

WARD: Broadheath

98127/FUL/19

DEPARTURE: No

**Extension, refurbishment and subdivision of the existing Homebase store to provide a downsized unit for Homebase and a new Class A1 retail unit. The application also proposes the relocation of the Homebase garden centre, the reconfiguration of the existing car park and associated landscaping, and the creation of a new egress from the site.**

Unit 1, Altrincham Retail Park, George Richards Way, Altrincham, WA14 5GR

**APPLICANT:** Lidl UK / Orchard Street Investment Management LLP

**AGENT:** Rapleys LLP / Montagu Evans

**RECOMMENDATION: REFUSE**

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**The application has been reported to the Planning and Development Management Committee since it is considered that the proposal raises a number of important issues which warrant consideration by the Planning and Development Management Committee.**

### **SITE**

The application site comprises part of the existing Altrincham Retail Park located in the Broadheath area of Altrincham. Specifically, the site relates to the existing Homebase unit (known as Unit 1) and its adjacent garden centre which is located at the eastern end of the retail park towards the A56 Manchester Road. The site also includes the surface-level car park which serves the unit (as well as serving other retailers). The existing building is of typical construction and appearance incorporating a large floorplate with a flat roof. Whilst principally single-storey the building also accommodates an internal mezzanine. The garden centre includes both covered and open elements, all enclosed by walling. The unit's service yard is positioned to the north.

The Altrincham Retail Park is accessed from George Richards Way, situated to the south, which leads from the route of the A56. Other retailers within the wider retail terrace include Argos, Boots and Currys, and there is a further area of communal car parking adjacent to these units. There is also a standalone drive-thru unit.

Adjoining the site to the north are terraced residential properties. There are further residential uses to the site's east on the opposite side of the A56, interspersed with

commercial units. There is a Grade II listed public house (The Railway Inn) which is located at the junction of the A56 and George Richards Way and which is included within the application boundary. There are additional retail warehouse units located to the south of the site on both sides of Atlantic Street, known as Atlantic Street Retail Park.

## **PROPOSAL**

The application, which is made in full, involves the extension, refurbishment and subdivision of the Homebase unit such that two Class A1 retail units would be created (known as Unit 1A and Unit 1). The discount food retailer, Lidl, would be introduced into Unit 1A whilst Homebase would move to Unit 1. A replacement garden centre for Homebase, with both covered and open areas, is proposed adjacent to Unit 1 towards the site's eastern edge.

The reconfigured Unit 1A (for Lidl) would provide a gross internal area (GIA) of 1,858 square metres and a net sales area of 1,272 square metres. The Homebase unit (Unit 1) would reduce in size from 5,016 square metres GIA to 3,612 square metres GIA. The floorspace of the relocated Homebase garden centre would reduce from 1,295 square metres GIA to 1,231 square metres GIA. The proposed floor plans for the Homebase unit show an area of mezzanine floorspace.

The submitted plans/drawings illustrate that the new built form would largely replicate the existing design approach in terms of building scale and height, external treatment and materials, and positioning.

Vehicular access to the retail units (for customers) would continue to be taken from George Richards Way and then via a mini-roundabout which forms part of the internal road layout of the retail park. However, a new vehicular (left-out) egress is proposed directly onto George Richards Way at a mid-point between the retail park entrance and the junction of George Richards Way with the A56. The design includes a new central reserve on George Richards Way, and the changes to the highway would be delivered via a Section 278 (Highways Act 1980) Agreement. Access for service traffic would continue from Craven Road to the west of the retail park and with the route continuing past the adjacent retail terrace. The proposed Lidl unit would utilise the service yard currently used by Homebase whilst a new dedicated service yard for the reconfigured Homebase would be provided adjacent to Huxley Street.

The proposal involves some reconfiguration of the car park to the front of the units, which would reduce the number of car parking spaces across the retail park as a whole. 696 would be retained, a net loss of 94 spaces, although within this the number of dedicated disabled and parent with child spaces would increase (by 4 and 8 spaces respectively). An existing pedestrian access from George Richards Way is proposed to be removed and with a replacement access provided a short distance to the west.

## **Value Added**

Concerns have been raised on a number of issues regarding this proposal, including in relation to highway safety, town centre impact, residential amenity (specifically noise), impact on heritage assets, design, flood risk/drainage, and tree loss. The applicant has sought to address the concerns raised through amended/additional submissions. In some cases this further information has served to remove objections or to reduce the extent of concerns, but not in all instances.

## **DEVELOPMENT PLAN**

For the purposes of this application the Development Plan in Trafford comprises:

- **The Trafford Core Strategy**, adopted 25 January 2012. The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council. It partially supersedes the Revised Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy;
- **The Revised Trafford Unitary Development Plan (UDP)**, adopted 19 June 2006. The majority of the policies contained in the revised Trafford UDP were saved in either September 2007 or December 2008 in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the LDF. Appendix 5 of the Trafford Core Strategy provided details as to how the Revised UDP is being replaced by the Trafford LDF; and
- **The Altrincham Town Centre Neighbourhood Business Plan**. This was made on 29 November 2017 and it since forms part of the Development Plan for Trafford. Its chief purpose is in relation to the determination of planning applications within the defined neighbourhood area.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

L4 – Sustainable Transport and Accessibility

L5 – Climate Change

L7 – Design

L8 – Planning Obligations

W2 – Town Centres and Retail

R1 – Historic Environment

R3 – Green Infrastructure

## **PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS**

S11 – Development Outside Established Centres

## **PROPOSALS MAP NOTATION**

Retail Warehouse Park Development

## **SUPPLEMENTARY PLANNING GUIDANCE**

SPD1 – Planning Obligations

SPD3 – Parking Standards and Design

SPG24 – Crime and Security

## **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The Ministry of Housing, Communities and Local Government published the current National Planning Policy Framework (NPPF) on 19 February 2019. The NPPF will be referred to as appropriate in the report.

## **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The National Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics in one place. It was first launched by the Government on 6 March 2014 although has since been subject to a number of updates, the most recent of which was made on 19 February 2019. The NPPG will be referred to as appropriate in the report.

## **GREATER MANCHESTER SPATIAL FRAMEWORK**

The Greater Manchester Spatial Framework (GMSF) is a joint Development Plan Document being produced by each of the ten Greater Manchester districts. Once adopted it will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016, and following a redraft a further period of consultation commenced on 21 January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process. Where it is considered that a different approach should be taken, this will be specifically identified in the report. If the GMSF is not referenced in the report, it is either not relevant, or carries so little weight in this particular case that it can be disregarded.

## **RELEVANT PLANNING HISTORY**

H/OUT/38342 – Outline planning permission for the demolition of existing buildings and structures and redevelopment of site as a retail warehouse park including non-food retail units, garden centre, 2 restaurants, and associated parking, employment development and new access road.

Approved, 07.10.94

H/ARM/39892 – Demolition of existing buildings and structures and redevelopment of site as a retail warehouse park including non-food retail units, garden centre, 2 restaurants, and associated parking, employment development and new access road (details of siting and means of access)

Approved, 04.01.95

H/ARM/39994 – Submission of reserved matters (siting and means of access) for demolition of existing buildings and structures and redevelopment of site as a retail warehouse park including non-food retail units (140,000 sq ft), garden centre (13,700 sq ft), restaurant (3,000 sq ft) and associated car parking spaces. Employment development and construction of new access road  
Approved, 16.11.94

H/OUT/39995 – Demolition of existing buildings and structures and erection of extension to retail warehouse park approved in outline under ref. H38342 comprising non-food retail unit (39,400 sq ft)  
Approved, 15.02.95

H40410 – Variation of condition attached to reserved matters approval ref. 39892 in order to permit outside storage to take place within garden centre  
Approved, 29.03.95

H/ARM/41090 – Erection of retail warehouse development comprising 16,666 sq m of non-food retail units, a 1,273 sq m garden centre, a 214 sq m restaurant with associated car parking, access and servicing facilities following demolition of existing buildings (details of siting, means of access, design and external appearance following the grant of outline permission refs. H38342 and H39995)  
Approved, 30.08.95

78734/CLEUD/2012 – Certificate of lawfulness of existing development for the installation of mezzanine floors in units 1, 2-3, 5, 6, 8a, 8b, 9 and 10 for the purposes falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)  
Approved, 26.07.19

### **APPLICANT'S SUBMISSION**

The applicant has submitted the following documents in support of the application (in addition to plans and drawings):

Planning and Retail Statement  
Design and Access Statement  
Heritage Statement  
Transport Assessment  
Framework Travel Plan  
Noise Assessment  
Flood Risk Assessment  
Drainage Strategy  
Arboricultural Impact Assessment  
Crime Impact Statement  
Geo-environment Assessment  
Air Quality Assessment

Preliminary Bat Roost Assessment  
Lighting Report

Updated documentation on some of these matters has also been supplied in response to concerns raised.

**CONSULTATIONS**

**Altrincham Town Centre Business Forum** – No response received

**Cadent Gas** – No objection, subject to informative (to advise the applicant of the presence of apparatus)

**Electricity North West** – No response received

**Environment Agency** – No response received

**Greater Manchester Archaeological Advisory Service** – No objection

**Greater Manchester Ecology Unit** – No objection, subject to condition/informative (to ensure that works cease if bats were to be found, no works to trees during bird nesting season, and to request replacement bird and insect boxes)

**Greater Manchester Police Design for Security** – No objection, subject to condition (to ensure the development is implemented in accordance with the submitted Crime Impact Statement)

**Trafford Council Heritage Development Officer** – Objection raised on the grounds that harm to a designated heritage asset would be caused.

**Trafford Council Lead Local Flood Authority** – No objection, subject to condition (to ensure compliance with the revised Flood Risk Assessment/Preliminary Drainage Strategy)

**Trafford Council Local Highway Authority** – Objection raised on the grounds of the impact to highway safety brought about by the proposed new egress

**Trafford Council Pollution and Licensing (Air Quality)** – No objection, subject to condition (to request the provision of electric vehicle charging infrastructure)

**Trafford Council Pollution and Licensing (Contaminated Land)** – No objection, subject to condition (to request a site investigation and risk assessment, and subsequent verification report)

**Trafford Council Pollution and Licensing (Nuisance)** – No objection, subject to condition (to limit the hours of stores opening and delivery, to request a Construction Environmental Management Plan, to request a Delivery and Service Management Plan,

to ensure that the proposed noise mitigation measures are implemented, to ensure that external lighting is installed in accordance with the lighting report, and to limit the noise level from fixed plant)

**Trafford Council Tree Officer** – No objection, subject to condition (to ensure the implementation of details specified in the landscaping plan and to secure subsequent landscape management)

**Trafford Council Waste Management** – Response awaited

**Transport for Greater Manchester** – Support the LHA in its objection to the application

**United Utilities** – No objection, subject to condition/informative (to request a surface water drainage scheme, to ensure the provision of separate systems for foul and surface water, and to advise of the existence of water mains)

## **REPRESENTATIONS**

There have been two main rounds of neighbour notification to account for the submission of amended information.

### **FIRST STAGE (RESIDENTS)**

#### **In Support**

Four letters of support have been received. The key issues raised can be summarised as:

- Lidl offers a good range of food at low prices;
- The provision of a store in Altrincham would save trips to the Lidl at Stretford;
- There is a need for this brand of discount foodstore in this area; and
- This development would act as competition to other nearby supermarkets.

However, at the same time, one of the letters of support also objects to the loss of an existing pedestrian access between the retail park and Huxley Street.

#### **In Objection**

Eight letters of objection have been received from local residents. The key issues raised can be summarised as:

- The plans indicate that areas of landscaping within the retail park would be removed, including planting at Huxley Street;
- Existing landscaping is important in mitigating noise impacts from deliveries;
- Wildlife habitat would be destroyed;
- The proposed service yard is close to residential properties and would cause excessive noise;

- The existing Homebase received deliveries during the day; Lidl is proposing 24 hour deliveries which is unacceptable;
- There are queues of traffic caused by people trying to enter the retail park, especially at weekends, and this proposal would make it worse;
- The retail park causes backlogs of traffic along the A56 on both sides;
- The roads surrounding the retail park are already in poor condition due to the levels of traffic;
- Leaving the retail park via the existing mini-roundabout is already extremely difficult since the priority system does not favour the Homebase side;
- Existing drainage systems in the area could be damaged;
- Parking on residential streets may occur since customers may avoid entering the retail park;
- Customers may take short cuts down Sinderland Road;
- If the building were to be extended upwards then it would block light to houses and gardens;
- Lighting from the proposed development would be disruptive to residents;
- The construction process would bring heavy lorries, dust and noise;
- There is no need for another foodstore in this area;
- There are Aldi, Asda and Waitrose stores nearby which already cover the full spectrum;
- The Sainsburys and Tesco stores in Altrincham and Sale are also easily accessible by car;
- It would be more appropriate for Lidl to occupy the vacated Aldi store, or other empty units at the retail park;
- There are vacant shops in Altrincham town centre that Lidl could make use of;
- The proposal would cause air pollution;
- This is a prominent site which should not be occupied by a low quality store;
- Trolleys already get dumped in the area;
- The link behind the proposed store to Huxley Street should have consideration for pedestrian safety;
- The change from Homebase to Lidl would bring about a significant uplift in activity; and
- Vehicles and property along Huxley Street are already damaged by lorries delivering to existing businesses;

### **Neutral**

A further letter of representation has been received which neither supports nor objects to the application but which seeks assurance regarding:

- Delivery vehicles avoiding Sinderland Road; and
- Deliveries not taking place before 0730 hours.

### **SECOND STAGE (RESIDENTS)**

#### **In Objection**



Five letters of objection have been received from local residents. The key issues raised can be summarised as:

- The amended servicing hours would still result in later deliveries than at present, and this would disturb residents;
- Delivery vehicles would cause air pollution and excess vibration in the vicinity of the service yard;
- The introduction of cycle lanes to the A56, plus the development traffic, would bring the road to a grinding halt;
- The proposed development would create traffic congestion at a number of pinch points on the local highway network;
- There should be no store entrances to the rear;
- The roof of the development should not be any higher than the existing building;
- Smells from the store bakery would be unpleasant; and
- The cut-through to the retail park from Huxley Street would be removed.

## FIRST STAGE (COMMERCIAL)

### **In Objection**

In addition, three further letters of objection have been received from other retailers, as follows:

- From B&M Retail Ltd which occupies an existing unit at Altrincham Retail Park, and the key issues raised can be summarised as:
  - The creation of a supermarket in this part of the retail park would lead to further pressure on the already overloaded car park and access roads;
  - The surrounding road congestion is already a deterrent to shoppers on weekends and other peak commuting periods; and
  - The proposed Lidl would draw grocery spend and shoppers away from the town centre.
- From Aldi Stores Ltd which currently trades from a unit on the opposite side of George Richards Way and which has planning permission to move to an extended unit within the Atlantic Street Retail Park (with construction underway), and the key issues raised can be summarised as:
  - The planning application fails to demonstrate compliance with the sequential test which supports retail development in town centres first;
  - The submitted retail impact assessment cannot be relied upon; and
  - There are concerns that the proposed development would adversely impact upon planned investment within a defined centre.
- From Asda Stores Ltd and with Asda's Altrincham store a short distance away on George Richards Way, and the key issues raised can be summarised as:
  - The proposed development does not meet the sequential test;
  - The Lidl would compete with other supermarkets that cater for main food shopping needs, including in Altrincham and Sale town centres;

- The submitted noise assessment fails to consider the effects of delivery noise for residents;
- The proposed design is unacceptable for this prominent site;
- Several assumptions within the submitted Transport Assessment have not been justified, in particular regarding trip distribution;
- In addition, further operational assessments should be undertaken, including to consider a future year assessment;
- The proposed new vehicular egress onto George Richards Way gives rise to road safety concerns; and
- Further consideration should be given to the impact of the loss of 94 car parking spaces.

## SECOND STAGE (COMMERCIAL)

### **In Objection**

Following the submission of updated information regarding the sequential test and retail impact, as well as a revised noise assessment, further letters of objection have been submitted from Aldi Stores Ltd and Asda Stores Ltd which maintain their objection. In summary, these state:

- The proposal still fails the sequential test;
- The development could give rise to a significant adverse impact on in-centre investment; and
- The details of noise mitigation measures have not been provided.

### **OBSERVATIONS**

#### The Decision-taking Framework

1. Section 38(6) of the Planning and Compensation Act 1991 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions, and as the Government's expression of planning policy and how this should be applied, it should be given significant weight in the decision-taking process.

2. The NPPF, at paragraph 11, introduces 'the presumption in favour of sustainable development.' For decision-taking purposes, paragraph 11c explains that 'the presumption in favour' means approving development proposals that accord with an up-to-date development plan without delay. However, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, paragraph 11d advises that planning permission should be granted unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the

development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3. Where a planning application conflicts with an up-to-date development plan, planning permission should not normally be granted, paragraph 12 of the NPPF explains.

4. The Council's Core Strategy was adopted in January 2012, two months prior to the publication of the 2012 NPPF, but drafted to be in compliance with it. It remains broadly consistent with much of the policy in the new 2019 NPPF, particularly where that policy is not substantially changed from the 2012 version.

5. When having regard to the nature of this proposal and its key considerations, development plan policies concerning retail matters (Policy W2), highways impact (Policy L4), and heritage impact (Policy R1) have been central to its assessment. However, policies L4 and R1 in particular have been formally recognised as not being wholly consistent with NPPF guidance, specifically in relation to the key tests to be applied. In both cases, it has become standard practice to revert to the test in the NPPF, in treating it as a material consideration. Indeed, in representing up-to-date government planning policy, in instances where there is conflict between a development plan and the NPPF, greater weight should be given to the NPPF. The policy tests (for L4 and R1) themselves are explained in more detail in the relevant sections of this report, and likewise in respect of the weight to be afforded to the respective development plan policy. However, whilst both inconsistent with the NPPF *and* material to this proposal's assessment, it is concluded that these are not 'most important policies' which are 'out-of-date' in the manner envisaged by paragraph 11d of the NPPF. This is when taking account of the fact that policies L4 and R1 still contain policy requirements which are NPPF-compliant.

6. Thus, paragraph 11c and paragraph 12 provide the decision-taking framework for this application.

7. Whether other Core Strategy policies that are of relevance in determining this application are consistent with the NPPF is identified in each of the relevant sections of this report (and, subsequently, the appropriate weight to be applied).

#### The Principle of the Development

8. The NPPF, as supplemented by the NPPG, is clear that local planning authorities should adopt a 'town centre first' approach when assessing applications for 'main town centre uses'. This is in order that town centres remain the focus of retail, commercial and leisure activity and to ensure their continued vitality and viability. Main town centre uses' are defined in the glossary

to the NPPF as: 'Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-thru restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development.' Proposals for such uses which are not in an existing centre and not in accordance with an up-to-date development plan should be subject to two key tests: 1. the sequential test; and – where the amount of floorspace proposed is over 2,500 square metres gross or a locally set floorspace threshold – 2. the impact test.

9. With reference to the Proposals Map accompanying the statutory development plan, the application site forms part of a 'Retail Warehouse Park' allocation which encompasses Altrincham Retail Park and Atlantic Street Retail Park. The corresponding policy of the Core Strategy is Policy W2. This states that further development within Trafford's out-of-centre retail parks should be limited to the sale of bulky comparison goods (non-food) only. For the avoidance of doubt, 'bulky goods retail' traditionally refers to the merchandising of cumbersome items from large warehouse-style buildings in environments which are conducive to immediate transportation by car. Planning conditions are typically used to restrict the type of goods to be sold from such locations, and to prevent subdivision of the units. It has been concluded that Policy W2 is consistent with the NPPF and thus can be applied full weight for the purposes of decision-taking.

10. In general terms, it is considered that the existing Homebase unit and garden centre is consistent with this retail park allocation, and a re-positioned DIY store with garden centre would be the same. Such a conclusion cannot be reached, however, in respect of the proposed new foodstore. That being the case, it is accepted that the Proposals Map position is somewhat out-of-date. The function of the two retail parks in this part of Altrincham has evolved in recent years in reflecting wider changes within the retail warehouse sector. Thus, their use is already more diverse than that anticipated by Policy W2 (in including some more traditional 'high street' Class A1 retail (non-food units) together with some Class D2 leisure uses (including a gym and a ten pin bowling centre at the Atlantic Street Retail Park). In addition, planning permission has been granted for a new discount foodstore on the site of the former B&Q at Atlantic Street, which is currently being implemented. Granted to Aldi Stores Ltd in June 2019 (ref. 96088/FUL/18), this would replace the existing Aldi unit a short distance away at Davenport Lane and would provide a larger store and car park.

11. The 'out-of-centre' location of Altrincham Retail Park contrasts with the identification, by Policy W2, of Altrincham as the Borough's 'Principal Town Centre', and of Sale, Stretford and Urmston as 'Other Town Centres.' District Centres and Local Centres are also referred to. Outside of these identified centres, Policy W2 explains that: 'there will be a presumption against the development of retail...and other town centre-type uses except where it can be

demonstrated that they satisfy the tests outlined in current Government Guidance.’ These are the tests of ‘sequential’ and ‘impact’ as referred to in paragraph 8 of this report.

12. At this stage some reference is also given to Policy S11 of the Revised Trafford Unitary Development Plan, which precedes Policy W2. This remains saved in the absence of an adopted Trafford Land Allocations Development Plan Document. When dealing with proposals for retail development not on land within town and district centres, Policy S11 confirms the requirement for a sequential approach to site selection to be adopted. The policy is also clear that the applicant will be required to demonstrate by means of an impact study that such development would not have a serious adverse effect on the vitality and viability of any town or district centre in Trafford.

13. With this in mind, therefore, the applicant has submitted a retail assessment which seeks to address the policy tests for out-of-centre retail development. The Council’s independent retail planning consultant has been appointed to audit the assessment, and there have been a number of rounds of discussions in an attempt to resolve concerns. To reiterate, objections have been received on behalf of two other foodstore operators with stores in the area (Aldi and Asda) and with their respective consultants contending that these policy tests have not been fulfilled.

#### The Sequential Test

14. Current government policy in relation to the sequential test is set out in paragraphs 86 and 87 of the NPPF, which requires its application in relation to all proposals for ‘main town centre uses’ that are neither in an existing centre, nor in accordance with an up-to-date plan. Paragraph 86 requires that: ‘Main town centres uses should be located in town centres, then in edge of centre locations, and only if *suitable* sites are not *available (or expected to become available within a reasonable period)* should out of centre sites be considered’ (emphasis added). In considering edge and out-of-centre proposals, paragraph 87 continues that ‘...preference should be given to accessible sites that are well-connected to the town centre’.

15. The advice received from retail consultants on the Council’s behalf has addressed the issue of ‘disaggregation’ as it is applied in relation to the sequential test (i.e. whether the constituent elements of a proposal can be sub-divided for the purpose of considering alternative sequentially preferable sites). In this situation, disaggregation would involve separating the proposed Lidl foodstore from the reconfigured DIY use. This matter is not specifically dealt with within the NPPF and it is recognised that there is no default planning policy requirement to disaggregate when undertaking the sequential test. However, whether disaggregation is appropriate is ultimately a matter of planning judgement that can be exercised depending on the circumstances *as they apply*

*to each case.* Accordingly, it has been concluded that it is appropriate in this instance to consider the application proposal on the basis of whether the proposed Lidl foodstore in isolation could be accommodated on a sequentially superior site. It is notable that this is how the applicant's original assessment approached its consideration of sequential alternative sites, identifying that it is representative of a 'robust' approach. However, a reworked assessment has subsequently sought to argue that the proposed development should be treated as a whole. However, the applicant has not provided any persuasive evidence to support its revised position that the downsized Homebase and the new Lidl are commercially and/or functionally dependent, and that the only means of achieving the downsizing of the DIY store would be through the occupation of an additional adjacent unit by a discount foodstore operator. For the avoidance of doubt, in the event that it was concluded that disaggregation should not be applied to the circumstances of this case, it is accepted that there are no available or suitable sites in sequentially preferable locations to accommodate the proposal in its entirety. However, in the judgment of officers, disaggregation is appropriate in this case for the reasons set out above, and the sequential assessment should therefore consider whether there are any available or suitable sequentially preferable sites to accommodate the Lidl store.

16. There is agreement that the area of search for sequential alternatives sites should encompass Altrincham town centre, and only one potential site has been put forward for consideration. This comprises land bounded by Oakfield Road, Thomas Street and Altrincham Interchange (commonly referred to as the 'Altair site'). The Council accepts that there are no other sites which merit consideration as part of the sequential test. This includes sites within the Altrincham Town Centre Neighbourhood Business Plan which can be discounted on the basis of unsuitability for a retail development of the proposed scale, and similarly in respect of sites that the Council has recently acquired with a view to redevelopment and reuse (the Grafton Centre and the Stamford Quarter). In addition, whilst it is noted that there are some relatively large units that are currently available in Altrincham town centre, it is accepted that none are suitable to accommodate a foodstore proposal of this nature, which generally require some dedicated car parking.

17. The extant planning permission for Altair does not include provision for a foodstore (with reference to outline permission ref 86661/VAR/15 and reserved matters permission ref. 86755/RES/15). However, the applicant has confirmed that a contract has been signed between Lidl and Nikal (the Altair developer) for a discount foodstore to be provided as part of an amended future proposal. This agreement of terms between Lidl and Nikal gives an indication that the site is able, in principle, to accommodate a discount foodstore.

18. Paragraph 86 of the NPPF requires sequential alternative sites to be available or expected to become available within a reasonable period. The applicant's position is that the Altair site is not available now and it cannot be so

in a reasonable timeframe. The applicant states that the Altair site is complex and any revised proposals would take three to four years before they reached implementation stage, it is stated. In response, it is of course recognised that the Altair site cannot immediately provide for the proposed use, albeit Nikal has clearly made it available to accommodate a foodstore development as part of a wider scheme.

19. In considering what a 'reasonable period' may be for the purpose of the sequential test, the last guidance was provided by a Government publication from 2009 (Planning for Town Centres Practice Guidance on Need, Impact and the Sequential Approach) and which was superseded in March 2014. Given its date and status, it has not been directly relied upon but nonetheless it is a helpful reference point. This indicated that whether it is appropriate to assess availability over three to five years or a longer timeframe largely depended on local circumstances. It also acknowledged that major town centre schemes could take between 10 to 15 years to deliver. The timeframe for the availability of alternative sequential sites has also, more recently, been debated as part of notable planning decisions. These have also recognised that out-of-centre locations are likely to be more straightforward, and quicker, to develop than many in-centre sites.

20. It is the officers' judgement that the three to four year period suggested by the applicant for the provision of a foodstore at Altair is reflective of a reasonable timeframe. The applicant's latest statement provides a breakdown of the expected programme, which accounts for a six month period to prepare a planning application, a further six months (minimum) for the submission and determination of the application, three to six months to discharge pre-commencement planning conditions, a similar period for the appointment of contractors, and an eighteen month to two year construction process. In response, it is considered that this proposed programme for the delivery of Altair simply accounts for basic requirements necessary to bring forward a development. In providing some guidance on what might be a reasonable period, the NPPG is clear that the scale and complexity of a proposed scheme should be given due consideration, but the applicant's timetable does not indicate anything particularly onerous or complicated in the delivery of a revised Altair. To rule out sites simply on the basis that they need to go through the planning process runs the risk of available sequential alternative sites being limited to those that are already under construction or *currently* available.

21. In addition, it is not considered that there are particular circumstances – either relating to the general grocery provision in Altrincham (which is already well-provided for) or to the current Covid-19 pandemic - which mean that the 'reasonable period' within which sequentially preferable sites should become available should be truncated for the purpose of this application. As a consequence, it is concluded that the Altair site is *available* within a reasonable period, as envisaged by the NPPF, to accommodate the application proposal.

22. The applicant has confirmed 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. It is understood that this would include a shared below-ground car park, which suggests that the store would cater for some car-borne custom. Metropolitan model foodstores are typically progressed where there is insufficient land to provide a traditional store with surface car parking, it is understood.

23. The applicant's position is that the Altair site cannot be deemed suitable for the type of development proposed at Broadheath, even when applying flexibility on issues such as format and scale as required by the NPPF. However, the necessary evidence to support this position has not been provided, despite numerous requests. For example, the exact floorspace of the Altair foodstore has not been disclosed, and nor the expected car parking provision to serve it. Nor has the applicant indicated what could be delivered on site in respect of floorspace, or car parking, or why this would be unsuitable. The applicant has indicated that the Altair foodstore development is constrained by the terms of the contract with Nikal, but it has not been prepared to share this contract or to at least confirm the important detail within it.

24. In the absence of this evidence, it is not possible to conclude that the Altair site cannot accommodate a foodstore of a comparable scale and nature to the application proposal and with a similar range and type of goods. The pursuit of a metropolitan model at Altair is indicative of operators being able to be flexible in respect of store format in order to secure representation on more challenging and constrained central sites, the Council's retail consultant has advised. As such, this advice also identifies Altair as a *suitable* site on the basis of it being able to accommodate a metropolitan model discount foodstore with underground car parking. This is considered consistent with the NPPF requirement at paragraph 87 for applicants to 'demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.'

25. In demonstrating compliance with the sequential test, the NPPG is clear that the burden rests with the applicant. On the subject of suitability, the applicant has not been able to substantiate its claims that the more central location of Altair cannot accommodate a foodstore development that would be comparable to what the application proposal would provide.

26. Therefore, in concluding on the sequential test, available evidence indicates that a more centrally located site is *available*, and also potentially *suitable*, to accommodate the foodstore element of the application proposal. On the matter of suitability, the necessary evidence to enable the applicant's standpoint to be accepted is presently lacking. As a result, it has not been demonstrated that the application meets the requirements of the NPPF



sequential test at paragraph 86. It is also contrary to Policy W2 and Policy S11 on that basis.

27. Finally, it is noted that the applicant has sought to provide assurance that Lidl is contractually obliged and committed to bringing forward both the Altair and Broadheath schemes. However, even where there is commitment to develop both sites, the sequential test requires that the sequentially preferable site comes forward in advance of the less central site.

### The Impact Test

28. The NPPF's paragraph 89 sets out the impact test for applications for retail and leisure development that are located outside town centres and which are not in accordance with an up-to-date development plan. It requires applications for such development, which are over 2,500 square metres (or a locally set threshold), to include an assessment of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.

29. This Council does not presently have a local impact testing threshold, and it is acknowledged that the floorspace proposed falls below the 2,500 square metre figure in the NPPF. However, the applicant has chosen to submit a retail impact assessment, and therefore it is incumbent on officers to examine its robustness. Furthermore, the potential for the development to impact upon town centre health has been raised as a concern by objectors, and Policy S11 requires an impact assessment irrespective of floorspace. Therefore, the matter of impact is considered of relevance to the application proposal.

30. Commentary and conclusions regarding the first strand of the impact test – the impact on investment test – are presented first, followed by coverage of the second impact on vitality and viability test. To reiterate, paragraph 90 of the NPPF confirms that: 'Where an application...is likely to have a significant adverse impact on one or more of the considerations [in paragraph 89] it should be refused.'

31. In so far as the investment impact test is concerned, additional advice in the NPPG is limited to identifying three considerations, namely:

- The policy status of the investment;
- The progress made towards securing the investment; and
- The extent to which an application is likely to undermine planned

investment based on the effect on forecast turnover, operator demand and investor confidence.

32. Altair is identified in the Core Strategy (Policy W2) and also the Altrincham Town Centre Neighbourhood Business Plan. There is no doubt that the Altair development has suffered from a series of hold ups, with the original planning permission for a mixed-use development dating back to 2008 (ref. H/OUT/68603). However, some preparatory works have recently been undertaken on site associated with the implementation of Phase 1. Lidl has informed the Council that it is contractually committed to a revised Altair development for a subsequent phase. It is considered that the Altair development comprises 'planned investment' for the purpose of the NPPF test.

33. It is fully appreciated that Altair is a very significant and much delayed scheme. Whilst the Covid-19 pandemic is resulting in challenging economic conditions, there is no evidence to suggest that the grant of this planning permission to enable Lidl to operate from Altrincham Retail Park would in itself prejudice the delivery of Altair. Significantly, it is noted that those behind the Altair planning investment (Nikal) have not expressed any concerns, and the contractual obligations between the applicant and Nikal support this position.

34. It is known that there are currently other proposed investments being considered in Altrincham town centre. This includes the Council's aspirations to bring forward the redevelopment of the Grafton Centre in conjunction with a joint venture partner, and the Council's acquisition (with Bruntwood as joint venture partners) of the Stamford Quarter with a view to improving its offer. However, in both cases at this stage the Council's investment plans are rather embryonic, and it is not considered that they constitute 'planned investment' of the form that the NPPF seeks to protect. Moreover, it is understood that any early stage visions for both the Grafton Centre and the Stamford Quarter do not support the inclusion of a discount foodstore of the type proposed.

35. As such, it is considered that there is no case for a 'significant adverse impact' on town centre investment to be demonstrated. It is therefore concluded that the application proposal accords with the requirements of the first strand of the NPPF impact test.

36. In turning to the second strand, an assessment of impact on the vitality and viability of town centres is typically based around a quantitative retail impact exercise. The NPPG provides further advice regarding how the impact on vitality and viability test should be applied. It states that it is for the applicant to demonstrate compliance with the impact test, and that the test should be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible.

37. It should be commented that it is accepted that the comparison goods (or

non-food) 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 (including at other units within the retail park). As such, it is concluded that any impacts arising from the comparison goods component on defined centres would not be material to the application of the impact on vitality and viability test. It follows that the applicant's approach to assessing the impact of convenience goods (food) has been the focus of examination.

38. The applicant's first attempt at assessing (convenience goods) quantitative impact was considered to be fundamentally flawed. An amended assessment was subsequently submitted which now correctly draws upon the Trafford Retail and Leisure Study of 2019 which provides an up-to-date baseline position, including regarding foodstore performance, convenience goods shopping behaviour and town centre health. The applicant's assessment sets out a series of updated inputs and assumptions which underpin its approach to retail impact, and it also provides a series of retail impact tables. Some of these assumptions have been concluded to be reasonable and robust, including regarding the definition of an appropriate catchment area and assessment period. However, queries have continued to be raised in respect of other aspects of the approach employed. This includes the failure to properly factor in the effects of existing retail commitments, and assigning greater levels of trade diversion from stores further afield (in Sale, for example) than is likely to occur in practice.

39. The retail consultant appointment on the Council's behalf has therefore provided its own updated assessment which makes its own adjustments. In this scenario it is concluded that the largest proportions of the Lidl convenience goods turnover would be diverted from the adjacent Aldi store and then also the Asda at George Richards Way. It is notable that both of these stores occupy out-of-centre locations, akin to the application site, and thus are afforded no policy protection. The resulting cumulative impact on the convenience goods turnover of operators within and adjacent to Altrincham town centre (namely the Sainsburys and Tesco stores), even when applying a worst case scenario through the consultant's sensitivity test, has been found to be relatively modest, equating to around a 4% impact when aggregated. As confirmed by the Trafford Retail and Leisure Study 2019, both the Sainsburys and Tesco stores have very substantial turnovers and would, it is considered, remain viable subsequent to the implementation of the Lidl proposal (in addition to the new Aldi in treating this as a retail commitment). The trade diversion from other foodstores (including Iceland) in Altrincham town centre would be more limited, and significantly no representations have been submitted which would indicate that any town centre retailers may close.

40. The NPPG sets out the key considerations in assessing the likely impact on trading levels and on town centre vitality and viability. The advice states that

'...a judgment as to whether the likely adverse impacts are significant can only be reached in light of local circumstances' and that '...in areas where there are high levels of vacancy and limited retailer demand, even very modest trade diversion from a new development may lead to a significant adverse impact'.

41. 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. The new Altrincham Market Hall, and the unique food and beverage offer that has developed around it, as had the most transformative effect, along with wider public realm improvements. As a consequence, the Trafford Retail and Leisure Study 2019 finds the town centre to be 'highly vital and viable.'

42. Notwithstanding this, Altrincham town centre is still susceptible to wider market pressures, with the Debenhams store closing in January 2020. The long-term future of the Rackhams unit has also been uncertain. There is also concern about the general impact of the COVID-19 pandemic on all town centres, and there is the prospect of a recession impacting on future economic growth. However, the current challenging market conditions are likely to be of greatest consequence to the comparison goods and leisure sectors, and it is considered that the convenience goods function of the town centre is more resilient and less susceptible to such pressures.

43. As a result, whilst it is recognised that Altrincham town centre's vitality and viability is more precarious than it was envisaged a few months ago, it is not considered that the impacts arising from the Lidl foodstore proposal would materially impact on the trading position of its grocery operators, and thus its vitality and viability would not be undermined in a way which could be assigned to the Lidl proposal. As a consequence, it is concluded that the proposal also complies with the requirements of the second strand of the NPPF impact test regarding vitality and viability. It is also compliant with Policy W2 and Policy S11 in this respect.

#### Conclusions on the Principle of the Development

44. It has been outlined that there are two key tests in the NPPF which apply to an application of this nature: the sequential test; and the impact test, with the latter split into two parts and summarised as: impact on investment; and impact on town centre vitality and viability. The conclusion of officers, as supported by the appointed consultant, is that there is unlikely to be a 'significant adverse impact' on any town centre within Trafford as a result of the application proposal. However, in turning to the sequential test, the requirements of this test have not been met. This is because it has not been adequately demonstrated by the applicant that Altair is not an *available* and *suitable* sequentially preferable site for the proposed foodstore development. Claims regarding unsuitability have

not been fully evidenced. A reason to refuse the application under paragraph 90 of the NPPF is therefore triggered. In failing to meet this NPPF test, the proposal also contravenes the provisions of Policy W2 and Policy S11 in so far as they relate to the sequential test.

### Highways Matters

45. The NPPF explains that transport policies have an important role to play in facilitating sustainable development and in contributing to wider sustainability objectives. Accordingly, it advises that planning decisions should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Development proposals that generate significant amounts of movement should be supported by a Transport Statement/Transport Assessment, it continues. However, development should only be prevented or refused on transport grounds if there would be an 'unacceptable impact on highway safety', or 'the residual cumulative impacts on the road network would be severe', it advises (paragraph 109). Policy L4 of the Trafford Core Strategy is the relevant policy at development plan level. This is clear that planning permission will not be granted for new development that is likely to have a 'significant adverse impact' on the safe and efficient operation of the strategic road network (SRN), and the primary and local highway network. It has been concluded that the *severe* reference within the NPPF is a more stringent test for residual cumulative impacts, and thus Policy L4 (on the issue of traffic impact) is considered to be out-of-date for the purposes of decision-taking. However, as will be explained in the following paragraphs, it is the issue of highway safety (rather than traffic impact) which has been the focus of concerns (when having regard to the applicant's vehicular access proposals).

46. The highway implications of the proposed development have been carefully considered by the local highway authority (LHA) and with Transport for Greater Manchester (TfGM) also providing an important advisory role. This review has covered the applicant's initial Transport Assessment (TA) and then there has been a series of subsequent highways notes and Road Safety Audits.

47. A single access (for customers) currently serves the retail park, situated off George Richards Way and which is signalled controlled. It leads to a mini-roundabout. Whilst the proposal involves the utilisation of this existing access for entering the retail park, a new point of egress is proposed in this application off George Richards Way. This would provide a 'left-turn only' option which would lead vehicles towards the A56. It would be positioned between the existing retail park access and the George Richards Way/A56 junction. To the east of the egress a new pedestrian access is proposed to provide a connection from the car park to the George Richards Way footway. The works would also involve a new central reserve and a change in kerb alignment. The egress would not be signalled controlled; rather, the TA explains that, during the

inter-peak, exiting customers would join George Richards Way when gaps in traffic appear, whilst they would merge with traffic during peak periods when queues would build up beyond the proposed egress.

48. From the outset objections have been raised by both the LHA and TfGM regarding the principle of this egress. Whilst the applicant has sought to rely upon an outstanding unimplemented permission for a new access onto George Richards Way from the retail park further west to support their case, the circumstances and location of that access have been found to be very different. A key concern in respect of the present proposal is the nearness to the A56 major junction; a distance of only some 80 metres. The proposed egress would be in proximity to the existing George Richards Way left turn lane to the A56 and in the weaving length of vehicles changing lanes to exit George Richards Way and travel onwards. The consultees have raised the very real prospect of vehicle conflict occurring with drivers attempting to exit the retail park via the proposed egress when it is unsafe to do so and at a time when other drivers are preparing to change lanes on approach to the A56. These concerns have led the LHA and TfGM to both conclude that the proposed new egress is likely to have an 'unacceptable impact on highway safety', in reflecting the terminology of the NPPF.

49. Notwithstanding these 'in principle' objections, efforts have been made to work with the applicant to explore potential solutions. Some additional information has been provided which has been welcomed. This has included a Road Safety Audit (RSA), tracking diagrams, and some adjustments to the junction design and central reserve. However, other requested evidence to support the applicant's contrary position - that the LHA/TfGM concerns are unjustified - has not been provided. Recent requests include further site surveys to determine the level and position of lane changing in advance of the signals at the A56, and traffic modelling to determine the extent of gaps in traffic flow. The information has not been forthcoming, however. Other outstanding requests cover further vehicle tracking, an improved RSA, and an analysis of collision data. It is unfortunate that the applicant has been unwilling to fully cooperate in the face of concerns regarding highway safety and have instead requested determination of the application on the basis of the present submission and at a time when issues remain unresolved. However, the LHA's position is that the requests being made are wholly reasonable in this instance and when there are genuine and acute safety concerns; officers agree that the matter needs full and proper interrogation.

50. Accordingly, in coming to a conclusion regarding the present submission, the LHA and TfGM maintain their position that the introduction of the new egress onto George Richards Way would introduce new conflict between vehicular traffic; this would present a risk to highway users and it has not been adequately evidenced by the applicant that this risk would not be 'unacceptable'.

51. Notwithstanding this conclusion, for purposes unrelated to addressing the highways concerns, the LHA is aware that an amended proposed site layout plan has recently been submitted. This appears to introduce some further adjustments in the design of the proposed egress, including works that would be required within the George Richards Way carriageway as part of a subsequent Section 278 Agreement (although it is unclear whether the plan was intended to provide a solution to the issue as no supporting highway justification was received). This plan illustrates George Richards Way being reduced to a single lane which would prevent two lanes of traffic forming and thus the ability for drivers to switch lanes. However, at this stage this proposal similarly is not advanced enough and it has not been accompanied by necessary supporting information. Further evidence would still be needed in advance of determination to provide the LHA with the necessary comfort. This would include further modelling of the existing signalised junction at George Richards Way (to the south of the retail park entrance) when allowing for a re-designation of the carriageway to one lane. This would be in order to fully understand the implications of the road realignment on the operation of the junction and to ensure that this proposal would not then introduce a 'severe' impact on the highway network. Further drawings would also be needed to illustrate a full package of highway works and which then would be subject to the necessary scrutiny. Officers would have been prepared to work with the applicant to proactively discuss these proposals (or others) if the applicant had wished to do so. To reiterate, however, the applicant has expressed a desire for negotiations to cease. Therefore, the concluding position of the LHA, as supported by TfGM, is to object to the application on the issue of the proposed egress, as the applicant has been unable to demonstrate that an unacceptable highway safety impact would not occur.

52. In terms of other highways matters considered by the LHA/TfGM, it has been confirmed that the application proposal is acceptable. The TA provides an overview of the accessibility of the application site by non-car modes. It is explained that all roads within the vicinity of the site have footways typically of at least 2 metres in width and with pedestrian crossing facilities over busy roads (including at George Richards Way and the A56). The footway along the southern side of George Richards Way is designated as a shared footway/cycleway, it is explained, and with some cycle parking provided within the retail park. The A56 is a bus corridor and with the nearest bus stop located close to the existing Homebase and which is used by a number of services on routes between Altrincham town centre, the Trafford Centre and Manchester city centre. There is a further bus stop located on George Richards Way. The nearest tram stop and railway station is at Navigation Road which is some 900 metres to the site's south east. Notwithstanding the existence of some public transport options and that there is the prospect of some walk-in/cycle custom, given the nature and function of retail parks (including the availability of free and convenient car parking) and the way in which food shopping is undertaken, it is to be expected that the majority of customers would arrive by motor vehicle.

53. The submitted TA estimates the potential increase in vehicle trips associated with the proposed development (based on trip rate information from the TRICS database). It predicts that the development would increase the number of peak hour vehicle trips by 53 arrivals and 53 departures on a typical weekday, and 75 arrivals and 82 departures on Saturdays. In using LINSIG junction modelling the TA then considers the effects of this traffic increase on local roads. This includes at key junctions adjacent to the site. The TA identifies that the retail park access/George Richard Way is operating *within* capacity during peak hours and would continue to do so with the development in place. No significant uplift in vehicle queue length in this location is anticipated. For the A56/George Richards Way, the TA distinguishes between the different 'arms' of the junction and highlights that some are presently operating, at peak times, *above* capacity, *at* capacity or *within* capacity. However, whilst there would be some increase in traffic flows, no changes in these overall capacity positions are anticipated. Nonetheless, the TA forecasts that vehicle queue lengths for George Richards Way at the A56 junction would increase, and would in fact double during the typical Saturday peak. Overall, when placing the anticipated uplift in traffic in the context of the existing baseline environment, the TA records that there would be no *material* change in traffic conditions. This is a position that is accepted by the LHA, and thus it is concluded that the general increase in traffic attributable to this development could be absorbed by the local highway network and without giving rise to a 'significant adverse' or 'severe' impact. For the avoidance of doubt, this conclusion does not account for the unidentified traffic impacts which could result from the undeveloped revised egress proposals referred to above.

54. The retail park as a whole currently provides parking for up to 790 cars, and 351 of these spaces are located within the application site. The TA explains that the full car park is known to operate *within* capacity for the majority of the week, and with the spaces in front, and to the east, of the existing Homebase unit typically the least popular with customers (given their more peripheral location and in an area of the retail park where the number of retailers is less concentrated). 94 car parking spaces would be lost through this proposal, thereby reducing the number of spaces to 257 within the application site and 696 spaces across the park as a whole. However, within this, the number of dedicated disabled and parent with child spaces would increase (by 4 and 8 spaces respectively).

55. One of the objectives of Policy L4 is to ensure that new developments provide adequate levels of car parking. SPD3: *Parking Standards and Design* sets out the Council's maximum standards for parking provision across a broad range of uses. The use of maximum, rather than minimum, standards is intended to discourage excessive parking provision which could otherwise promote car use. The SPD identifies that, in this location, 1 parking space for every 14 square metres of Class A1 food retail (gross) floorspace is the



maximum requirement. For Class A1 non-food retail uses, the equivalent figure is 1 parking space for every 20 square metres of (gross) floorspace, and 1 space for every 40 square metres of Class A1 retail warehouse/bulky goods (gross) floorspace. The precise application of these standards to this proposal is difficult, however, given that this is not a standalone retail development served by one dedicated car park. Rather this is an existing retail park environment with a number of different component parts which fall into different categories within SPD3, and with the full car park available to all retail park customers, who may choose to visit different units as part of the same trip. The TA estimates that the new discount foodstore plus the retained smaller Homebase is likely to generate a maximum cumulative demand for 192 spaces on a typical Saturday afternoon under normal trading conditions. When having regard to evidence indicating a surplus of parking spaces for the majority of the week, and which is corroborated by on-site observations, and when noting that Lidl/Homebase customers would have access to other spaces across the retail park, the LHA has concluded that the proposed parking arrangements would be adequate to cater for the demands of the development and of the retail park as a whole. The LHA is also satisfied that the proposal would provide sufficient car parking for all user groups, consistent with the aspirations of SPD3.

56. There is currently parking for up to 8 cycles outside of the Homebase store. SPD3 also specifies the Council's cycle parking standards for new development. The SPD is clear that (unlike the approach to car parking) these are minimum standards and that a higher level of provision may be encouraged where appropriate. When applying these standards to the proposed development, the TA identifies a minimum requirement for 6 additional cycle spaces. In incorporating provision for 8 further cycle spaces, and in a covered cycle store to the front of the shop units, the proposal would satisfy policy expectations.

57. In terms of servicing, the TA confirms the intention to utilise the existing retail park service access which leads from Craven Road. Deliveries to the Homebase store are not anticipated to change in quantity, whilst one to three service vehicles per day would be expected to the new foodstore. It is explained that all deliveries would take place clear of the adopted highway and within the dedicated service yards, and thus the LHA has confirmed its acceptance.

58. In concluding the topic of highways, the proposed new egress unto George Richards Way is objected to by the LHA and TfGM due to the potential unacceptable risks posed to highway safety, and with it incumbent on the applicant to adequately demonstrate that such an impact would not occur. Whilst a revised egress design has recently been supplied which *may* present a solution, this has not been formally provided as a response to highways objections and it is not fully developed. On this basis, the proposal triggers a reason for refusal under paragraph 109 of the NPPF and it is also contrary to Policy L4 (which is consistent with the NPPF on the matter of highway safety).

## Impact on Heritage Assets

59. Protecting and enhancing the historic environment is an important component of the NPPF. The document introduces the term 'heritage assets' which are defined (within the glossary) as: 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions'. Such heritage assets can be 'designated' or 'non-designated'. It is the conservation of heritage assets in a manner appropriate to their 'significance' which is the focus of the NPPF, and with this significance defined as: 'the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence but also from its setting'.

60. Within the Core Strategy Policy R1 seeks to ensure that the Borough's heritage assets are safeguarded for the future, where possible enhanced, and that change is appropriately managed and tested for its impact on the historic environment. However, Policy R1 is inconsistent with the current government guidance. This is because the policy does not reflect the NPPF's categories of 'substantial' and 'less than substantial' harm and their corresponding tests. In summary, these NPPF tests provide an opportunity for an applicant to demonstrate that there would be public benefits arising from a proposal which may outweigh heritage harm. Full weight cannot, therefore, be afforded to Policy R1, and the tests of the NPPF remain to be applied in the determination of applications in treating this guidance as a material consideration.

61. That being the case, Policy R1's approach is in line with the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990, which are still engaged. This (at Section 66) requires decision-makers to pay special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Therefore, whilst the terminology of the NPPF may reduce the weight that can be applied, Policy R1 nonetheless remains of some relevance given the statutory obligations.

62. There are a number of designated heritage assets within the vicinity of the application site. These comprise: a former canal warehouse on the south side of the Bridgewater Canal (Grade II listed); the former Lloyds bank building at nos. 139 to 141 Manchester Road (Grade II listed); and the Railway Inn public house, Manchester Road (Grade II listed). In addition, the Bridgewater Canal is recognised as a non-designated heritage asset, and with the bridge over the canal at Manchester Road (known as Broadheath Bridge) having the same non-designated status.

63. The application upon its submission was deemed insufficient in its assessment of the significance of these heritage assets, and in turn its

consideration of the impacts that would occur on this significance was also found to be lacking. It has been the impact of the proposal on the listed Railway Inn (and specifically its setting) which has been of most concern to the Council's Heritage Development officer. It is accepted that, in the case of the other identified heritage assets, the site is separated from them either by George Richards Way and/or by other retail warehouses (and thus their setting would be largely unaffected and any impact would be negligible).

64. However, the Railway Inn is in fact contained within the application boundary; it is positioned at the junction of George Richards Way and the A56 Manchester Road, at the south-eastern corner of Altrincham Retail Park. It is understood that the area of the application site originally formed the Broadheath railway station, goods shed and viaducts. However, it was demolished in the late 1980s, along with a terrace of shops to the north of the Railway Inn. The Altrincham Retail Park was constructed in the early 1990s. The Railway Inn was, however, retained. The listing description explains that the building is of mid-19<sup>th</sup> century origin although with later alterations. It is of red/purple brick with a pitched welsh slate roof and chimney stacks. Its street (A56) frontage is of two-storeys with three bays and an off-centred doorway. Its gabled elevation to George Richards Way is at an acute angle.

65. The importance of respecting the setting of a heritage asset is established by the statutory obligation referred to above, and it is also reflected in the policy objectives of the NPPF and the Core Strategy. A Historic England document *The Setting of Heritage Assets: Historic England Good Practice Advice in Planning* (2017) defines setting as: 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.' For the purposes of decision-taking, it is necessary to understand the extent to which setting contributes to the significance of a heritage asset. Setting is also described as being a separate term to curtilage. Whilst curtilage is a legal expression which refers to the extent of a property boundary, setting is chiefly a visual term and the way in which the host structure is experienced.

66. A revised and expanded Heritage Assessment refers to the fact that substantial demolition and redevelopment in recent decades has removed the listed building's historic context. 'The pub stands entirely isolated amongst a network of busy multi-lane roads/junctions and the large Altrincham Retail Park, resulting in its setting now entirely lost', it is stated. Following on from this, the assessment records that the contribution of setting to the asset's significance is low. Further to this, it is concluded in the assessment that the proposed development 'would not affect the setting of the Grade II Railway Inn.'

67. This conclusion – that there would be no impact on significance - is not

accepted by the Council's Heritage Development officer. From this perspective it is acknowledged that the current immediate setting of the listed pub is defined by the expanse of car park. However, the Railway Inn formed the end of a terrace, and whilst the remainder of that terrace has been demolished, several properties remain of adjoining terraces. The building is therefore part of a wider, fragmented street scene which includes these retained 19<sup>th</sup> century buildings both to the north and south along the western side of Manchester Road, it is concluded. Further to this, the current car park acts as an undeveloped buffer surrounding the pub. The form of the building, including its gables and roofscape as well as its principal elevation, are clearly appreciated when moving along Manchester Road in both northerly and southerly directions.

68. The new Heritage Assessment models the proposed development from only one arbitrary viewpoint (from a location looking north-east towards the site from the junction of Manchester Road, George Richards Way and Viaduct Road). A more thorough assessment would have included a broader range of views, including looking southwards, in order that the impact of the development on kinetic views could be appreciated (which is what would be experienced in practice), the Heritage Development officer has advised.

69. The application proposal involves a sizeable extension which would extend the retail warehouse terrace much closer to the A56. Whilst limited in scope, the modelled viewpoint serves to demonstrate the prominence of the proposed development, with its side (blank) elevation positioned within six metres of the Manchester Road footway. This is corroborated by a CGI image submitted with the package of plans/drawings. The associated buildings to the site's north would also be partially obscured from certain aspects. There has been some amendment to the treatment of the extension's eastern elevation, with some of the detailing from the front elevation now continuing. This includes a cladded trim to the upper element and dark grey cladded columns. This elevation would also include timber fencing to surround the garden centre. No shopfront glazing is incorporated. Whilst the revisions provide some improvement, there is still some concern that this is not an appropriate design response for such a noticeable corner of the development *and* which has heritage sensitivity. The suitability of the scheme in general design terms is covered in further detail in the subsequent section of this report.

70. As a consequence of scale, siting, form, appearance and materials, the result - it is considered - is an unsympathetic development in the context of the relationship with the Railway Inn. It would be observed within the setting of the listed building and it would reduce the visual connection between the public house and the adjacent 19<sup>th</sup> century buildings. As a consequence, the Heritage Development officer has concluded that the proposed development would be harmful to the significance of the listed building by virtue of the impact on its setting. The extent of harm has been described as 'moderate.'

71. As previously advised, the NPPF acknowledges that there can be levels of harm to the significance of a designated heritage asset. The Heritage Development officer has confirmed that the reference to 'moderate' harm would translate to 'less than substantial' harm to significance as referred to by paragraph 196 of the NPPF. Where a development proposal would lead to less than substantial harm to significance, paragraph 196 continues that this harm should be weighed against the public benefits of the proposal. It should be reiterated, however, that Policy R1 does not explicitly allow for a development to result in any harm to heritage assets. The identification of 'moderate' or 'less than substantial' harm to the setting of the pub therefore amounts to a development plan policy conflict. That this approach is not consistent with the NPPF has, of course, previously been reported. However, even when relying upon the NPPF approach, paragraph 194 is clear that the harm arising requires a 'clear and convincing justification'. Furthermore, in accordance with the statutory presumption embodied in the Planning (Listed Buildings and Conservation Areas) Act 1990, significant weight and importance should be afforded to heritage harm in the planning balance.

72. The NPPG explains that 'public benefits' may follow from many developments and could be anything that delivers economic, social or environmental objectives as described by the NPPF. The applicant's submission refers to the benefits that this development would bring. It is acknowledged that the proposal represents investment by the joint applicants in the retail park and the wider area, and that this would support the objectives of the NPPF in utilising the planning system to help build a strong, responsive and competitive economy (paragraph 8). It is explained that the new Lidl store would provide approximately 40 new job opportunities, and with Lidl's employment arrangements typically supporting the hiring of local people. The positions would range from managerial to store assistants and cashiers. The proposal would also ensure the retention of jobs at the Homebase unit, it is explained, and with a recent letter provided on behalf of Homebase suggesting that 50 in-store jobs would be protected. These economic benefits are given weight, and particularly so in light of the current national economic uncertainty as a consequence of the Covid-19 pandemic. It is also recognised that the development would support some construction jobs, albeit it only for a temporary period, and that there could be potential for some wider economic benefits during construction associated with investment in local supply chains.

73. Further to this, it is acknowledged that the proposal is consistent with NPPF principles supporting the utilisation of suitable brownfield land within existing settlements and in promoting a more efficient use of land, particularly in sustainable locations. As previously reported, the accessibility credentials of the application site are considered to be reasonable such that some customer journeys to the site may be made in sustainable ways. The development would also enable the introduction of a new food retailer, not currently represented, to the local grocery market, and would provide for improved consumer choice and

competition.

74. The exercise of balancing harm to heritage assets against public benefits is a matter of planning judgement. Whilst not an extensive list, it is evident that there is a collection of benefits that would arise and which would be welcomed, and particularly some economic-led gains. Harm of any grade to the significance of designated heritage asset is unwanted, although in this case the harm to significance that would be inflicted on the Railway Inn by virtue of the impact on setting is 'less than substantial.' Whilst the applicant's position that the historic context of the pub has been entirely removed is not accepted, equally on balance it is recognised that there has been *some* dilution in setting and that the character of the A56 corridor in this location is also influenced to some degree by highways infrastructure, busy traffic, and other modern warehouse and standalone commercial developments. From this position, and when applying the necessary judgement to the circumstances of this proposal, it is considered that the additional harm to setting - of a 'less than substantial' nature - would be sufficiently outweighed by the cumulative public benefits that are expected to arise.

75. Accordingly, it is concluded that the policy test at paragraph 196 of the NPPF has been fulfilled and that the heritage harm would be outweighed. However, the proposal remains at odds with Policy R1 and there is also some variance with the statutory duty. These matters are returned to in due course as part of the concluding planning balance.

#### Design and Visual Amenity

76. The creation of high quality buildings and places is fundamental to what the planning process should achieve, according to the NPPF. Paragraph 124 explains that 'good design is a key aspect of sustainable development, it creates better places in which to live and work, and helps make development acceptable to communities.' Within the statutory development plan this objective is expressed by means of Policy L7 of the Core Strategy, with the accompanying text similarly noting that 'high quality design is a key element to making places better and delivering environmentally sustainable developments.' It has been concluded that Policy L7 is consistent with the NPPF and thus it is up-to-date for the purposes of decision-taking.

77. In October 2019 the Government published its National Design Guide. It is based on national planning policy, practice guidance and objectives for good design as covered in the NPPF. The document outlines the Government's priorities for well-designed places in the form of ten characteristics. The first such characteristic is 'context'. This is defined as 'the location of the development and the attributes of its immediate, local and regional surroundings.' A well-designed new development responds positively to the features of the site itself and the surroundings context beyond the site boundary, it is continued.

'Identity' is a further characteristic. 'The identity...of a place comes from the way that buildings, streets and spaces, landscape and infrastructure combine together and how people experience them.' It continues that 'well-designed places have a positive and coherent identity that everyone can identify with.'

78. The site forms part of an existing retail park, which has a particular character which is reflective of its form and function and which is typical of such out-of-centre retail destinations. The location is characterised by relatively low-rise, flat-roof development which occupies large floorplates and which is fronted by surface-level car parking with onward highway connections. However, this part of the retail park is in the most prominent location; towards the frontage of the A56 and its junction with George Richards Way. The Grade II Railway Inn is positioned at this intersection. Equally, the retail park in this location is also influenced by the route of the A56, which is largely commercial in character, which accommodates road infrastructure and which can be congested at peak times. Beyond the listed pub, uninterrupted views of the site and the wider retail terrace are also available from George Richards Way across the existing open car park. Built form in the area is typically modern although there are pockets of other more historic fabric.

79. The proposed development would involve the extension of the existing warehouse terrace closer to the A56 on an area of current car park. New built form, of a lesser amount, would also be provided to the north towards Huxley Street. Efforts have been made to ensure that the proposed development would reflect the existing appearance and palette of materials present within the retail park. The existing Homebase unit is composed of blockwork cladding with a composite cladding trim at the upper level and with this composite cladding repeated to form a series of columns. The open area of the garden centre has similar column structures composed of blockwork. The west-facing elevation of the garden centre includes timber fencing. The entrance to the existing Homebase comprises an aluminium shopfront positioned towards the eastern end of the unit. The extension to the Homebase unit would take the form of the repositioned garden centre. It would be subordinate in height to the main unit, akin to the existing garden centre. It would have a blockwork plinth and with areas of glazing incorporated set within aluminium frames. The remainder of the unit would be updated through the provision of dark grey cladding columns, which would be repeated for the garden centre, and replacement cladding for the upper trim (also followed through for the garden centre).

80. The new Lidl store, in replacing the existing garden centre, would adopt a similar form and scale to the adjacent Homebase. It would feature a glazed entrance and adjacent curtainwall glazing on the south-facing elevation overlooking the car park. This would wraparound to encompass some of the west-facing elevation. It would also include dark grey cladding columns, to tie in with the adjacent unit, and a cladded upper trim (although of a greater depth).

81. In terms of hard landscaping, the proposal involves the provision of brick paviours at the store entrances to tie in with existing surface materials, and the re-tarmacking of the majority of the car park. New furniture is proposed outside of the units, including a trolley bay and cycle store.

82. What is proposed is functional in its appearance and has an identity that is consistent with the rest of the retail park and the wider surroundings including other commercial and retail developments on the A56 and to the south of George Richards Way. The new discount foodstore would largely take the place of existing built form and would nestle in between the refurbished Homebase and the remainder of the retail terrace, which is set back. It would mainly be observed in views from George Richards Way. However, the area of the new garden centre is more problematical in design terms. This element would be seen in the context of both George Richards Way and the well-trafficked A56 and would encroach into the setting of the Railway Inn. It is recognised, however, that some progress has made to deliver an improved appearance. Whilst the scale and position of the proposed extension has not altered, some changes have been made to its external treatment as it faces the highway. This includes the introduction of some column and upper level detailing, which would provide some variation to the elevation and which would serve to soften the way the development was perceived. The extent of applied timber fencing has also reduced. Conditions could also be imposed on any grant of planning permission to further ensure a level of design quality, for example to request full material specifications.

83. Overall, it is considered that the proposal would deliver a development with an identity which would cater for its users and which in many ways would be reflective of the characteristics of this area of Broadheath. However, from the previous commentary it is evident that the proposal has not taken full account of all aspects of context since some harmful impact to a heritage asset has been identified. Policy L7, consistent with the National Design Guide, also requires development to be appropriate to its surroundings. The elevational improvements have, however, moderated the strength of design objections and there is recognition that this is an environment with a varied character. With this in mind, whilst it is maintained that the proposal would not fully meet all design principles established by Policy L7, the extent of policy variance is not considered significant enough to trigger a policy conflict and to warrant a recommendation of refusal on design grounds. When taken as a whole, it is considered that the proposal constitutes a reasonable design response which has some positive elements of character and which generally satisfies the requirements of Policy L7, the NPPF and the National Design Guide. Some departure from policy and guidance, when having regard to local heritage, is however placed on record (consistent with previous conclusions) and this is a matter that will be returned to as part of the concluding planning balance.

#### Landscaping and Green Infrastructure



84. The NPPF is clear that the creation of well-designed places is also dependent on the incorporation of appropriate and effective landscaping (paragraph 127). Policy L7 of the Trafford Core Strategy also refers to the importance of ensuring that new developments are appropriately landscaped. In addition to this requirement, there is a separate Core Strategy expectation (as articulated by Policy L8 and Policy R3, and complemented by SPD1: Planning Obligations) for development proposals to contribute on an appropriate scale to the provision of 'specific green infrastructure' (SGI), which includes tree planting and other forms of soft landscaping. The scale of provision should be tailored to the specifics of the proposal since the intention is that it would mitigate specific issues in that area, the SPD advises. This could include the effects of urban heat or of air and water pollution, or to address local ecological impacts. Policy R3 is regarded as being in step with the NPPF and thereby afforded full weight for decision-taking, whilst Policy L8 is generally consistent with the NPPF although lesser weight should be applied.

85. Existing soft landscaping at the site takes the form of a band of grass with some trees at intervals at the George Richards Way frontage, and similarly at the A56 boundary. There are also clusters of shrubs at the rear of the site which it is assumed were planted in parallel with the development of the retail park in order to provide some screening for the residential properties in this location.

86. The applicant's initial landscape proposals, as contained within an Arboricultural Impact Assessment and accompanying landscape scheme, involved the removal of 20 trees to facilitate the development. This included some trees within the car park, but also eight trees lost along the George Richards Way frontage (and only two retained). Only 17 trees were proposed to compensate for the trees removed. The Council's Tree officer was accepting of the removal of trees within the car park when noting that they had been planted in substandard conditions and are in poor shape anyway. However, the trees at the site's frontage, whilst not mature, are regarded as being in good health and vigour with full crowns and significant amenity potential in the longer term. In addition, whilst the proposal to plant heavy standard trees was welcomed in principle, concern was expressed that the supporting planting specifications would not provide favourable conditions to enable the new trees to flourish

87. A revised landscape proposal has since been submitted. Whilst it has not been possible to reduce the extent of tree lost at the site frontage, this scheme allows for more compensatory tree planting, including at the main vehicular entrance to the retail park from George Richards Way. One for one tree replacement is now proposed (20 new trees). In addition, this provides for the retention and enhancement of areas of low-level shrub and tree planting at Huxley Street to the rear (although some loss would still occur). Further adjustments have also been made to the planting specifications in order to ensure better planting establishment. These landscaping adjustments have

enabled the Tree officer to remove the objection, subject to conditions being imposed to ensure the improved soil/root/planting conditions, and to secure landscape implementation and maintenance in accordance with the revised scheme. Whilst it is noted that even the revised landscaping scheme does not allow for an overall uplift in tree planting, in accordance with the expectations of policies L8/ R3 and SPD1 (and thus there would be no landscape improvement in the short term), the Council's Tree officer has advised that there could be long term gain in tree cover provided that the new trees are well-planted (as indicated) and appropriately maintained. Conditions are therefore recommended to secure this. It is on this basis that it is concluded that the requirements of Policy L7 have been fulfilled and similarly in respect of the aspirations of policies L8/R3, and SPD1.

### Residential Amenity

88. In addition to ensuring that developments are designed to be visually attractive, the NPPF (at paragraph 127) advises that planning decisions should create places that provide a high standard of amenity. Policy L7 of the Core Strategy contains a similar requirement, and with it made clear that new development must not prejudice the amenities of neighbouring occupiers by reason of being overbearing or of overshadowing, overlooking, visual intrusion, noise/disturbance or in any other way.

89. To the immediate north of the application site there are residential properties which could be impacted upon. These include the streets of Huxley Street, Princess Street and Sinderland Road. The existing service yard to the Homebase unit is located in close proximity to this area, surrounded by timber fencing. The application proposal involves the demolition of some of the existing retail unit in this area, at a pinch point close to the site's boundary. In addition, an area of low-level landscaping which serves to provide some screening to the unit's rear elevation is proposed to be largely removed. This work would create a second service yard, and thus the existing Homebase service yard would be utilised by Lidl and then the new service yard by Homebase.

90. When having regard to the separating distance to residential properties, the provision of replacement landscaping to provide some screening, and that some existing built form would be lost, there are no overriding concerns with regard to issues of overshadowing, overbearingness, or visual intrusion from the building extension itself. In addition, there would be no overlooking problems given the focus of glazing to the retail units on the principal car park-facing elevations.

91. However, a cautious approach has been taken in respect of the potential for *noise* impacts, primarily in the context of the proposed new foodstore use and the possibility of a very well-visited facility including by service vehicles as well as customers. The potential to impact upon Huxley Street residents in particular

has been the focus of concerns.

92. Deliveries to the retail park (including to the existing Homebase) are presently restricted by condition and are limited to 0730 to 2000 Monday to Saturday, and with no deliveries permitted on Sundays (although the application submission advises that, in reality, deliveries do not occur until after 0800 hours). The current hours of opening of the Homebase store are 0800 to 2000 Monday to Saturday, and 1000 to 1600 on Sundays. The application upon its submission sought 24 hour deliveries to the new Lidl unit throughout the week (Monday to Sunday).

93. First stage consultation with the Council's Nuisance team identified shortcomings with the content of the submitted noise assessment and it was concluded that a case had not been made that an intensification of use brought about by the addition of a new foodstore and a new service yard (potentially operating through the night) would not be detrimental to noise-sensitive receptors in the vicinity of the site. Noise complaints from neighbours are already received associated even with the Homebase unit, the consultation response advised.

94. Following a number of iterations and continued dialogue with the Nuisance team, the applicant's latest request, upon which a revised noise assessment has been based, proposes the following hours of activity for the new Lidl. No changes over current times are proposed for the Homebase:

- Deliveries between 0800 and 2200 hours Monday to Friday; and between 0800 and 2000 hours on Saturdays and Sundays; and
- Store opening of 0800 to 2200 hours Monday to Saturday (including Bank Holidays); and 1000 to 1600 hours on Sundays.

95. Therefore, more restricted hours of delivery to the Lidl unit have now been offered by the applicant when compared with the original proposal. However, the most recent noise assessment acknowledges that even under this scenario reasonable noise levels would still be exceeded at the nearest residential properties on Huxley Street (when stood outside). It therefore proposes the erection of an acoustic barrier at the perimeter of the service yard to provide some noise mitigation. It has been confirmed that this would take the form of a 4.1m high close-boarded timber fence which would be erected at the Huxley Street boundary, behind an existing area of landscaping and then close to the south-western corner of the garden of no. 8 Huxley Street. There is presently a lower fence (3 metres high) in this general location with razor wire atop and which is substandard in its appearance since it has weathered over time.

96. The residential amenity implications of the proposed fence itself have been examined, in terms of the potential for it to cause overshadowing or to have an overbearing effect. A fence at this height directly aligning the residential property's boundary would be of a concern, but in this case a separating distance

would be maintained. When having regard to the effects of the existing fence, and then the proposed fence's improved exterior (and with new planting proposed to further soften its appearance), it is concluded that there would be no significant adverse residential amenity effects brought about by the proposed noise mitigation.

97. That being the case, whilst the acoustic barrier is welcomed, the final consultation response from the Nuisance team is not supportive of the applicant's amended request. Even with the fence it is still considered necessary to impose even more restrictive delivery and opening hours in the interests of preventing undue noise and disturbance and to protect surrounding residents. In summary, conditions are recommended which would impose the following limits for the Lidl:

- Deliveries between 0800 and 2000 hours Monday to Saturday, and between 1000 and 1600 hours on Sundays; and
- Store opening of 0800 to 2200 hours Monday to Saturday (including Bank Holidays), and 1000 to 1600 hours on Sundays.

98. Further noise-related conditions are recommended to provide added amenity safeguards, including to request a Servicing Management Plan (to ensure that the delivery process is appropriately managed by the retailers), to request a Construction Environmental Management Plan (to ensure that potential environmental effects arising during the construction stage are mitigated), and to limit the noise levels from any fixed plant to be installed. Conditions to transfer the hours restrictions for Homebase to the new unit are also necessary.

99. The Nuisance team has also considered the applicant's submitted lighting report, which explains that new lighting is proposed in the customer car park and to serve the two service yards. When having regard to the choice of luminaires and their location, it is concluded that the proposed lighting would not cause light overspill to the detriment of surrounding residential occupiers.

100. Overall, and with a series of crucial conditions in place, it is concluded that the proposed development would not have a significant adverse impact on standards of residential amenity in the locality. It is considered that the requirements of Policy L7 and the NPPF on this topic have therefore been met.

#### Other Environmental Health Matters

101. The NPPF advises local planning authorities to ensure that planning decisions prevent both new and existing developments from contributing to, or being put at risk from, unacceptable levels of soil, air or water pollution or land instability (paragraph 170). Within the Core Strategy this objective is covered by Policy L5 (Climate Change), which states that development that has potential to cause adverse pollution (of air, water or ground) will not be permitted unless it can be demonstrated that adequate mitigation measures can be put in place (and

with this aspect of Policy L5 regarded as being up-to-date).

102. Advice on these matters has been sought from the Council's Contaminated Land and Air Quality teams. Taking account of the submitted Geo-Environmental Desk Study which supports the application, the consultation response confirms that there are no overriding contamination concerns, although with a condition recommended to provide for further site investigative works and for subsequent remediation if necessary.

103. No consultee concerns have been raised regarding the potential for the development to lead to a deterioration in levels of air quality, although there is an expectation that the submitted Construction Environmental Management Plan would include measures to control the emission of any dust and dirt from the demolition and construction processes. There is also a requirement for low emission vehicle charging infrastructure to be installed within the development (to be conditioned), which could help to promote the uptake of low emission vehicles. Compliance with Policy L5 on these matters, together with the NPPF, has therefore been concluded.

#### Flooding and Drainage

104. The NPPF, at paragraph 148, is clear that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It advises local planning authorities to direct development away from areas at highest risk of flooding by applying the sequential test and then, if necessary, the exception test. Major development should incorporate sustainable drainage systems to manage surface water run-off, paragraph 165 advises, unless there is clear evidence that this would be inappropriate. The accompanying NPPG establishes a hierarchy of sustainable drainage options which commences with drainage into the ground (infiltration).

105. The applicable policy in the Trafford Core Strategy is Policy L5. This also explains that development will be controlled in areas at risk of flooding, and it also supports the use of sustainable drainage measures. This aspect of Policy L5 is also regarded as being up-to-date.

106. The application is accompanied by a Flood Risk Assessment (FRA) which has been reviewed by the Lead Local Flood Authority (LLFA). The FRA confirms that the site is located in Flood Zone 1, which means that it is exposed to the lowest annual probability of river or sea flooding (a less than 1 in 1,000 risk). As a result, there is no need for the sequential or exception tests to be applied.

107. The application is also supported by a Preliminary Drainage Strategy which similarly has been subject to LLFA assessment. This indicates that the site may be suitable for infiltrating surface water into the ground, although before

being confirmed this would need to be subject to further testing. The two-option strategy also allows for some storage attenuation on site. The LLFA is satisfied that the applicant has in place an outline scheme for effectively managing surface water which accords with the principles of the drainage hierarchy and which would ensure that, whichever option is selected, it would limit the run-off likely to be generated such that it would not increase the risk of surface water flooding. The site layout would not be affected if either scenario was selected, it is understood. A condition is recommended in order that the necessary ground testing work is carried out, and that the appropriate scheme is implemented, maintained and managed.

108. Overall, it is concluded that the proposal is compliant with the NPPF on the matter of flood risk and also meets the terms of Policy L5.

#### Ecological Impact

109. Planning policies and decisions should contribute to and enhance the natural and local environment, including by minimising impacts on - and providing net gains for – biodiversity, the NPPF is clear (paragraph 170). At the development plan level, Core Strategy Policy R2 similarly seeks to ensure that new development would not have an unacceptable ecological impact (and with this policy regarded as being up-to-date).

110. The application submission includes a Preliminary Roost Assessment, which has been reviewed by the Greater Manchester Ecology Unit. The consultation response accepts that the building to be reworked and extended has negligible bat roosting potential, and thus the findings of the survey – that the proposed development would not impact upon local bat populations – is accepted. However, evidence of birds nesting on the building has been identified, the consultation response records, and with the application site containing both bird and invertebrate boxes. Therefore, conditions/informatives are recommended to restrict certain works to the period outside of the bird nesting season, and to request the provision of replacement box habitat. The proposal is therefore considered compliant with Policy R2 and the relevant provisions of the NPPF.

#### Crime Prevention and Security Measures

111. Paragraph 127 of the NPPF states that planning policies and decisions should ensure that development proposals create places that are safe, and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience. This is supported by Policy L7 of the Trafford Core Strategy which requires applicants to demonstrate that a proposed development would help to create a safe environment and reduce the potential for crime.

112. The application submission includes a Crime Impact Statement, which has been prepared in conjunction with the Greater Manchester Police (GMP) and with the GMP also acting as consultee in reviewing the document. The consultation response confirms acceptance with the submitted CIS, although with a condition requested to ensure that the recommendations contained within the document are adhered to. Overall, it is considered that the proposed development has been satisfactorily designed when having regard to the objective of minimising the potential for crime through design (and thereby meeting the requirements of Policy L7 and the NPPF on this matter).

### Other Planning Considerations

113. In wrapping up any remaining matters (including issues that have been raised in the letters of representation which have not been addressed to date), it can be confirmed that it is no longer a requirement of national planning policy for applicants promoting new retail development to demonstrate a 'need' for the development proposed.

114. For the avoidance of doubt, the submitted plans do not allow for any customer entrances to the retail units from the north.

115. Pedestrian access to the retail park from the Huxley Street area to the north would still be available.

116. Any remaining issues raised in representations which have not been specifically identified have nonetheless been duly examined but are not considered determinative.

### **DEVELOPER CONTRIBUTIONS**

117. The application proposal would appear to be subject to the Community Infrastructure Levy (as a supermarket in a location outside of a defined town centre).

118. The requirement to incorporate on-site specific green infrastructure, in accordance with SPD1: Planning Obligations and Policy R3/Policy L8, has been fulfilled, as previously explained.

### **PLANNING BALANCE AND CONCLUSION**

119. The application site forms part of Altrincham Retail Park in the Broadheath area of Altrincham. It currently accommodates the existing Homebase store, its associated garden centre and car parking. The purpose of this full planning application is to extend and subdivide the existing Homebase to create two adjacent units. Unit 1 would comprise a new retail warehouse unit and garden centre for occupation by Homebase, and Unit 1a would comprise a discount

foodstore to be occupied by Lidl. The application also proposes a new left-out egress from the site, a new pedestrian access from George Richards Way, and related reconfiguration of the existing car park.

120. Section 38(6) of the Planning and Compensation Act 1991 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. That remains the starting point for decision making. The NPPF is an important material consideration.

121. The decision-taking structure to be applied in the determination of this application is that set out at paragraph 11c and paragraph 12 of the NPPF since this is not a proposal in which policies of 'most importance' have been deemed 'out of date', (which would otherwise result in paragraph 11d of the NPPF being engaged.)

122. The application site is in an out-of-centre location for the application of retail and main town centre planning policy. The applicant has submitted a retail assessment which has been reviewed by the Council's independent retail consultant. It has been concluded that the proposal would not result in a 'significant adverse impact' on town centres when having regard to the two strands of the impact test as set out in paragraph 89 of the NPPF. However, in relation to the sequential test (as referred to at paragraphs 86 and 87 of the NPPF), it has been found that this test is not met since it has not been demonstrated that the sequentially preferable Altair site in Altrincham is not available *and* is not suitable to accommodate a discount foodstore. The applicant's claims regarding the unsuitability of the Altair site in particular have not been verified. This site, which the applicant is contractually committed to, should be brought forward before any grant of planning permission for such a store at Altrincham Retail Park. Thus, the NPPF test is not passed. In failing in this regard, the proposal is contrary to Core Strategy Policy W2 having not satisfied 'the tests outlined in current Government guidance.' It is also at odds with saved Revised UDP Policy S11 which requires the sequential approach to site selection to be adopted.

123. The proposed development involves the provision of a new point of egress for customers when exiting the retail park car park onto George Richards Way. Concerns have been raised regarding the principle of this proposal by both the LHA and TfGM. The presence of this egress in close proximity to the major road junction of the A56/George Richards Way is likely to pose a highway safety risk to road users and to increase the potential for collisions. The applicant has been asked to provide additional information to evidence their position that no adverse impacts would occur, however the response is that that officers have all necessary information needed to support the application in highway terms. Overall, it is concluded that it has not been adequately proven by the applicant that the proposed egress would not have an unacceptable impact on highway safety. The stipulation at paragraph 109 of the NPPF, that such impacts should



not occur, has thereby not been satisfied. The proposed development is therefore contrary to this Government guidance and also to Policy L4 of the Core Strategy.

124. It has also been concluded that the proposed development would result in harm of a 'less than substantial' nature to the significance of the Grade II listed Railway Inn. However, the public benefits stemming from the proposal would sufficiently outweigh the harm arising, it is considered. These benefits are principally economic focussed although with it also recognised that the development is in accordance with planning principles associated with maximising the use of brownfield land and of locating development in sustainable locations. The proposed foodstore would also provide improved consumer choice. Some heritage harm would nonetheless arise and - as a consequence of this - the proposal also contravenes the requirements of Policy R1. Allied to this, the proposed would not deliver a form of development which would fulfil the statutory duty in the Planning (Listed Buildings and Conservation Areas) Act 1990 by virtue of the impact on the listed building's setting.

125. Furthermore, whilst not sufficient to generate an independent design reason for refusal, it has been stated that the proposed development does not fully meet all expectations, as set out in Core Strategy Policy L7 and the National Design Guide, intended to ensure that a proposed new development would be fully respectful of a site's context, including local heritage.

126. The proposal has been found to be acceptable in all other respects including on matters of drainage and flood risk, landscaping, crime and security, and ecological impact. Several important conditions would be needed to ensure that the development would operate in a manner which would not be detrimental to residential amenity, specifically on the subject of noise and disturbance.

127. Whilst the proposal has been found to result in some benefits, as outlined above, it is evident that there is clear conflict with the development plan and with national policy. It is considered that there is no reason to take a decision other than in accordance with the development plan and relevant guidance. Therefore, the application is recommended for refusal on the grounds of its failure to comply with the NPPF and it also being contrary to policies S11, W2 and L4.

**RECOMMENDATION: REFUSE for the following reasons:**

1. There is a sequentially preferable site which is available within a reasonable period and also potentially suitable to accommodate the proposed foodstore development. When demonstrating flexibility on issues such as format and scale, it has not been adequately demonstrated by the applicant that this

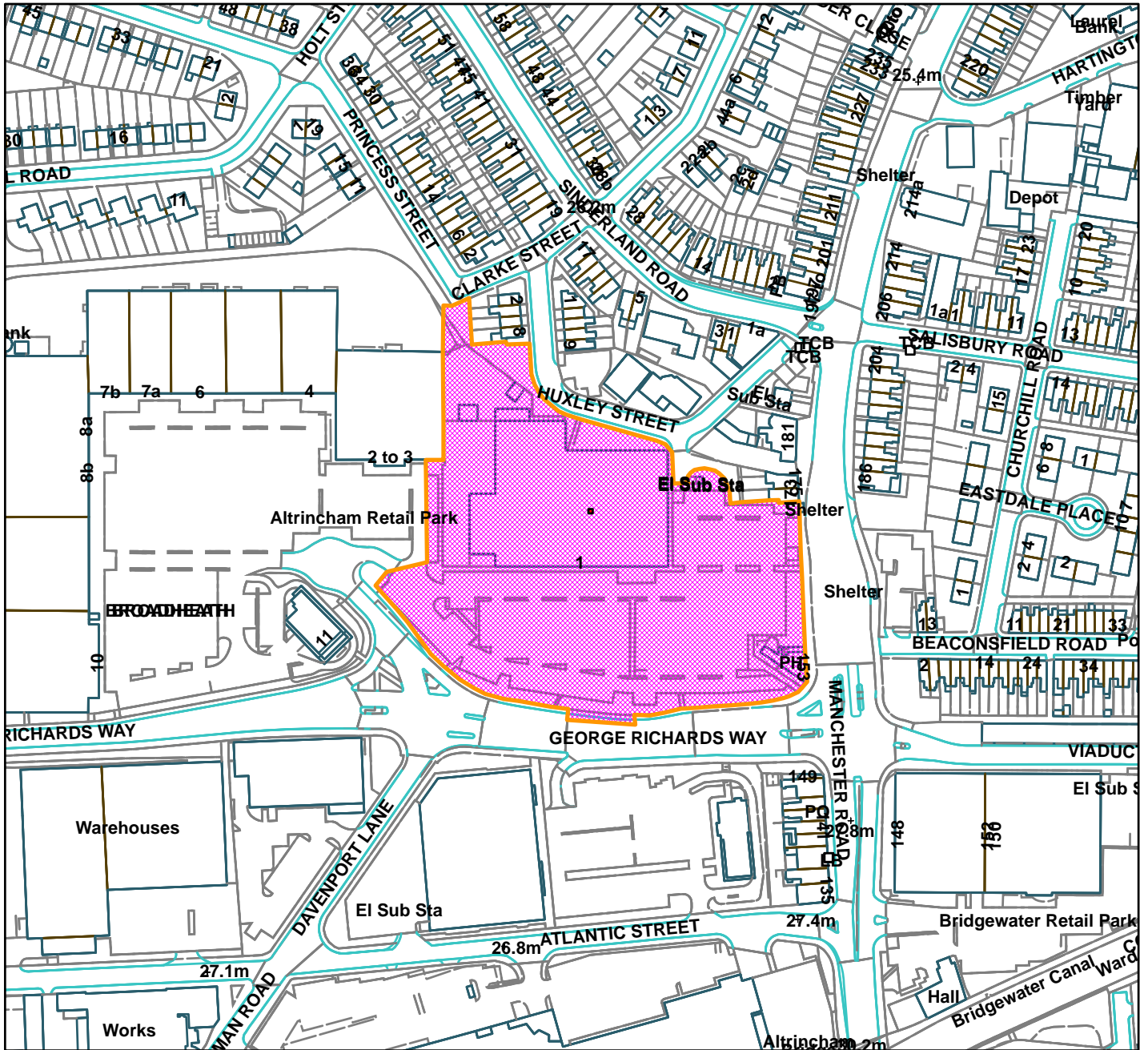
alternative site is not suitable. As such, it is considered that the application proposal fails to satisfy the sequential test at paragraph 86 of the NPPF and thus a reason to refuse the application at paragraph 90 of the NPPF applies. The proposal is also contrary to saved Policy S11 of the Revised Trafford Unitary Development Plan and Policy W2 of the Trafford Core Strategy.

2. The proposed development involves the introduction of a new point of egress for customer traffic onto George Richards Way which has the potential to introduce significant vehicular conflict. It has not been adequately demonstrated by the applicant that this would not have an unacceptable impact on highway safety and thus a reason to refuse the application at paragraph 109 of the NPPF applies. The proposal is also contrary to Policy L4 of the Trafford Core Strategy.

BB



Unit 1, Altrincham Retail Park, George Richards Way, Altrincham (site hatched on plan)



Scale: 1:2,500

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