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# **Report on Altrincham Town Centre Neighbourhood Business Plan 2015 - 2030**

**An Examination undertaken for Trafford Council with the support of the Altrincham Town Centre Neighbourhood Business Forum on the June 2016 submission version of the Plan.**

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Date of Report: 26 January 2017

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## **Main Findings - Executive Summary**

From my examination of the Altrincham Town Centre Neighbourhood Business Plan 2015 – 2030 and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the plan meets the Basic Conditions.

I have also concluded that:

- The plan has been prepared and submitted for examination by a qualifying body – the Altrincham Town Centre Neighbourhood Business Forum;
- The plan has been prepared for an area properly designated – Altrincham Town Centre as shown in Plan 2 of the Business Plan;
- The plan specifies the period to which it is to take effect – 2015-2030; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

As regards the two referendums that are necessary, I have considered whether the referendum area should extend beyond the designated area to which the plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Altrincham Town Centre Neighbourhood Business Plan 2015 - 2030*

1.1 Located roughly 10 miles south-west of Manchester city centre, Altrincham is a main town centre in the Borough of Trafford. It is a principal focus in the Borough for high quality comparison retailing supported by a range of other retail, service, leisure, tourism, office and town centre-type uses, including residential. The town centre contains parts of seven Conservation Areas with many historic buildings which enhance its character and appearance. Much of the street layout of the town centre dates back to mediaeval times. Altrincham's Charter Market was established in 1290, and the market and market house are major attractions today for visitors and local people. Altrincham town centre includes a transport interchange where Metrolink, heavy rail services and many bus routes converge. Altrincham town centre has good links by road to the city of Manchester (the A56), to the motorway network and Manchester airport.

1.2 The process of preparing a Neighbourhood Plan for Altrincham Town Centre began in 2013, to address the problems of decline in the town centre which were becoming evident, and to guide future development and growth. A Neighbourhood Business Forum was formally designated by Trafford Council

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in July 2014, and a Working Group set up to prepare the Neighbourhood Plan. Three stages of public consultation were followed, as described in the Consultation Statement, and the responses at each stage were used to develop the Plan. The Plan was submitted for examination in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations') on 30th June 2016, with a fourth stage of consultation occurring 30<sup>th</sup> August to 11<sup>th</sup> October 2016. Strategic Environmental Assessment was also undertaken, and its findings used to inform the content of the submitted Plan.

### *The Independent Examiner*

1.3 As the plan has now reached the examination stage, I have been appointed as the examiner of the Altrincham Town Centre Neighbourhood Business Plan by Trafford Council, with the agreement of the Altrincham Town Centre Neighbourhood Forum.

1.4 I am a chartered town planner and former government Planning Inspector, with relevant experience examining other Neighbourhood Plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft plan for Altrincham Town Centre.

### *The Scope of the Examination*

1.5 As the independent examiner I am required to produce this report and recommend either:

- (a) that the Neighbourhood Plan is submitted to referendum without changes; or
- (b) that modifications are made and that the modified Neighbourhood Plan is submitted to referendum; or
- (c) that the Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the plan meets the Basic Conditions;
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended). These are:
  - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the Local Planning Authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development'; and

- it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum; and
- Such matters as prescribed in the 2012 Regulations.

1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

### *The Basic Conditions*

1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.9 Regulation 32 of the 2012 Regulations prescribes a further basic condition for a neighbourhood plan. This requires that the Plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

## **2. Approach to the Examination**

### *Planning Policy Context*

2.1 The principal Development Plan containing strategic policies for this part of Trafford, not including documents relating to excluded minerals and waste development, is the Trafford Core Strategy, adopted in January 2012. The Revised Trafford Unitary Development Plan was adopted in June 2006 and, though the Core Strategy supersedes much of it, a number of policies were saved and these remain as part of the Borough's Development Plan.

2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

### *Submitted Documents*

2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:

- the draft Altrincham Town Centre Neighbourhood Business Plan 2015 to 2030 – Submission Plan (NBP) submitted 30<sup>th</sup> June 2016;
- Plan 2 which identifies the area to which the proposed NBP relates;
- the Consultation Statement, [June 2016];
- the Basic Conditions Statement, [June 2016];
- all the representations that have been made in accordance with the Regulation 16 consultation; and
- the Strategic Environmental Assessment (SEA) undertaken by AECOM and submitted to Trafford Council.

### *Site Visit*

2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 7<sup>th</sup> December 2016 to familiarise myself with it, and visit relevant sites and areas referenced in the plan and evidential documents.

### *Written Representations or Public Hearing*

2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the plan, and presented arguments for and against the plan's suitability to proceed to referendum. I requested additional written information from the Forum in mid-December so that I could fully understand its response to the Regulation 16 representations. I have taken account of the Forum's note of 21<sup>st</sup> December, which is available on its website, and sets out its reply to the Examiner.

### *Modifications*

2.6 Where necessary, I have recommended modifications to the plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements, which I have detailed in the Appendix.

## **3. Procedural Compliance and Human Rights**

### *Qualifying Body and Neighbourhood Plan Area*

3.1 The Altrincham Town Centre Neighbourhood Business Plan has been prepared and submitted for examination by Altrincham Neighbourhood Business Forum which is a qualifying body, having been designated by Trafford Council in July 2014.

3.2 It is the only neighbourhood plan for Altrincham Town Centre, and does not relate to land outside the designated neighbourhood area.

### *Plan Period*

3.3 The plan specifies clearly the period to which it is to take effect, which is from 2015 to 2030.

### *Neighbourhood Business Plan Preparation and Consultation*

3.4 Public consultation began with a survey in Autumn 2014 designed to encourage people to identify issues which the NBP should address. In addition to an online questionnaire, paper copies were handed out at events and made available in offices, the library, leisure centres, GPs, schools and the rail station, among other places. Ten consultation events were held in different venues to discuss the plan and encourage people to complete the questionnaire. More than 1,400 responses were received, principally from Altrincham residents (90%) but also from business owners and visitors. The Consultation Statement summarises the results from this survey, identifying 10 points of most importance to respondents to secure a better town centre.

3.5 Stage 2 of the consultation exercise in early 2015 aimed to obtain public feedback on the draft Plan, which was available in hard copy and online. Just over 400 responses to the questionnaire were supplemented by some 200 responses from students. Consultation events, a design workshop and stakeholder meetings were used to discuss the plan and obtain responses. The results showed a high level of support for the draft Plan vision and objectives, the proposed land allocations, the shopping/mixed use frontages and car parking, among other things. Useful additional information was obtained, notably about the current and future office markets.

3.6 The third stage of public consultation (Regulation 14) took place in early 2016. Articles in the local newspaper, interviews with the Forum Chair on local radio and TV, and a series of events in different venues across the town centre were used to alert and engage people and obtain comments on the draft Final Plan. Some 220 people responded to the questionnaire. These responses and the Health Check Review by NPIERS (Neighbourhood Planning Independent Examiner Referral Service), to check plan preparation processes and whether the requirements of the Basic Conditions had been met, were used to amend the Plan prior to its submission for examination. Consultation on the submitted plan was undertaken for 6 weeks in Autumn 2016, and responses were received from 15 bodies. I consider that the consultation process has been thorough, comprehensive and fair, and has met the legal requirements for plan preparation.

### *Development and Use of Land*

3.7 The plan sets out policies in relation to the development and use of land in accordance with s.38A of the 1990 Act.

### *Excluded Development*

3.8 The NBP does not include provisions and policies for 'excluded development'. Appendix 3 of the plan comprises a Supplementary Design Document and,

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bearing in mind the history and character of the town centre with its many conservation areas, this demonstrates due regard for national planning policy. The NBP is also supported by a Non-Statutory Annex (NSA) “concerned with matters which the Plan itself cannot either deal with or deliver.” It covers issues which need to be monitored, a marketing strategy, design proposals and improvements to public spaces, which the Forum wishes to progress with appropriate partners. I agree that the intended measures are supportive of the NBP planning policies, and whilst having no formal status, provide a useful framework for understanding intended projects, proposals and aspirations. These are detailed matters and I agree that their separation by way of the NSA, from the NBP, is appropriate. In practical terms, the NSA could assist, for example, in the context of the formulation of Supplementary Planning Documents by Trafford Council.

### *Human Rights*

3.9 Trafford Council is satisfied that the plan does not breach Human Rights and is compatible with the EU Regulations (within the meaning of the Human Rights Act 1998), and I see no reason to disagree.

## **4. Compliance with the Basic Conditions**

### *EU Obligations*

4.1 Trafford Council carried out screening for SEA purposes in 2015, and concluded that SEA would be required. The SEA was undertaken by AECOM and the Environmental Report (update) submitted to Trafford Council in June 2016. This was the subject of public consultation. Trafford Council’s letter of 9<sup>th</sup> November 2016 indicates satisfaction with the SEA following changes by the Forum to Policy G1 of the NBP to strengthen the approach to green infrastructure. Having read the SEA documentation, I support this conclusion.

4.2 Following screening, Trafford Council found that a Habitat Regulations Assessment (HRA) would not be required. Consultation on the screening report led to no objections from any of the statutory bodies. The NBP area is not in close proximity to a European designated nature site. I have no reason to disagree with the Council’s assessment.

## **Main Issues**

4.3 Having read the submitted Altrincham Town Centre Neighbourhood Business Plan, the consultation responses and other evidence, and following my site visit, I consider that there are four main issues relating to the Basic Conditions for this examination. These are:

- Whether the NBP is positively promoting a competitive town centre for Altrincham with a range of thriving businesses in line with the Basic Conditions, including defining the extent of the town centre and primary shopping area appropriately;



- Whether the land allocations in the NBP strike an appropriate balance between promoting new development for housing and economic uses and protecting the town centre's heritage assets, environment and public realm;
- Whether the NBP supports sustainable transport development, which encourages travel by public transport, cycling or walking, whilst addressing the impact which new town centre development is likely to have on the demand for car parking; and
- Whether the Forum's expectation (set out in Appendix 2 to the NBP) for a referendum for residents to embrace an area wider than the plan boundary should be met.

#### Issue 1 – The Town Centre

- 4.4 Chapter 1 of the NBP addresses the question "*Why was the Plan needed?*" and explains that Altrincham's High Street, from 2008 onwards, has been suffering a very high rate of retail vacancies. There is considerable concern among all those who look to the town centre to provide necessary services. Three criteria, it was suggested, had come together in recent years to have a negative impact on Altrincham and many town centres across the UK. These were, in brief, (i) the growth of out-of-town shopping centres and retail parks with free car parking, (ii) the banking crisis with its major impact on consumer spending and the viability of High Street outlets, and (iii) the rapid growth of use of the internet for online shopping. Objective OB2 of the NBP is to "*Define a more focussed retail core and provide wider areas of mixed uses, including retail, residential and a wide range of other outlets within a revised town centre boundary.*"
- 4.5 The NPPF sets a number of core planning principles beginning - that planning should empower local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area. The second principle is that planning should be a creative exercise to enhance and improve places where people live, and the third is that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Plans should take account of market signals, and allocate sufficient land suitable for development, taking account of the needs of the residential and business communities. I consider that, in seeking to focus on Altrincham town centre's retail core, as in Objective OB2, the NBP has had due regard for national policy. Regenerating and promoting the vitality of this main town centre is consistent with the pursuit of sustainable development.
- 4.6 Plan 6 of the NBP shows a town centre boundary within the wider Plan area and a Main (Primary) Shopping Frontage focussed on the northern section of George Street and Stamford Mall. Plan 5 shows a number of Character Areas within the Plan area, with a Main Retail Core which includes the Primary Shopping Frontage. Policy S1 seeks to encourage and support the

continuous ground floor active retail frontages and resist non-retail uses in the Main Retail Core. Policy S2 supports proposals for town centre uses, including retail as well as services, leisure, commercial, office, tourism, cultural and community, in the Mixed Use Historic Area which surrounds much of the Main Retail Core. Plan 5 shows a Leisure and Supermarkets Area occupying much of the eastern side of the town centre, where significant retail uses are also represented.

- 4.7 Paragraph 23 of the NPPF defines the role of Local Plans for ensuring the vitality of town centres. These include defining the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and setting policies that make clear which uses will be permitted in such locations. Whilst relating specifically to local plans, I have found this of practical assistance in assessing the approach in the NBP. Although secondary frontages are not named as such, Plan 6 of the NBP defines Mixed Use with Ground Floor Active Frontages and Policy S2 makes clear what uses will be permitted there. I am satisfied that the NBP's shopping policies plus Plans 5 & 6 are clear, and will eliminate ambiguity and uncertainty when planning applications are to be determined for main town centre and residential uses. Supporting text in paragraph 4.3.2 confirms the NBP's support for the government's Town Centre First policy, which is summarised in paragraph 24 of the NPPF. The overall approach to retail development in the NBP has had regard for the NPPF.
- 4.8 Trafford Core Strategy's Policy W2: Town Centres and Retail expects Altrincham, as the main town centre in the Borough, to be the principal focus for high quality comparison retail supported by a range of retail, service, leisure, tourism, office and other town centre type uses, including residential. It considered (when adopted in 2012) that Altrincham town centre was capable of delivering 20,000 sqm of retail floorspace. The NBP, however, contends that the radical economic and social changes (summarised above in paragraph 4.4) mean that the prospect of this level of additional retail space being required and delivered is now highly unlikely.
- 4.9 Although the NBP does not allocate sites to provide 20,000 sqm of retail floorspace, it does not set an alternative or lower figure than the Core Strategy. In its letter of 9<sup>th</sup> November to the Examiner, Trafford Council indicates that it is broadly supportive of the NBP and does not consider its approach to the provision of retail floorspace to be inappropriate for Altrincham. I note that Policy 'R' New Retail Development and paragraph 4.3.4 firmly express support for any further new town centre retail space on any site in the main (primary) shopping area or ground floor active frontages in the mixed use area. This reflects a positive approach to new retail development in the right places, and confirms that the NBP will not be promoting less development than set out in the Local Plan, nor undermining its strategy (see NPPF, paragraph 184). Policy 'R' is in general conformity, if not exact conformity, with the Core Strategy.

- 4.10 The Trafford Local Plan, Land Allocations document, was initially expected to provide detailed policy on the primary shopping area and frontages, key development sites etc. for Altrincham town centre. A Consultation Draft of Land Allocations was published in January 2014 which stated in Chapter 14 that Altrincham Forward was preparing a Neighbourhood Business Plan for Altrincham town centre. This would include policy guidelines on a number of matters including retailing, so that the Land Allocations document would not address them. In July 2014, Trafford Council decided to delay its progression of the Land Allocations plan until the Greater Manchester Spatial Framework was taken forward. I note that adoption of that document is not expected until 2018, but consider that the NBP has adopted the general approach expected by the 2014 emerging Land Allocations document.
- 4.11 I have considered the argument that the NBP is not supported by up-to-date retail or town centre uses evidence, and relies on retail evidence from November 2007 and January 2010 which informed the Core Strategy. Paragraph 158 of the NPPF and the PPG (Ref ID 411-040-20160211) expect local planning authorities to take account of proportionate evidence in plan-making, including taking full account of relevant market and economic signals. Trafford Council's Altrincham Strategy 2014 includes more recent evidence of numbers of ground floor units, the amount of retail space and numbers of vacant premises. With 79 vacant units in February 2014 comprising 19% of available floorspace, there is little evidence that the negative market and economic signals which triggered the NBP have been reversed. Appendix 1 of the NBP lists many research papers and reports on retailing and High Streets considered by the Forum in preparing the NBP so that I consider its evidence base to be proportionate and up-to-date.
- 4.12 I have considered whether the proposed town centre boundary shown in Plan 6 of the NBP is appropriately defined in the vicinity of Woodlands Road, having regard for the argument that Charter House should be included. The adopted UDP Policies Map does not include this site. Even though the Land Allocations Consultation Draft proposed to extend the town centre so that it would include Charter House with a hotel and offices along Church Street, that document also stated that the Altrincham NBP should define the extent of the town centre boundary. I note that early versions of the NBP showed the same boundary as that in the Land Allocations Draft. However, Plan 5 of the submitted NBP shows Charter House as part of the main office area(s) in the northern part of the plan area outside the town centre. Appendix 3 of the NBP provides a detailed assessment of each of the character areas, with the "main office areas" described on Page 43. From my site visit, I consider that the office area(s) are reasonably defined, Charter House being a six-storey purpose built office block on the busy A560 road.
- 4.13 I have had regard for the case that including Charter House in the town centre boundary would increase the chances of securing full occupation of the building. However, in view of the vacant premises in the main retail core, some of which are sizeable and in prominent locations, including more

of the office area with Charter House in the town centre could undermine the effectiveness of Policies S1-S3. The NBP evolved over time as a result of public consultation (see paragraphs 4.2.1-4.2.2 on retail matters) and ongoing assessment by the Forum working group, and I am satisfied that Charter House should be outside the town centre boundary, as per Plan 6.

- 4.14 It was contended by some that St George's Church and surrounding land on the west side of Church Street should be included in the plan area, as its features, routes and green spaces were historically and are currently part of the town centre. However, I am satisfied that the character assessment for the town centre, described in Appendix 3, has set the NBP boundary appropriately. It is unlikely to affect adversely the character or function of this adjoining area. Criticism is also made to the boundary to the west of New Street because it excludes back gardens of the residences from the NBP area and four dwellings. It is argued that it is against "*best planning document practice to ignore existing legal property boundaries*". I accept that it could assist development management decision-makers if the curtilages of these properties were included in the NBP boundary, and propose that Plans 2-6 are modified accordingly (**PM7**).
- 4.15 The inclusion of Denmark Street within the area entitled Leisure and Supermarkets in Plan 5 was also queried, as there are reportedly 77 dwellings there. However, as the character areas are broadly defined, I consider this to be acceptable. I recognise the concern that occupiers of residences within the town centre including Denmark Street and Barrington Road may have about the impact of new commercial development close by. However, Policy S3 addresses the matter of conflict between land uses, for example from noise and disturbance, smell and fumes, satisfactorily in my view.
- 4.16 Paragraph 4.2.7 refers to the importance of the "convenience culture" and the growing desire to shift from one-stop out-of-centre facilities to convenience stores at the local level. The Plan states that it is essential that Altrincham Town Centre attracts convenience stores to the town centre. I note the observation that Altrincham already has a large Tesco and a large Sainsburys, so that it is perceived to be unnecessary to encourage more small stores; it would be preferable, it is claimed, to encourage more up-market comparison goods' shops. It was also suggested that shops along Oxford Road should be encouraged to move closer to the main retail core. I consider that it is desirable to encourage both small convenience stores and new comparison stores in and close to the main retail core, but the NBP cannot be prescriptive as to which retailers should open new premises or re-locate.
- 4.17 Whilst the thrust of the argument in paragraph 4.2.7 about trends in retailing is correct, I am concerned that use of the term "convenience" shopping is not clear. Convenience shopping is usually defined as shopping for food, drinks, tobacco, newspapers & magazines, cleaning materials and

toilet articles. It contrasts with comparison shopping which includes clothing, furniture and furnishings, white goods and all other non-convenience items. Typically, households carry out convenience shopping more frequently than comparison goods' shopping. Within convenience shopping, there has recently been a shift from superstores, commonly defined as self-service stores with more than 2,500 sqm gross retail floorspace and having their own parking, to smaller supermarkets (self-service with less than 2,500 sqm floorspace and parking) or local convenience (sometimes called express) stores. I propose changed wording for paragraph 4.2.7 to reflect these well-used definitions and ensure that the Plan is clear in its objectives for shopping development. **PM3** sets out the revised wording.

- 4.18 Policy DIGI 1 supports proposals to develop and enhance the digital infrastructure in the town centre. The Plan is commendably forward thinking in seeking to embrace and exploit progress with digital technology for the benefit of the Town Centre's customers and businesses. Policy M aims to ensure that the Market is a major focus for activity in the town centre. Policy CF seeks to develop the town centre as a social centre, with new and safeguarded community facilities. The NPPF, section 5 supports high quality infrastructure, and paragraph 23 aims to retain and enhance markets. The NBP has had regard for these strands of national policy, and I endorse these well-articulated policies which cover aspects of importance to existing and future users of Altrincham's retail and other commercial facilities.
- 4.19 Section 4.8 of the NBP describes the research including the analysis of material from public consultation on office usage and demand for floorspace in Altrincham town centre which has informed the NBP. The Core Strategy sought an additional 10,000 sqm of office floorspace to be provided by 2026 in Altrincham town centre. Planning permission has been granted for 3,500 sqm on the Altair site, and the existing office area north of the town centre is expected to be adequate, plus allocated site E and some space above shops, to provide for further demand over the plan period. Policy OF1 supports office uses in the town centre in general conformity with the Core Strategy, and consistently with sustainable development.
- 4.20 Objective 8 of the Plan is to promote the town centre as a social centre, a family friendly place etc. Section 4.10 deals with community facilities referencing paragraph 70 of the NPPF on delivering the social, recreational and cultural facilities and services the community needs. Policy CF seeks to support valued community facilities which enhance the sustainability of the catchment community, having due regard for viability, and I support it.
- 4.21 As long as the modifications proposed above are made, I conclude that the NBP is positively promoting a competitive town centre for Altrincham with a range of thriving businesses in compliance with the Basic Conditions, including defining the extent of the town centre and primary shopping area appropriately.

## Issue 2 – Land Allocations

- 4.22 The NBP allocates six sites for development, beginning with sites A and B for residential development on the eastern edge of the Plan area along Oakfield Road. These are currently builders' merchants' sites and the NBP states that they are expected to yield 43 and 18 new residential units respectively, comprising a mix of apartments and houses. Trafford Council confirms that both sites are identified in its Strategic Housing Land Availability Assessment (SHLAA) and states that the density and yield assumptions are reflective of the SHLAA.
- 4.23 As the NBP states, the existing uses generate much traffic for deliveries and collections and would be more appropriately located in industrial areas than adjacent to residential properties as are sites A and B. The development of additional homes on these sites, in close proximity to the public transport interchange, and the job opportunities and range of shopping and community facilities in Altrincham town centre, is wholly consistent with sustainable development.
- 4.24 Site C, former YWCA building at Ashley Road/St John's Road and site D, Old Altrincham General Hospital on Market Street/Greenwood Street, have both received planning permission. Approval was granted in March 2016 for 40 units (residential) on site C whereas the NBP refers to a yield of 23 units. Paragraph 4.1.3 of the NBP states that site D presents a significant opportunity to attract town centre residential accommodation, offices and community space. However, the current planning permission does not include residential development on the site. Clearly, there is some discrepancy between the planning permissions for these sites and the expectations of the NBP. Trafford Council has commented that, should the status of these sites change when development has progressed, the Plan will need to be updated, and I support this position noting that the NSA to the NBP commits the Forum to monitoring the Plan. I recognise that the implementation of development schemes can lead to different outcomes in timing and numbers. It is difficult for the NBP to make precise forecasts.
- 4.25 Site E is adjacent to the Altair site which already has planning permission for residential, offices, leisure uses and car parking. Demolition of the existing Council-owned leisure centre will provide the opportunity for a mix of uses on site E including new dwellings along Oakfield Road. Regent Road car park and adjoining land is included in site F, where some residential units are expected in a mixed use scheme. Policy A and paragraph 4.1.5 aim to secure the development of an overall masterplan for site F led by the Council, to ensure effective co-ordination of proposals for individual parts of the area. However, Trafford Council advises that it has no plans to produce a masterplan, although as landowner of much of the site, it is keen to see a

comprehensive development scheme. I consider that a masterplan or overall scheme framework should be set to achieve the best future use of the site in an integrated fashion, and to take account of its heritage setting (see Plan 3). However, the reference to “led by the Council” should be omitted so that other parties or consultants could prepare the masterplan or development framework. Proposed modification **PM2** should be made to achieve this.

4.26 Policy W2 of the adopted Core Strategy stated that Altrincham town centre is capable of accommodating, among other things, 250 residential units (by 2025/26). Based on housing completions to date, planning permissions, estimates for conversion to residential use, and the likely yield from the above-mentioned site allocations, Policy H of the NBP seeks at least 550 units of new housing in the town centre. Paragraph 4.4.3 of the NBP provides justification for this figure, and explains that density assumptions from the Council’s SHLAA have been applied.

4.27 Historic England recommended that the density assumptions needed to be re-worked, especially for sites C, D and F, because of the potential harm to heritage assets in conservation areas. Historic England quoted from the SEA which found that there was potential for negative effects on heritage assets from new development, but it was difficult to predict these with certainty in the absence of details of design. The note in paragraph 4.4.3 acknowledges that density assumptions may need to be reviewed at the detailed design stage to take account of site circumstances. Policy D – Design and Quality requires a high quality of design ensuring that the scale and design of (re)development is appropriate to its location and setting. Sites C, D and F are located in a predominantly built-up area in or close to the town centre, and I am satisfied that the density assumptions are a reasonable starting-point for detailed planning.

4.28 Although 550 new units is a more substantial number than envisaged in Policy W2 of the Core Strategy, the Strategic Environmental Assessment report (update) – non-technical summary for the NBP, comments that Trafford Council may not achieve its overall Core Strategy housing target for a minimum of 12,210 new dwellings in the Borough by 2026. The Council is therefore supportive of additional development in Altrincham town centre. The NPPF paragraph 47 is clear that local planning authorities should boost significantly their housing supply and meet the full, objectively assessed needs for housing in their housing market area. I consider that the aspiration for at least 550 new dwellings in Altrincham town centre has had regard for national policy and is not out of conformity with the Trafford Core Strategy’s boroughwide housing target.

4.29 Concern was raised that no new schools are proposed in the Altrincham town centre, yet the population is forecast to increase. Additional school accommodation will be required in the surrounding area if not in the centre itself. I recognise that provision of school places and education facilities is

essential to support high quality new residential development. However, this is a matter for the local authority to address at a higher level than this NBP, and Trafford Council has not identified it as a constraint on planning for 550 new dwellings in Altrincham town centre.

4.30 I note the comment that there is limited open air social space in the town centre for business people, and for socialising in fair weather. Opportunities for new spaces should be identified and developed, it is suggested. Policy L7 of Trafford Core Strategy – Design expects development to be appropriate to its context, make best use of opportunities to improve the character and quality of the area, and make appropriate provision for open space, among other things. Provision of open space is discussed in relation to Allocations D and F in Chapter 4 of the NBP. Objective OB8 includes promoting the town centre as a social centre, a family friendly place with attractive green spaces and town squares etc. Section 4.7 Design and Quality refers to the NSA of the NBP which outlines a programme for improving existing public open spaces and developing new spaces. Plan B within the Annex helpfully shows spaces to be created or improved. Appendix 3 of the NBP, paragraph 4.1, describes town centre wide issues and acknowledges that most open spaces and pocket parks are in need of improvement.

4.31 Design related principles in section B of the Appendix have been derived from public consultation and the work of the Design Group. These include promoting *"the improvement and creation of public open space; green spaces and routes; shelter; places to sit and places for activities, playing and events"*. A cross-reference is made to Policy G1, but neither this policy nor Policy D – Design and Quality refer directly to public open space. Proposed modification **PM4** to Policy G1 would overcome this omission and bring the NBP more closely into general conformity with the Core Strategy and sustainable development.

4.32 Historic England proposed that references to national guidance on conserving historic places, and High Streets, and to Trafford Council's Conservation Area Appraisals and Management Plans should be added. Appendix 4 of the NBP includes links to other documents. I consider that the proposed new references would assist developers and users of the NBP, and should be made as recommended in **PM6**. As long as this and the other modifications are made, I conclude that the sites A-F in Policy A are well placed to provide sustainable new development which should boost housing supply, provide opportunities for new businesses to locate and grow in and adjacent to the town centre, and enable new community facilities and services including public open space to be provided.

### Issue 3 – Transport

4.33 Altrincham town centre, as the principal town centre in the Borough, is expected to be a focus for retail and other commercial growth. With the rail station including Metro services and the adjacent bus station, it is a highly accessible location. Altrincham town centre is expected to be home for an

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additional 550 plus households by 2030. As paragraph 4.4.7 of the NBP points out, an increased town centre population will mean reduced travel journeys and costs for many, as jobs and facilities will be relatively easy to reach. The Plan's strategy to promote growth in the town centre is in line with the achievement of sustainable development and has regard for national policy in section 4 of the NPPF.

- 4.34 Altrincham town centre's residents, workforce and visitors are able to access the various character areas (main retail core, main office area, leisure and supermarkets etc) relatively easily on foot from the railway station. Bridges across the railway line, the pedestrianised shopping mall and historic ginnels contribute to a network of safe and attractive routes. Allocation site F is expected to provide improved pedestrian access to the railway station and the new hospital, as well as to George Street. Paragraph 4.4.4 of the Plan encourages cycle storage in new residential development wherever possible. Policy D4 should help retain and improve the town centre's historic ginnels. Policy GI – Green Infrastructure encourages the development and enhancement of all aspects of the public realm, including green pedestrian and cycle routes.
- 4.35 I consider that the above should provide a steer to all developers to ensure that their development proposals promote sustainable transport for non-car users within the town centre and maintain a network of safe and accessible routes. However, the need to support walking and cycling could be emphasised more strongly in the NBP to secure general conformity with Policy W2 of Trafford Core Strategy (improvements to pedestrian routes to encourage better circulation, particularly in an east-west direction across the town centre). There is a reference in Appendix 3, paragraph 3.5 of the NBP, to "Plan C: Movement" which is not included in the NBP, but is shown in the NSA. I consider that this should be clarified so that the NBP alerts readers to this document with its section on Movement and Public Realm. Also, Policy GI should be strengthened to secure the optimum network of routes for pedestrians and cyclists when new development or redevelopment takes place. **PM4 & PM5** should be made to achieve these modifications.
- 4.36 Altrincham town centre accommodates large numbers of parked vehicles in large purpose-built car parks, on-street, and beside or underneath many buildings. It is also clear from public consultation responses that the availability of suitable car parking spaces is a key matter of concern for local people. Pages 13-14 of the NBP state that there has been a very substantial reduction in available spaces over the last 20-30 years following the development of previously vacant land for the Sainsbury's and Tesco stores, the cinema, ice rink and housing, all of which have themselves increased the demand for parking.
- 4.37 Objective OB7 of the Plan is to promote an integrated car parking strategy, to maximise the use of space and provide longer dwell times for residents and workers, and those using the public transport interchange, as well as

additional short stay parking. Site Allocations E and F are expected to contain mixed uses, including car parking. At the leisure centre site, short and long stay spaces linked to the use of the interchange are envisaged, which would serve those who wish to visit the wider town centres services. The existing Regent Road car park forms part of site F, and the NBP advises that increased short stay parking should be provided there increasing provision from 145 to about 300 spaces.

4.38 Section 4.5 of the Plan sets out a scheme for the development of an integrated car parking strategy in response to public consultation. It has had regard for national planning policy to promote the greater use of public transport, cycling, walking and taxis if necessary. More efficient use of car parking spaces, with better signing and information and fairer charging, should reduce the number of unnecessary car journeys across the town centre, it is suggested. Trafford Council should take the lead in developing the strategy, which could provide the basis for a Supplementary Planning Document (SPD). Policy CP1 supports the provision of additional mainly short stay parking, and section 4.5 advises that an additional 500 spaces should be achieved across the town centre.

4.39 Consultation responses on the submitted NBP contained a number of comments as to how car parking provision should be enhanced. These included restricting the provision of short-stay spaces to help reduce vehicle emissions and pollution, and encouraging more flexible use of the Sainsbury's and Tesco car parks. A strong case was made for more electric car charging points in town centre car parks and to serve residents in flats. It was proposed that account should be taken of charging points when planning permission was granted so that their provision could be included at the build stage. These factors should be considered in the Forum's discussions with Trafford Council and could inform a future SPD, if one were developed. However, there is no need to modify the NBP on this point. I conclude that, with the proposed modifications discussed above, the NBP supports sustainable transport development which encourages travel by public transport, cycling or walking satisfactorily, whilst addressing the impact which new town centre development is likely to have on the demand for car parking. The Basic Conditions are met.

#### Issue 4 – The Referendum Area(s)

4.40 As the Altrincham town centre plan is a business neighbourhood plan, when the appropriate time comes, there will need to be two referendums held, one for businesses and one for residents. Appendix 2 of the NBP sets out the principles by which the Neighbourhood Forum has prepared the Plan. Principles 5&6 state that the referendum for residents at the end of the plan process should embrace a wider area than the town centre plan boundary to reflect data collected during the public consultation stages. This is because the town centre plays a role in providing retail and other services for a wider catchment population than the plan area. It is proposed that the Wards of

Altrincham, Bowdon, Broadheath, Hale Barns, Hale Central, Timperley and Village should form the area for the residential referendum. The Forum is content for the referendum for businesses to be restricted to those recorded on the Council's business voting register as non-domestic ratepayers within the NBP boundary. Trafford Council, however, considers that it would be inequitable to define two separate boundaries for referendums on the same plan. To define a wider boundary beyond the plan area would also place a significant financial burden on the Council and could lead to delays in holding the referendums.

4.41 The 1990 Act requires the referendum area as a minimum to comprise the area covered by the neighbourhood plan. The examiner must consider whether the area for any referendum should extend beyond the area to which the plan relates. If an extended area is to be recommended, a map showing the boundary must be published. The examiner must recommend what the area for referendum should be. The Neighbourhood Planning (Referendum) Regulations 2012 with further amendments made by the (Referendums) (Amendment) Regulations 2013, 2014 & 2016, set out more detailed information on the conduct of referendums. Regulation 17 provides for a business referendum to be held on the same day as a residential referendum but these Regulations do not make reference to the scenario of there being two differing referendum areas relating to the respective referendums being held.

4.42 I have considered carefully the view that there should be two referendum areas. From my reading of the relevant legislation, including the references in the singular to 'referendum area' (in contrast to the plural for 'referendums') in Schedule 4B of the 1990 Act, the legal framework does not appear to contemplate there being anything other than a single, shared, referendum area. I note this view is supported in advice produced by the Planning Advisory Service, 'Briefing note on Referendums of Neighbourhood Development Plans' <sup>1</sup>. In any case, I consider that such an approach would give rise to issues of inequity and conflicted democracy in defining the areas differently. The respective referendums need to be both comparable and complimentary to enable the Council to be in the most informed position to proceed (or not) with the plan, post referendums.

4.43 The test to be designated as a business area is a high one, requiring that the area is wholly or predominantly used for business. Altrincham town centre is predominantly a retail centre, with significant concentrations of office uses and leisure facilities. There are dwellings above shops and offices, but predominantly residential areas are limited and mostly around the periphery of the town centre, as Plan 5 – Character Areas in the NBP demonstrates. I see no evidence to suggest that Trafford Council in assessing the area for business area designation has misapplied the relevant

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<sup>1</sup> View at:

<http://www.pas.gov.uk/documents/332612/1099329/Briefing+note+on+Referendums+of+Neighbourhood+Plans.pdf/55cd0128-cd4b-4a4a-9059-1aee08e84510>

test that the area is wholly or predominantly business in nature. I have also taken account of the suggestion that the name of the Neighbourhood Business Plan should be amended, because some may misunderstand its purpose, expecting it to be a 'business plan' concerned with budgets rather than land use planning. Even though the London Borough of Ealing has omitted the word 'business' from its plans, the consultation responses in Altrincham indicate that the purpose of the Altrincham NBP has been widely understood. The name of the Plan is not a matter for the Examiner and in my view it need not be amended.

4.44 I accept that the plan will be relevant to many people who, whilst not living or owning a business property/enterprise in the plan area, nonetheless use the facilities of Altrincham town centre. Similarly, there will be business owners outside the plan area who may be contemplating a future move to Altrincham town centre, particularly given the enhanced prospects for sustainable growth provided by the plan. There may be people outside the NBP boundary who wish to participate and express their views in the referendums.

4.45 In assessing whether a wider boundary should be set for the referendums, especially for the residents' referendum, I have looked at the hierarchy of town centres in Trafford. Based on the Trafford Retail and Leisure Study 2007, the Core Strategy defines a hierarchy as follows:

- Main town centre – Altrincham
- Other town centres – Sale, Stretford, Urmston
- District centres – Hale, Sale Moor, Timperley
- Local centres.

The Trafford Centre is also an important retail facility within the Borough.

It is clear from its position in the retail hierarchy that Altrincham serves a very wide catchment area. It would in my view therefore be disproportionate to try and capture within the residents' referendum area every potential shopper, or user of the leisure and service activities, that might have an interest in Altrincham town centre. It seems to me that any judgment on a wider boundary would inevitably be somewhat arbitrary, even if the relevant area was cast extremely wide.

4.46 I consider that a sensible judgement on proportionality needs to be made. Referendums are an expensive and complex process, as evidenced by the (necessary) very detailed requirements of the regulatory framework in place. Although many residents and businesses outside the NBP boundary may have an interest in the policies and proposals of the Plan, I consider that these are less significant than the people who live within the designated boundary and operate businesses there. The latter have to live and work with the prevailing environment of Altrincham town centre, deal with change in the town centre's economic wellbeing and attractiveness to visitors and businesses, and adapt to new development. In my view, it is in the interests

of fairness and democracy for the referendums to be focussed on the people who deal with those conditions on a daily basis. I have reached the conclusion that both referendums should be conducted for the designated Neighbourhood Plan area. I am unable to support the Forum's expectation (set out in Appendix 2 to the NBP) of a referendum for residents to embrace an area wider than the plan boundary.

## 5. Conclusions

### *Summary*

5.1 The Altrincham Town Centre Neighbourhood Business Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the neighbourhood plan, and the evidence documents submitted with it.

5.2 I have made recommendations to modify a number of policies and text to ensure the plan meets the Basic Conditions and other legal requirements. Although it is unlikely to detract from the Plan's effectiveness, the text in paragraph 1.4.4 should be amended. Neighbourhood Plans do not carry more weight than Area Action Plans, and proposed modification **PM1** should be made to correct this point. I recommend that the plan, once modified in accordance with the Appendix to this report, proceeds to referendum.

### *The Referendums and Referendum Area*

5.3 As this is a Neighbourhood Business Plan, it is necessary to conduct two referendums for business and domestic purposes. I have considered whether or not the referendum area should be extended beyond the designated area to which the plan relates for either one or both referendums under Issue 4. My conclusion is that it should not, and both referendums should be limited to residents and businesses based in the NBP area.

### *Overview*

5.4 Altrincham Town Centre Neighbourhood Business Plan has been developed through the Forum with its officers, working group, Design Group and Forum Company. They have collaborated and worked hard over a number of years to produce the Submission Plan following a series of public consultation exercises, liaison with Trafford Council, technical assessments and engagement with a number of private companies (see Acknowledgements on Page 31 of the NBP). The outcome is a Plan with a clear vision, objectives and principles to secure a prosperous and attractive town centre, with policies and proposals that meet the legal requirements and Basic Conditions and should deliver the desired outcome. I recognise the large amount of time and effort which has been invested in this Plan, much of it on a voluntary basis, and commend the Forum for its achievement.

*Jill Kingaby*

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Examiner

## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 3, paragraph 1.4.4	Last sentence: An adopted Neighbourhood Plan has statutory status which gives it more weight than <u>some</u> other local planning documents such as Supplementary Planning Guidance Documents <del>or Area Action Plans.</del>
PM2	Page 13, paragraph 4.1.5  Page 14, Policy 'A'  Site F, last bullet point	Given the complexity of the site ...., an overall 'master plan, <u>or development framework</u> should be prepared, <del>led by the Council,</del> to provide an integrated context .....  <ul style="list-style-type: none"> <li>Secure the development of an overall master plan <u>or development framework,</u> <del>led by the Council,</del> to ensure effective ...</li> </ul>
PM3	Page 15, paragraph 4.2.7	The Plan also recognises the importance of the town centre attracting one or more <u>small or medium-sized</u> convenience stores in response to the <del>increasing development and importance of the 'convenience culture' which is rooted in the</del> growing desire to shift from the one-stop out-of-centre facilities to convenience at the local level, with positive effects .... Convenience retailing <u>at a more local level</u> has grown steadily ... A <u>small or medium-sized convenience store</u> is defined as being no more .....
PM4	Page 24, Policy G1	G1 – Proposals for public realm should ....including green pedestrian and cycling routes; and <u>improvement to or provision of new public open space.</u> <u>New development or redevelopment should contribute to enhancement of the public realm wherever possible having regard for viability and costs.</u>

PM5	Page 38, paragraph 3.5	There are also a number of green walking routes which lead into the primary town centre (see Plan C: Movement <u>in the Non-Statutory Annex</u> ).
PM6	Page 49, Appendix 4	References to national guidance on heritage assets, and to Conservation Area Appraisals and Management Plans should be added as follows:  <a href="https://www.historicengland.org.uk/advice/planning/conservation-areas/">https://www.historicengland.org.uk/advice/planning/conservation-areas/</a>  <a href="https://historicengland.org.uk/images-books/publications/changing-face-high-street-decline-revival/">https://historicengland.org.uk/images-books/publications/changing-face-high-street-decline-revival/</a>  Trafford Council Conservation Area Appraisals and Management Plans  <a href="http://trafford.gov.uk/planning/strategic-planning/local-development-framework/supplementary-planning-documents.aspx">http://trafford.gov.uk/planning/strategic-planning/local-development-framework/supplementary-planning-documents.aspx</a>
PM7	Plans 2-6 inclusive on pages 6,36,37,40, 28	Amend the boundary so that the rear gardens of the houses along New Street and 4 additional properties are included within the town centre boundary (as per Reg 16 consultation response from Bowdon Downs Residents' Association)