



**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal by: Lidl UK/Orchard Street  
Investment Management LLP  
Site Address: Homebase Ltd, Unit 1  
George Richards Way  
Broadheath, Altrincham  
WA15 5GR**

**LPA reference: 98127/FUL/19  
PINS reference: APP/Q4245/W/21/3267048**

**SUMMARY PROOF OF EVIDENCE  
OF MRS BETHANY BROWN  
ON BEHALF OF THE LOCAL PLANNING AUTHORITY**

*My name is Bethany Brown and I am a Major Planning Projects Officer within the Planning and Development Service of Trafford Council. I have over twenty years' experience in the field of town and country planning in both the public and private sector. I have previously worked at three other UK Local Planning Authorities and for two private consultancies. During the course of my professional career I have been involved in various aspects of town and country planning, including the assessment and submission of planning applications and the handling of appeals.*

*I have been in my present role, and employed by Trafford Council, since January 2018. The work of the Major Planning Projects Team is to bring forward through the planning process complex major planning proposals, including strategic and corporate applications (covering a full spectrum of development types). The role also includes strategic planning policy matters. I am the case officer for the appeal proposal.*

*I hold a Bachelor of Arts honours degree in Urban Studies and Planning from the University of Sheffield together with a post-graduate diploma in Town Planning from the same university. I am a member of the Royal Town Planning Institute.*

*The evidence which I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions*

## SUMMARY

- S.1 The appeal was made against the refusal by Trafford Council of planning application reference 98127/FUL/19, now referred to as the First Planning Application. In summary, this proposed the extension, refurbishment and subdivision of an existing Homebase store to provide a smaller unit for Homebase (Unit 1) and then a new retail unit - a foodstore – to be operated by Lidl (Unit 1A). The site is the existing Altrincham Retail Park, an out-of-centre location. The application was refused on two grounds relating to highway safety, and to retail and town centre matters (the sequential test).
- S.2 At a similar time to the lodging of this appeal a new, revised planning application was submitted (reference 103414/FUL/21), now referred to as the Second Planning Application. This proposed a materially different vehicular egress onto George Richards Way and with further supporting evidence supplied. This application was approved, although is subject to an outstanding legal challenge by Tesco Stores Ltd.
- S.3 Further to a recent process of plan substitution, undertaken by the Appellants, the proposed development subject of the planning appeal is identical to the scheme which the Council approved (the Second Planning Application). This has meant that the Council no longer opposes the appeal. Some evidence, for the purposes of assisting the inquiry, has nonetheless been prepared.
- S.4 My evidence is intended to be read in conjunction with the evidence of Mr Davies on highway matters. His evidence identifies how the First Planning Application and the Second Planning Application were different (in terms of the design of the vehicular egress). This difference addressed the LHA's significant highway safety concerns.
- S.5 My evidence has outlined the exercise of undertaking the planning balance. Its purpose is to pull together the main areas of contention arising from a proposed development, along with the benefits, and to draw overall conclusions regarding a proposal's acceptability when having regard to the development plan and other material considerations (in accordance with Section 38(6)). The planning balance

is a case-specific exercise and the weight to be attached to a material consideration is a matter for the decision-taker. My evidence has identified that the removal of potentially unacceptable highway safety impacts in the Second Planning Application represented a significantly altered position, leading to a change in the planning balance.

- S.6 The sequential test was still failed. Significant weight was afforded to this in reflecting the advice of paragraph 90 (now 91) of the NPPF and policies W2 and S11 of the development plan. However, regard was had to Lidl's connection to the sequentially preferable site and to its commitment to operating a foodstore at Altair within an approximate 3 to 4 year time period. The absence of an objection from Nikal (Lidl's delivery partner at Altair) was also regarded as material. When taking account the consequences of applying the sequential test specific to this situation, the collection of benefits stemming from the Second Planning Application was considered sufficient to outweigh the scheme's harms, including the failure of the sequential test.
- S.7 As case officer for both the First Planning Application and the Second Planning Application, I uphold my recommendation in both cases, which was accepted each time – on balance - by the Planning and Development Management Committee.
- S.8 Whilst the Council does not oppose the appeal scheme in accordance with its resolution on the Second Planning Application, this is subject to a series of important conditions being imposed (including concerning the provision of the egress).