

**SCOTT SCHEDULE FOR THE APPEAL REFERENCE APP/Q4245/W/21/3267048**

Appeal against refusal of planning permission for the extension, refurbishment and subdivision of the existing Homebase store to provide a downsized unit for Homebase and a new food retail unit.  
Unit 1, Altrincham Retail Park, George Richards Way, Altrincham WA14 5GR

Matters of Disagreement

Item	Joint Appellants	Trafford Council	Tesco Stores Limited	Altrincham Neighbourhood Business Plan
<p>The retail sequential test, specifically:</p> <ul style="list-style-type: none"> <li>The appropriate timeframe of relevance in determining whether the Altair site is available to accommodate the proposed foodstore use; and</li> <li>The level of flexibility that should be applied when considering the potential of sequential alternative sites to accommodate the appeal proposal.</li> </ul>	<p>The joint Appellants consider that the Altair site is not likely to be available within a reasonable period and is also unable to accommodate the development proposed, including allowing for reasonable flexibility. As such, the joint Appellants consider the appeal proposal passes the sequential test in accordance with paragraph 87 of the NPPF.</p> <p>Sequentially alternative sites were considered based on whether they could accommodate the additional land use introduced by the application proposal (i.e. the new foodstore operation). It is the joint appellants' case that any sequential alternative site should be able to accommodate the proposal in its entirety (i.e. both the re-configured DIY store and proposed foodstore).</p>	<p>The Council believes that Altair comprises an available sequential alternative site, and is of the view that the suggested three to four year timeframe for a foodstore to be trading at the site is not excessive. The proposed timeframe reflects stages that are fundamental to the development process: securing planning permission; agreeing construction contracts; and, building out the development. The proposed programme is not unusual, onerous, or impeded by any particular delay. The three to four year period is wholly consistent with the NPPF paragraph 86 requirement for sequential alternative sites to be available or expected to become available within a reasonable period.</p> <p>The application proposal provides for the redevelopment and reconfiguration of existing retail premises. The proposal supports the introduction of a single new land use, this being the proposed retail foodstore. The Council considers that in the prevailing circumstances, it is appropriate to consider whether Altair is able to accommodate the foodstore element of the development. This approach is consistent with principles established by the Secretary of State and the Courts when considering the potential need to 'disaggregate' a proposal in applying the NPPF sequential test.</p> <p>It is the Council's view that any difference in respect of the proposed format of the proposed Broadheath foodstore and that which will likely come forward at Altair is reflective of an operator being able to apply some flexibility in order to secure representation on a tighter, central site. The need to demonstrate such flexibility in considering sequentially preferable sites is an integral part of the NPPF test.</p>	<p>The Appellants have put forward a four year timeline of the likely process from progressing a planning application to the scheme being built out, this describes no more than what might be expected to take place in a town centre setting where the building does not exist. There is nothing to suggest other than that the opportunity would be available in a reasonable period of time.</p> <p>The application of flexibility is particularly relevant to the purpose of sequential testing, to ensure that opportunities to utilise town and edge of centre sites are fully explored. Lidl have specifically developed a format to better facilitate representation within town centres. The confirmation that the Altair site can accommodate a Lidl metropolitan format (and in light of a forthcoming application other variations to format) therefore demonstrates that, with appropriate flexibility, the sequentially preferable site is suitable for a retail foodstore.</p> <p>There is no justification for the Homebase and Lidl to be co-located and the respective elements can be secured with Homebase retaining their presence at Altrincham Retail Park (whether reduced in scale or as present) and with Lidl developing a metropolitan or similar format store on the Altair site.</p> <p>The proposal for, and commitment to, the sequentially preferable Altair site demonstrates that it is both suitable and available.</p>	<p>An underlying assumption of the Altrincham Neighbourhood Business Plan (ANBP) was that no Class A1 Food Retailing would be allowed on the Altair site as it is an edge of town site. A1 non-food retailing would be allowed but food retailing would be directed towards the primary town centre (section 4.2). The ANBP is the land use Plan for Altrincham town centre for the period 2017-2030. It is the Plan in use for the next eight years. The Plan was drawn up after three rounds of public consultations, Trafford Planning were facilitators in drafting the Plan, it was reviewed by an independent examiner as being sound, it was adopted by Trafford Council in November 2017, and it was accepted in a referendum of voters and businesses in the Plan area as the Plan the people of Altrincham want to happen in their town centre.</p> <p>The sequential test puts the town centre first. The Altair site is an edge of town centre site and not a town centre site. At the time of the second Application 103414/FUL/21 there were at least two primary town centre sites available but were not considered by the applicants (former Debenham's and CarPhone Warehouse sites). Both have easy access to the town's multi-story car park.</p> <p>Lidl have stated they want to have both stores. The cumulative effect of two additional food stores on local retailers will have a profound effect. The food retailing market is already extremely competitive. Shoppers are increasing moving away from bricks &amp; mortar shops towards the internet. The sequential effect of even one additional store will be devastating.</p> <p>No reliability can be placed on the developers of Altair as phase One, which was approved in 2015, has yet to be started. Trafford has yet to agree with the developer the overarching plan for the Altair site. The developer has yet to agree with Network Rail access arrangements to connect to the footbridge over the railway. The developer's focus is currently on a much larger development in Blackpool town centre.</p>

Highways	The substituted plans provide an improved egress solution to that originally proposed, which will not have an unacceptable impact on highway safety in accordance with paragraph 111 of the NPPF.	The proposed egress (as now revised) would not lead to an unacceptable impact on highway safety in accordance with paragraph 111 of the NPPF	Disagree with any assertion that the proposed egress would not lead to unacceptable impact on highway safety in accordance with paragraph 111 of the NPPF.	Disagree that the proposed egress road would not lead to an unacceptable impact on highway safety in accordance with paragraph 111 of the NPPF.
Design Considerations	The proposal, when taken as a whole, constitutes a reasonable design response to the site and its surroundings. The design of the proposal is therefore compliant with Policy L7 as well as relevant national policies. However, a number of design-led conditions, such as the materials of construction, have been recommended by the Council.	The proposal would not fully meet all design principles established by development plan Policy L7. However, the extent of policy variance is not significant enough to trigger a policy conflict	The proposal has design inadequacies including in that it has: a fundamental lack of relationship with the Manchester Road frontage, an inappropriate position in terms of building line, a poor relationship with neighbouring development, an inappropriate choice of external materials, out of scale elements in its design and fails to create any visual expression or interest in the street scene, contrary to the requirements of paragraph 130 of the NPPF.	No comments.
The harm to heritage asset and weighing against public benefits.	The proposed development would cause ‘less than substantial’ harm to the significant of the Grade II Listed Railway Inn by virtue of the impact on its setting. Other heritage assets would experience no harm or negligible harm. With reference to paragraph 202 of the NPPF, the harm caused to the Railway Inn would be outweighed by the cumulative public benefits that are expected to arise from the proposal.	The ‘less than substantial harm’ to the significance of the Grade II listed Railway Inn would be outweighed by the public benefits arising from the proposed development (with reference to the test at paragraph 202 of the NPPF).	The proposal has a poor layout and design and thus would lead to harm to the significance of the setting of the listed building (The Railway Inn). “Great weight” has to be applied in the assessment of such harm and “special regard” to preserving the setting of such buildings.  To the extent that there may be public benefits arising from the proposal, these are those that generally arise from new retail development and are far from adequate (with some having little or no merit) to outweigh the harm to the setting of the listed building in accordance with paragraph 202 of the NPPF.	There is no justification for Homebase and Lidl co-locating. A scaled down Homebase could stay on the current site. A scaled down Homebase would be more acceptable to adjacent residential properties and have less of an impact on the heritage The Railway inn.
Impact on residential amenity	The inclusion of conditions to mitigate harmful issues enables compliance with development plan policy.	The inclusion of conditions to mitigate harmful issues enables compliance with development plan policy.	The inclusion of conditions to mitigate harmful issues enables compliance with development plan policy.	Severe concerns about the 4.1 metre high boundary fence. There is nothing included to stop related parking on local streets, nor to put in place measures to stop Retail Park delivery vehicles using local roads.
Sustainability	No further comments.	This is not a matter that the Council has taken specific issue with.	-	It is not a sustainable retail model to expect customers to drive to a local store and to live within a 5 (five) minute drive time. We have to stop dependency on car travel if we are to reduce greenhouse emissions (NPPF 124 c).  There are no additional public transport services to be provided at the proposed Broadheath Lidl store.
The planning balance	It is the joint appellants’ position that the appeal proposals meet the requirements of the sequential test set out within the NPPF and that there are substantial benefits in planning permission being granted. The three overarching objectives for achieving	When having regard to the consequences of applying the sequential test to this specific situation, the collection of benefits is considered sufficient to outweigh the harm and associated policy breaches.	The planning balance is the product of the above matters and thus it was not considered necessary to set out the differences on this between the parties. However, to the extent that it assists the Inspector, the proposal fails the sequential test and substantial weight is	The ANBP agree with the comments by Tesco Stores Ltd:  The planning balance is the product of the above matters and thus it was not considered necessary to set out the differences on this

sustainable development are met by the proposals. It is considered that such adverse impacts that can be identified are limited and are significantly and demonstrably outweighed by the benefits, when assessed against the policies in the NPPF as a whole or any potential conflict with the Development Plan.

Even if it is concluded that the appeal proposals do not pass the sequential test, it is considered that the appeal should be allowed on the basis that the substantial benefits outweigh any adverse impacts and potential conflicts with the Development Plan.

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