behalf of Aldi. The principal issues relate to the matter of disaggregation, and the availability and suitability of the Altair site. We deal with each of these in turn below. Whilst we are aware that some relatively large units are currently available in Altrincham town centre, we are satisfied that none is suitable to accommodate a foodstore proposal of this nature, which will generally require some convenient car parking to service it¹.

The Principle of Disaggregation

2.2 In brief summary, our October 2019 Appraisal report found that:

- i) there is no explicit general default national planning policy requirement that necessitates a need for the disaggregation of constituent parts of a planning application for main town centre uses *in every case*, but that
- ii) the 'Stanway'² Secretary of State recovered appeal Inspector's report identified that there will be circumstances where disaggregation may be merited.

2.3 To be clear, it is not our view that the particular circumstances evident at Stanway apply in the case of this particular planning application. Indeed, it is readily apparent that they do not. Instead, Stanway is helpful in establishing *as a general point of principle* that there will be some circumstances where the determining authority may determine that it is appropriate to disaggregate a proposal when considering compliance with the sequential test. This will be dependent on the circumstances applicable to each particular case.

2.4 We are aware that this general principle has recently been tested in the courts in relation to a retail-led mixed-use planning application³ at an edge of centre site in Peterlee, Country Durham.

2.5 In the case at Peterlee, the grant of planning permission for the proposed development was the subject

¹ We are informed that the proposed Altair Lidl store would be served by basement car parking

² PINS reference APP/A1530/W/16/2147039

³ Local planning authority reference DM/18/03002/FPA

of a legal challenge by the owner of the adjacent town centre shopping mall, with one of the grounds being that the determining authority did not give proper consideration to the prospect of disaggregation of component uses in applying the sequential test.

2.6 In the High Court Judgment⁴ which considered the claimant's application for permission to proceed with its judicial review claim, HHJ Klein effectively finds at paragraph 23 that, whether or not disaggregation has a role in the application of the sequential test at Peterlee is a *matter of planning judgment*.

2.7 The position was subsequently tested in the Court of Appeal⁵, with Lewison LJ's Order identifying that the Officer's report for the Peterlee application:

'...set out two propositions (a) that there was no general requirement for disaggregation and (b) there was no persuasive argument for disaggregating the particular scheme. The first proposition was a correct summary of the policy. The second was an exercise of planning judgment.'

2.8 It would appear that Lewison LJ finds this to be an appropriate procedural approach. We append the High Court Judgment and Court of Appeal Order to this advice.

2.9 Our consideration of the Broadheath application proposal (as set out in our October 2019 report) is consistent with the above approach.

2.10 Our analysis similarly recognises that there is no general policy requirement which explicitly requires disaggregation, but, as a consequence of the prevailing circumstances, it is appropriate to consider whether the proposed foodstore could be disaggregated from the DIY use in practice. In this regard, we recognise that the DIY use is already trading on the site, albeit the application proposal provides for the existing unit's reconfiguration.

2.11 We reiterate that we have reached this view because the principal consequence of the application in land use terms is to support the introduction of the foodstore use.

2.12 Paragraphs 3.16 and 3.17 of our October 2019 Appraisal report found that:

'..if a planning application came forward that just provided for the reconfiguration of the Homebase DIY

⁴ Salford Estates v Durham County Council & Anor [2019], Claim No: CO/1664/2019

⁵ Salford Estates v Durham County Council & Anor [2019], Claim No: C1/2019/1847

store in isolation, then it would be somewhat illogical for such a proposal to be the subject of the sequential test (given that it would provide for the same broad use as existing).

As such, we believe that the appropriate approach, which is reflective of the flexibility required by paragraph 87 of the NPPF, is to consider the ability for the foodstore to be sited at a more central location. We note that this is how Rapleys has actually approached its consideration of sequential alternative sites, identifying (at paragraph 6.15 of its Planning and Retail Statement) that it is representative of a ‘robust’ approach.’

- 2.13 Page 2 of Rapleys’ sequential submission letter of January 2020 suggests that our conclusion does not represent a **‘credible position’** as the two units are inextricably linked. In this regard, Rapleys states that Homebase unit must be downsized and that the *only means of achieving this* is through the occupation of an additional unit on site be a discount convenience operator.
- 2.14 Whilst the fact that Homebase is willing to downsize is self-evident through the application proposal, no persuasive evidence has been submitted to substantiate the position that the proposed development is the only means of securing this objective. Indeed, even if it were necessary to provide additional commercial floorspace at the site, we are uncertain why such additional floorspace could not take a different form (e.g. bulky comparison goods retail, which may be less likely to be accommodated within Altrincham town centre).
- 2.15 As a consequence of the above, we remain of the view that it is appropriate to consider whether the foodstore element of the proposal could be sited in a sequentially preferable location. We believe this to be consistent with the NPPF paragraph 87 requirement to demonstrate flexibility on issues such as format and scale in order that opportunities to utilise town centre sites are fully explored.

The ‘Availability’ of Altair

- 2.16 Paragraph 86 of the NPPF requires sequential alternative sites to be available or expected to be become available with a reasonable period.
- 2.17 Paragraph 011 of the Town Centres and Retail Planning Practice Guidance indicates that:

‘When considering what a reasonable period is for this purpose, the scale and complexity of the proposed scheme and of potentially suitable town or edge of centre sites should be taken into account.’ (Our emphasis.)

- 2.18 In this context, we note that page 4 of the January 2020 Rapleys' sequential submission letter indicates that the sequentially preferable Altair site is *not available* as terms have been agreed between Lidl and Nikal.
- 2.19 We do not understand the logic of this statement, as such an agreement provides some certainty that the site is able to accommodate a discount foodstore.
- 2.20 Notwithstanding this, Rapleys' letter then goes on to argue that the site is *not available within a reasonable time frame*. In this regard, Rapleys notes that the site needs to be the subject of a planning application, that a contractor would then need to be appointed, and that the scheme needs to be built out. It is suggested that this would take a minimum of three (and possibly four) years. Whilst we believe the scheme might be delivered more quickly in practice, there is nothing exceptional about the proposed programme.
- 2.21 All of the stages identified by Rapleys represent basic requirements in bringing forward development. In our view, a three to four year time frame for the development of a town centre site is not particularly unusual. To discount sites on the basis that they need to go through the planning process runs the potential risk of sequential alternative sites being limited to those sites that are already under construction or fully built out. We do not believe that such an interpretation is consistent with the direction provided by the Town Centres and Retail PPG.
- 2.22 As a consequence of the above, we believe that Altair is available within a reasonable period, in accordance with national planning policy, to accommodate the application proposal.

The 'Suitability' of Altair

- 2.23 Page 3 of Rapleys additional submission of January 2020 indicates that:
- '...planning permission will be sought for an amended Altair scheme which will incorporate a 'metropolitan format' discount foodstore as an integral element of the overall development. This includes a shared below ground car park.'**
- 2.24 We have asked Rapleys to confirm the likely quantum of floorspace provided by the Altair foodstore, but it has not done so. However, the above statement confirms that store would reflect Lidl's new model for town centre sites (which, by their very nature, are often constrained), and that shopper car parking would be provided.

- 2.25 In our view, Lidl's metropolitan model simply reflects the fact that operators are able to be flexible in their trading model in order to make their stores fit onto a centrally located site. Rapleys has not provided any persuasive evidence which demonstrates why accommodating a proposed foodstore use within Altair is nothing more than the application of appropriate flexibility (in accordance with paragraph 87 of the NPPF), in order to allow for such a use to be brought forward more centrally.
- 2.26 As a consequence, we remain of the view that Altair is suitable to accommodate the broad type of foodstore use proposed.

Conclusion in Respect of the NPPF Sequential Test

- 2.27 We have carefully considered the additional information provided by Rapleys, but remain of the view that a more centrally located site is both available (within a reasonable time frame) and suitable to accommodate the foodstore element of the application proposal. We believe that this approach is reflective of how the sequential approach to development should be applied in practice.
- 2.28 We note that the applicant has sought to assure the Council that Lidl is contractually obliged and committed to bringing forward both the Altair and Broadheath schemes. However, even where there is commitment to bring forward both sites, the sequential test requires that the sequentially preferable site comes forward in advance of the less central site. The temporal nature of the test was addressed at paragraphs 3.27 to 3.30 of our October 2019 Appraisal report.
- 2.29 As a consequence of the above, we conclude that the application proposal fails to accord with the requirements of the NPPF sequential test.

3.0 The NPPF Impact Test

Rapleys' Additional Submission of 15 January 2020

3.1 As requested, Rapleys has submitted a further assessment of retail impact which relies on the Trafford Retail and Leisure Study of 2019 in order to establish the baseline position. In considering the assessment, we note that Experian has now subsequently issued⁶ more up to date population and expenditure data (and growth projections).

3.2 However, annual changes in convenience goods expenditure are generally limited and we believe that the existing data can be used as the basis for a retail impact assessment in this instance. Indeed, we believe this to be consistent with paragraph 017 of the Town Centres PPG, which states that:

'The impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible.'

3.3 In this context, we also note that the current COVID-19 pandemic is impacting on shoppers' behaviour and the general economic climate. We account for the COVID-19 pandemic below in reviewing the application proposal's compliance with the two strands of the NPPF impact test in light of the additional information submitted by Rapleys.

The Impact of the Proposal on Existing, Committed and Planned Public and Private Sector Investment

3.4 Lidl has informed the Council in writing that it is contractually committed to the Altair development.

3.5 Altair is identified in the adopted Core Strategy and the Altrincham Town Centre Neighbourhood Business Plan. We also understand that preparatory works have been undertaken on site. We believe that the Altair development comprises 'planned investment' for the purpose of the NPPF test and recognise that it is a very significant and much delayed scheme. Whilst the COVID-19 pandemic is resulting in challenging economic conditions, we do not believe that there is any evidence which suggests that the grant of planning permission for the Broadheath planning application will prejudice the delivery of Altair. Indeed, Lidl informs the Council that it is proceeding on the basis that the two

⁶ Issued in January 2020

schemes will trade alongside one another and we also note that Nikal (as Altair developer) has not expressed any concerns.

- 3.6 In addition, we are unaware of any other development in Altrincham or any other centre which would likely be the subject of a significant adverse impact as a consequence of the application proposal. As such, we find that the application proposal accords with the requirements of the first part of the NPPF impact test.

The Impact of the Proposal on Town Centre Vitality and Viability, Including Local Consumer Choice and Trade in the Town Centre and Wider Area

- 3.7 Rapleys' supplementary Retail Impact Assessment response letter of 24 December 2019 sets out a series of updated inputs and assumptions which underpin its approach to retail impact. It also provides a revised series of retail impact tables as its Appendix 1.
- 3.8 We consider each of Rapleys' inputs and assumptions in turn below. At the outset, we accept that the comparison goods floorspace associated with the proposed development is limited and that much of the expenditure attracted to this element of the proposal would be spent at other out of centre destinations in the immediate area (i.e. the Broadheath Aldi, the wider retail park, and the Asda at George Richards Way). We are therefore satisfied that any impacts arising from the comparison goods floorspace on defined centres would be very limited in practice and not material to the application of the impact test.

Proposed Catchment Area and Baseline

- 3.9 Rapleys' supplementary response undertakes the retail impact assessment trade diversion exercise with reference to the Trafford Retail and Leisure Study of 2019. The Study Area adopted for the Retail and Leisure Study is extensive and is able to support the impact assessment. All prices cited by Rapleys are in a 2017 price base and are therefore also consistent with the Study.

Assessment Period

- 3.10 The assessment year for the purpose of retail impact has been revised to 2023. Whilst the current COVID-19 crisis is causing great uncertainty at the present time, it is accepted that this may well equate

to the second full calendar year of trading and, as such, this is consistent with the direction provided by paragraph 017 of the Retail and Town Centres PPG in respect of the assessment period.

Proposal Turnover

- 3.11 We note that Rapleys' Table 4 increases the net sales area of the application proposal (from 1,272 sq.m⁷ to 1,325 sq.m) and that sales density based on occupation by Lidl is reduced (from £10,367 per sq.m⁸ to £9,632 per sq.m). Rapleys' does not provide any explanation for these changes, which is surprising given that the assumed turnover of the proposal was previously agreed by our previous October 2019 Appraisal.
- 3.12 Whilst we accept Rapleys' suggestion that the foodstore would have a net convenience goods sales area of 1,060 sq.m, we believe that it is appropriate to apply the previous agreed sales density of £10,367 per sq.m to this floorspace.
- 3.13 This results in an estimated convenience goods turnover for the proposed foodstore of £10.99m.

Commitments

- 3.14 Our October 2019 Appraisal report recommended that the retail impact assessment should account for the planning permission (reference 96088/FUL/18) which provides for the relocation of the existing nearby Aldi store to Atlantic Street.
- 3.15 Rapleys' Retail Impact Assessment letter suggests that this is not necessary as:

'The survey derived turnover of the existing Aldi store on Davenport Lane indicates that it is heavily overtrading (£17.4m) relative to its benchmark position (£9.2m) at 2019. Therefore, it is clear that the trading pattern is already firmly established and is unlikely to alter when the new store is completed. Indeed, a significant reason for the relocation is to improve the customer environment for existing shoppers, given the congestion currently being experienced within the store.'

- 3.16 Rapleys' position therefore effectively suggests that Aldi is making a significant investment in a new store to better the customer experience, without any expectation that it will improve its trading position

⁷ As identified by table 4 of Rapleys' Planning and Retail Statement of July 2019

⁸ Ibid

as a result. We do not believe that this is realistic and we return to the matter of the Aldi extension in forming our view on the acceptability of the trade diversion impacts arising from the Lidl proposal.

'Inflow' Assumptions

- 3.17 Our October 2019 Appraisal advised that Rapleys' approach in discounting the turnover of the application proposal on the basis that 20% of the turnover would be derived from outside a seven-minute drivetime was misguided. This is because such expenditure would generally be passing through the tills of nearby foodstores and should therefore be accounted for in the retail impact assessment.
- 3.18 Whilst we note that Rapleys (at page 2 of its Retail Impact Assessment response letter) disagrees with this proposition, it has complied with our request in undertaking the trade diversion exercise. As such, we are satisfied with the approach now taken in respect of inflow.

Patterns of Trade Diversion

- 3.19 Table 6 of Rapleys' Appendix 1 is derived from the findings of the Trafford Retail and Leisure Study of 2019 (with some allowance being made for retailers to benefit from a small increase in turnover over time to 2023). We believe this forms an appropriate baseline position from which to consider the patterns of trade diversion arising from the application.
- 3.20 In terms of trade diversion, the stores which would be the subject of the largest impact are generally those providing a broadly similar offer that are located closer to the application site (this principle is often summarised as *like competes with like*). We believe that Rapleys' retail impact assessment broadly reflects this principle, albeit we believe that the assumed diversion from the Sale area is possibly greater than would occur in practice and that the impact arising at stores in and around Altrincham town centre⁹ has likely been underestimated. As such, we estimate that around 30% of the convenience goods turnover of the proposal (which we calculate to be in the order of £10.99m) is diverted from stores in and around Altrincham town centre.

⁹ We note that the four destinations identified by Rapleys' Table 6 as being within Altrincham town centre (Tesco Extra, Sainsbury's, Iceland and 'other Altrincham town centre') actually include two stores (Tesco Extra and Sainsbury's) that are edge of centre with reference to the 'Main (Primary) Shopping Frontages' and 'Mixed-Use with Ground Floor Active Frontages' identified by Plan 6 of the Altrincham Town Centre Neighbourhood Business Plan 2015 to 2030. We believe that these two frontage designations currently act as Altrincham's defined primary shopping area

3.21 In addition, we again note that Rapleys has failed to model the additional expenditure attracted to the relocated Aldi in considering trade diversion. We note that the relocated Aldi would provide an additional 230 sq.m of retail sales floorspace.

3.22 In respect of the additional Aldi floorspace, we assume that:

- around 80% of this (184 sq.m) would be occupied by convenience goods;
- the additional floorspace would have a sales density of around £10,462 per sq.m¹⁰ at 2023; and
- as a consequence of the above, the additional Aldi convenience goods floorspace has an estimated turnover of around £1.93m

3.23 We believe that a large proportion of the additional Aldi turnover would be diverted from the Asda store at George Richards Way and that, at worst, around 50% of this turnover would be diverted from stores in and around Altrincham town centre.

3.24 We provide an updated assessment below at Table 3.1 which account for these adjustments. The table indicates that the resulting cumulative impact on the convenience goods turnover of operators within and adjacent to Altrincham town centre – equating to around 4.0% as a ‘worst case scenario’ - is still relatively modest.

Table 3.1: Nexus Planning’s Revised Impact Assessment as Derived from Table 6 of Appendix 1 of Rapleys’ Retail Impact Assessment Letter

Location	Survey Derived T/O at 2023 (£m) ¹	Nexus’ Assumed Diversion to Additional Aldi Floorspace (£m) ²	Nexus’ Assumed Diversion to Lidl (£m) ³	Post-Impact Turnover (£m)	Cumulative Impact
Stores within and at the edge of Altrincham TC	106.02	0.97	3.30	101.75	4.0%

Notes: The monetary figure provided at 1 is derived from Rapleys’ Table 6; the monetary figures at 2 and 3 are Nexus Planning estimates

3.25 We have provided the above ‘sensitivity test’ on an aggregated basis as we do not believe that it is necessary to adjust the exact impact arising at individual stores in proximity to Altrincham town centre given that it is clear that the two largest stores (Sainsbury’s and Tesco) would account for the vast

¹⁰ This is derived from GlobalData’s ‘Convenience and Comparison Goods Sales Densities of Major Grocers 2018’ dataset with adjustments made to convert to a 2017 price base and to account for changes in the sales efficiency of convenience goods floorspace in accordance with the recommendations provided by Experian Retail Planner Briefing Note 17 (issued February 2020)

majority of the monetary diversion. These stores both have a very substantial turnover, and would, in our view, clearly remain viable¹¹ subsequent to the implementation of both Aldi and Lidl proposals. The monetary diversion from other stores (including Iceland) in Altrincham town centre would be more limited and we are unaware of any representations which indicate that any such town centre retailers may close.

The Acceptability of Identified Impacts

- 3.26 We accept that the comparison goods impacts arising from the proposal would be very limited and our analysis indicates that the convenience goods impacts should not affect the ongoing viability of grocery retailers in and around Altrincham town centre. Impacts arising at other centres will be low.
- 3.27 Altrincham town centre's health has been varied in recent years. Up until relatively recently, it was the subject of an exceptionally high vacancy rate and had lost a clear role and function. However, it has been reinvigorated in recent years as a consequence of public and private investment. Whilst the growth and repositioning of Altrincham Market is perhaps the most high profile of these interventions, the performance of the centre has also been assisted through improvements in the public realm and a general re-balancing of the centre's offer which includes additional leisure and general service provision.
- 3.28 As a consequence, paragraphs 5.20 and 5.21 of the Trafford Retail and Leisure Study 2019:
- found that there is an '**...underlying strength and confidence in the centre**';
 - identified Altrincham as an '**...attractive and popular destination**'; and
 - considered the centre to be '**...highly vital and viable**'.
- 3.29 In addition, Altrincham received the Champion award for England at MHCLG's 2018 Great British High Street Awards and is widely referred to as an exemplar of town centre regeneration.
- 3.30 Notwithstanding this, it is still susceptible to wider market pressures. Debenhams' store in the town centre closed in January 2020 and the long term future of Rackhams has been uncertain; both units sit within the Stamford Quarter shopping centre which was acquired by Trafford Council and Bruntwood

¹¹ We note that the Trafford Retail and Leisure Study of 2019 identifies that the Tesco Extra is 'undertrading' but its post-impact turnover would remain substantial and likely representative of a profitable store

in 2019. It will be important that appropriate long-term futures are confirmed for both sites, and for other large vacancies in the town centre.

- 3.31 We are also concerned about the general impact of the COVID-19 pandemic on our town centres. There is considerable uncertainty and concern in respect of the way that ongoing social distancing measures will affect how high streets are used, and whether such measures may further hasten shoppers' move towards online operators. Leisure operators, in particular, will also likely have to operate with significant restrictions for the foreseeable future. In addition, there is the prospect of a recession impacting on future economic growth and the expenditure available to comparison goods retailers in particular (due to the more discretionary nature of this expenditure). This would further reduce the comparison goods turnover of the town centre and its ability to attract tenants to larger units.
- 3.32 In this context, we note that the Trafford Retail and Leisure Study 2019 identified that 9.9% of floorspace and 11.2% of all units with the Experian Goad Altrincham town centre boundary were vacant at October 2018. This was broadly consistent with the national average performance at that time (which was generally thought to be indicative of weak demand in the retail sector). We have concerns that some businesses may fail in the current economic climate and that the vacancy rate could now increase.
- 3.33 However, the current challenging market conditions are of greatest consequence to the comparison goods and leisure sectors, and we believe that the convenience goods function of the centre is more resilient and less susceptible to such pressures.
- 3.34 Accordingly, whilst we recognise that Altrincham town centre's vitality and viability is more precarious than we would have envisaged only a few months ago, we do not believe that the impacts arising from the foodstore proposal will materially impact on the trading position of its grocery operators. Furthermore, we do not believe that the proposal will remove any retailer from the town centre, which is consistent with Lidl's written assurance that it intends to trade from two sites in the area.
- 3.35 As a consequence of the above, we find that the proposal complies with the requirements of the second part of the NPPF impact test.

Conclusion in Respect of the NPPF Impact Test

- 3.36 We do not believe that the application proposal will have a material prejudicial impact on the delivery

of the proposed Altair development and we are unaware of any other investment of consequence to the first part of the NPPF impact test. Furthermore, whilst we believe that the COVID-10 pandemic is of relevance to the future performance of Altrincham town centre, the foodstore would result in a relatively moderate impact on convenience goods retailers in and around the town centre. The convenience goods sector is considered to currently be more resilient than comparison goods retailing. As such, we find the magnitude of the impact likely to arise from the proposal to be below the significant adverse level which could merit the refusal of the application on retail impact grounds.

4.0 Summary and Recommendations

- 4.1 The NPPF indicates that planning applications for retail and leisure uses that are neither in an existing centre nor in accordance with an up to date development plan can be refused planning permission where they fail to satisfy the requirements of the sequential approach or are likely to result in a significant adverse impact.
- 4.2 In respect of the sequential approach to development, the proposed foodstore comprises the 'new' use introduced to the site. After considering all submissions, we remain of the view that it is reasonable to consider the sequential test on the basis that the foodstore could be disaggregated from the remainder of the proposal (i.e. the reconfigured DIY store) in order to be sited more centrally. We note that Rapleys originally considered sequential alternative sites on the same grounds, and suggested that this was representative of a 'robust' approach.
- 4.3 We believe that the Altair site in Altrincham town centre (which is bounded by Oakfield Road, Thomas Street and Altrincham Interchange) falls within the catchment area of the application proposal, and that there would be overlap between the markets served by Altair and Broadheath foodstores in practice. We recognise that the Altair site would need to be the subject of a new planning application and that the site would then need to be built out. However, we do not believe that there are any exceptional issues relating to the timeframe for the delivery of Altair. We consider that it is an available and suitable site. As such, we find that the application proposal fails to accord with the requirements of paragraph 87 of the NPPF.
- 4.4 As set out above at Section 3 of this report, we believe that grocery provision in and around Altrincham town centre trades in a satisfactory manner and would continue to do so subsequent to the implementation of the application proposal. No investment would likely be prejudiced by the proposal, which, as a consequence, we find to be consistent with the impact test as articulated at paragraphs 89 and 90 of the NPPF.
- 4.5 However, for the reasons set out above, we also believe that the proposal contravenes the provisions of UDP Policy S11 and Core Strategy Policy W2.12 insofar as they relate to the sequential test.
- 4.6 We also note that UDP Policy S11 requires there to be a demonstrable need for further retail development locally, which the applicant has chosen not to address on the basis that the policy is no

longer consistent with national planning policy. The Trafford Retail and Leisure Study of 2019 identified some limited surplus expenditure to support additional convenience goods floorspace, but found (at paragraph 8.49) that the most obvious existing deficiencies in provision were in the Carrington/Partington and Sale Moor areas. In this context, we do not believe that the applicant has demonstrated compliance with UDP Policy S11.

- 4.7 The exact weight to be attributed to both development plan and national planning policy is outside our instruction and will be a matter for the Council to determine. However, we accept that there is no longer a national retail 'need' test and the Council may attribute lesser weight to the UDP policy on this basis.
- 4.8 A proposal's failure to comply with retail and town centre planning policy does not result in a mandatory requirement for the determining authority to refuse planning permission (given the need for decision-making to be led by the development plan and to account for all other material considerations). However, we believe that, in this instance, there is a clear failure to comply with relevant policies which should be accorded appropriate weight in determining the application.

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