

**WARD: Broadheath**

**80577/FULL/2013**

**DEPARTURE: Yes**

**ERECTION OF RETAIL FOOD STORE WITH NEW AND REVISED ACCESSES AND ALTERATIONS TO ATLANTIC STREET AND CLOSURE OF EXISTING ACCESS TOGETHER WITH PROVISION OF CAR PARKING FOLLOWING DEMOLITION OF EXISTING DIY RETAIL STORE.**

B&Q Plc, Altrincham Retail Park, Atlantic Street, Broadheath, WA14 5BW

**APPLICANT:** Wm Morrison Supermarkets Plc / B&Q Plc

**AGENT:** Davis Weatherill Partnership

**RECOMMENDATION: REFUSE**

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**SITE**

The application site is an area of 1.76ha, located on the southern side of Atlantic Street adjacent to Manchester Road (A56), to the east and Bridgewater Canal to the south, and forms part of the Altrincham Retail Park. It is currently occupied by the B&Q Retail Warehouse and associated customer car park and a separate service yard adjacent to the A56. There is also a smaller vacant retail warehouse unit subdivided in two, to the west of the B&Q store, with a dedicated car park fronting Atlantic Street and Davenport Lane.

The main vehicular access to the site is from Atlantic Street, with a link to the smaller car park for the vacant retail units. The surrounding area is mixed in character. To the north are the retail units of the Altrincham Retail Park and the residential areas of Broadheath. To the east is the A56, then beyond that other retail and commercial uses and residential areas. To the south is the Bridgewater Canal, beyond which are commercial and residential uses. To the west is the start of the extensive Broadheath Industrial Estate.

**DESCRIPTION**

The application has been submitted on behalf of Morrisons / B&Q Plc for a Fresh Format Morrisons, which is their latest store design and layout. This follows the recent announcement that B&Q are to close this store, following a nationwide review of its operations, with the loss of 70 jobs.

The application is submitted in full and seeks consent for the demolition of all the existing B&Q buildings on the site followed by the erection of a 4,655sq.m. gross

(2,279sq.m. net) foodstore with customer parking, a relocated vehicular access/egress on Atlantic Street and other off-site highway works. The retail floor area would be 80% convenience goods (1,823sq.m.) and 20% comparison goods (456sq.m.), with Morrisons offering a condition to retain these amounts. The proposed development comprises:

- A foodstore measuring 67m long x 65m wide x 8.4m high and 11.5m high in parts, comprising sales floor, café, preparation areas and a warehouse, with staff facilities at first floor.
- Customer car park of 276 spaces.
- Relocation of vehicular access to the west of existing access on Atlantic Street.
- Highway improvements to widen Atlantic Street to provide right hand turn lanes for traffic entering the site from the west and traffic leaving the site via Davenport Lane; new pedestrian islands on Atlantic Street and Davenport Lane.
- Enhanced perimeter landscaping along the Atlantic Street frontage.

The design of the building would be a typical supermarket style using a mixture of cladding, glass and facing brickwork with full height windows, with 2 feature towers.

## **POLICY BACKGROUND**

### **DEVELOPMENT PLAN**

#### **The Development Plan in Trafford Comprises:**

- The **Trafford Core Strategy** adopted 25th 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 Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.
- The **Revised Trafford Unitary Development Plan** adopted 19th 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 provides details as to how the Revised UDP is being replaced by Trafford LDF.
- The **Greater Manchester Joint Waste Plan** adopted 01 April 2012. On 25th January 2012 the Council resolved to adopt and bring into force the GM Joint Waste Plan on 1 April 2012. The GM Joint Waste Plan therefore now forms part of the Development Plan in Trafford and will be used alongside district-specific planning documents for the purpose of determining planning applications.
- The **Greater Manchester Joint Minerals Plan** adopted 26<sup>th</sup> April 2012. On the 13th March 2013, the Council resolved that the Minerals Plan, together with consequential changes to the Trafford Policies Map, be adopted and it came into force on the 26th April 2013. The GM Joint Minerals Plan therefore now forms part of the Development Plan in Trafford and will be used alongside

district-specific planning documents for the purpose of determining planning applications.

## **PRINCIPAL RELEVANT CORE STRATEGY POLICIES**

### **The Strategic Objectives of the Plan are:**

- S01 – Meet Housing Needs
- S02 – Regenerate
- S03 – Meet Employment Needs
- S04 – Revitalise Town Centres
- S05 – Provide a Green Environment
- S06 – Reduce the need to travel
- S07 – Secure Sustainable Development
- S08 – Protect the historic built environment

### **The Place Objectives for Altrincham and Neighbouring communities include:**

- to continue to promote Altrincham as the Principal Town Centre and key economic driver, in terms of employment, retail and leisure opportunities (Strategic Objectives 3 + 4)
- to manage the high levels of congestion and improve the quality of public transport provision, particularly along the A56, A560 and the A538 (Strategic Objective 6)
- to manage the adverse impact of new development along main transport corridors on the highway infrastructure/public transport provision (Strategic Objective 6)

- W2 – Town Centres and Retail
- L3 – Regeneration and Reducing Inequalities
- L4 – Sustainable Transport and Accessibility
- L5 – Climate Change
- L6 - Waste
- L7 – Design
- L8 – Planning Obligations
- R2 – Natural Environment
- R3 – Green Infrastructure
- R5 – Open Space Sport and Recreation

## **UDP PROPOSALS MAP NOTATION**

- S12 – Retail Warehouse Park Developments (Replaced with Core Strategy W2)

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

- S11 – Development Outside Established Centres
- T8 - Improvements to Trunk and Primary Route Network

## **SUPPLEMENTARY PLANNING DOCUMENTS**

The following adopted SPD's are relevant:

- SPD1 – Planning Obligations and Technical Notes
- SPD2 – A56 Corridor Development Guidelines
- SPD3 – Parking Standards and Design

## **NATIONAL PLANNING POLICY FRAMEWORK**

The Department for Communities and Local Government published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. With immediate effect the NPPF replaced 44 documents including Planning Policy Statements, Planning Policy Guidance, Minerals Policy Statements, Minerals Policy Guidance, Circular 05/2005, Planning Obligations and various letters to Chief Planning Officers. The NPPF will be referred to as appropriate in the report.

## **PLANNING HISTORY**

In June 2001 a legal agreement between B&Q, the landowner and the Council was entered into preventing the use of the existing B&Q Warehouse for food sales for consumption off the premises. At the same time, the existing S52 Agreement was discharged.

H54169 – Erection of canopy over garden centre and part of service yard. Granted on 18<sup>th</sup> July 2002.

H52608 – Amendments to scheme approved under H51875 above. Granted on 2<sup>nd</sup> November 2001.

H51875 – Extensions to form additional office block, entrance/exit to building, garden centre and link building following demolition of existing lean-to greenhouse, and removal of existing fencing and provision of a new service yard with fencing, new vehicular access and associated works. Granted on 20<sup>th</sup> July 2001.

H43632 – Extension to garden centre and erection of 3m high fence. Refused on 23<sup>rd</sup> April 1997.

H18232 – Extensions to garden centre and alterations to car park. Granted on 6<sup>th</sup> October 1983.

H15460 – Erection of a DIY retail store and Garden Centre. Granted on 18<sup>th</sup> May 1982. Associated Section 52 Agreement limited sales to DIY and associated bulky goods ranges.

## **APPLICATION SUBMISSION**

The planning application is supported by numerous reports, the main conclusions of which are incorporated in the Observations section below as appropriate. The reports will also be referred to in the Observations Section where necessary.

- Retail Planning Statement
- Design and Access Statement
- Transport Assessment
- Travel Plan
- Ecological Assessment
- Flood Risk and Drainage Assessment
- Site Investigation Report
- Air Quality Assessment
- Noise Impact Assessment
- Heritage Statement
- Statement of Public Consultation

The Statement of Community Involvement submitted by the applicants describes a Public Exhibition held on 25<sup>th</sup> and 26<sup>th</sup> April 2013. During this event, approximately 83% of those who completed response forms expressed support for a foodstore-led redevelopment of the application site.

- Subsequent letters rebutting objections raised during the course of the application. highways and design matters  
Through the submission of this documentation the applicant has submitted that the proposal will result in the following benefits:

- **Substantial job creation (circa 220 jobs)**  
In the context of the existing B&Q warehouse store, which, if it were to close, would result in the loss of 70 jobs, there would be a significant net gain (+150 jobs) in local employment. Morrisons is unique in the amount of food that is prepared in store by trained bakers, butchers and fish mongers, which results in a higher than average employment density for a foodstore. Typically 75% of the Company's employees live within 3 miles of the store they work in, thus demonstrating that the local area is likely to benefit from job creation within the proposed development.
- **Economic investment and regeneration**  
The application scheme would represent a significant investment in the Altrincham area, and would provide for the redevelopment of a prominent previously developed site that will become vacant following the closure of the B&Q store. It would be a significant statement of the investor confidence that would provide employment, economic and other benefits to the Broadheath area, a part of the Borough that the Core Strategy confirms is a Regeneration area.

- **Environmental improvement**  
The proposal would deliver a modern, attractive landmark building on a site that is prominent to the A56 corridor and Altrincham Bridge. It would open up views to the canal corridor from Atlantic Street, and provide for new planting that would deliver an environmental improvement to the canal corridor and uses located on the opposite side of the canal.
- **Enhanced local shopping choice**  
The application scheme would deliver a significant improvement in the choice of main food shopping facilities available in Altrincham. The proposed Morrisons would provide for a highly accessible, alternative foodstore to Aldi, for Broadheath residents in particular.

All these issues will be addressed in detail in the observations section below, and will be weighed as material considerations in making Recommendations to Members.

## **CONSULTATIONS**

**Strategic Planning** – Detailed comments are incorporated in the Observations section below.

**LHA** – Detailed comments are incorporated in the Observations section below.

**Pollution and Licensing** – Any comments will be reported in the additional information report.

**Drainage** – Any comments will be reported in the additional information report.

### **Environment Agency**

- **Flooding** The site is within the Manchester and Trafford South Critical Drainage Area as identified in the Council’s Strategic Flood Risk Assessment (SFRA). In accordance with the SFRA User Guide, brownfield redevelopment should aim for a 50% reduction in run-off rates. The proposal indicates a 30% reduction, and it is for the Council to decide whether it will require the SFRA aims to be achieved. If the Council is minded to approve the application, a number of conditions are recommended.
- **Contamination** The Preliminary Desk Study indicates the site and surrounding land may be associated with potentially contaminative historic land uses. Further work should be carried out and the conditions would ensure any contamination is appropriately considered.

**GMEU** – The Ecological Assessment which has been submitted is a fair and accurate appraisal of the sites ecological value provides reasonable recommendations on how the biodiversity value can be enhanced and measures to protect the adjacent Bridgewater Canal SBI. It is recommended that further details on lighting along the Canal Corridor are provided prior to determination; a bat survey should be conducted along the Canal Corridor if lighting is an issue.

Other details relating to bats and nesting birds and enhancement to the net biodiversity gain and buffer to the Bridgewater Canal are recommended to be required by condition.

**GMP** – Any comments will be reported in the additional information report..

#### **TfGM**

- Note that the A56 Altrincham – Manchester is one of the worst performing sections of road in Greater Manchester and a priority for improving journey time and reliability.
- Concerned about cumulative impact if both current supermarkets approved.
- Notes the site has good public transport accessibility adjacent to the A56 Quality Bus Corridor.
- Further opportunities to create link to Bridgewater Canal towpath and fund further upgrade to Bridgewater Canal to finalise link to Trans-Pennine National Cycle Route 62 are welcomed
- Recommends secure cycle parking
- Welcomes inclusion in Travel Plan framework which should extend to full proposals to be implemented and conditioned.
- Should Trafford be minded to approve either or both applications, appropriate mitigation measures will be needed to manage the impact on the A56.

#### **Electricity North West**

- Notes that could have an impact on their infrastructure, being adjacent to or affecting their operational land or electricity distribution assets.
- Referred to applicant for comment.

**United Utilities** – No objection, subject to compliance with conditions.

This has been referred to the applicant for consideration

**Greater Manchester Archaeological Advisory Service** – Any comments will be reported in the additional information report.

### **REPRESENTATIONS**

#### **In support**

**Neighbours and others** – 47 individual expressions of support for the proposal. These include the following points:

- increased local competition for Tesco and Sainsburys.
- A store residents can walk to
- Morrison's is an excellent store;
- It would be a benefit to the community;
- It would be a good addition to the retail park
- It would provide an increase in range and choice for customers;
- It would provide jobs;

- Better than the site remaining empty;
- Some reservations about traffic and access;
- An opportunity to carry out improvements.

## **Objections**

**Altrincham and Bowdon Civic Society** – Object to the proposals on the following grounds

- One of prime concerns of Society is the future success of Altrincham town centre.
- Significant adverse impact on Altrincham town centre
- Contrary to W2 and W2.12
- Should be located on Altair site
- Primary concern is shift from Altrincham town centre to out-of-town retail park
- Loss of linked trips to Altrincham town centre from Tesco and Sainsburys
- No assessment of impact on market and small traders. Morrisons Fresh Format in direct competition with market Health check inaccurate on town centre vacancies
- Compares with Hale Barns appeal decision
- Fails to meet sequential test
- Discrepancy between retail consultants' conclusions on overtrading of Tesco and Sainsburys in Altrincham.
- Increased traffic congestion on A56
- Questions net benefit of 220/150 jobs
- Concludes better than Property Alliance Group scheme
- Main objection is 22% impact on convenience trade in Altrincham

### **Bowdon Conservation Group**

- Altrincham has suffered in last 20 years from out-of-town development and internet shopping
- Altrincham dividing into 3 areas – Broadheath on West, Altair on East and Original town centre - Town centre needed for many reasons.
- Sufficient food stores in Altrincham
- Morrisons format directly in competition with market.
- Traffic congestion
- Reduction of trade in Altrincham
- Suggest site developed for housing.

### **Altrincham and Sale Chamber of Commerce**

- A Morrison's supermarket would be extremely detrimental to Altrincham Town Centre and would attract significant business from the town.
- The proposal would create the worst possible outcome as far as traffic flows are concerned;
- The proposal could open up the whole retail park for similar style retail stores to the detriment of Altrincham;

### **Neighbours and Others** – 8 individual objections



- Originally allowed as MFI bulky flat-pack, now B&Q sells anything
- Retail Park now selling any goods, not just bulky, policy change by default
- Altrincham and Sale Town Centres struggling
- Access problems on A56
- Traffic congestion will discourage investment in Broadheath Industrial Estate
- Question whether B&Q definitely closing
- Concerned about loss of B&Q
- Job losses from existing stores losing trade
- Impact on Altrincham town centre
- Vitality and Viability Assessment of Altrincham town centre questioned
- Transport limited to buses
- Already good choice of food stores
- Detailed criticism of Transport Assessment (referred to LHA for consideration)
- Suggest pedestrian link to canal
- Development for housing would be better
- Inadequate detail on materials
- Need another supermarket like hole in the tooth think about last remaining shopkeepers
- Lack of consultation residents of Woodfield Road
- Design fails to respond to its context
- Poor elevations and use of materials
- Blank facades fails to provide landmark development
- Failure to increase pedestrian linkages to surrounding area
- Contrary to Policy L7 and other policies on retail outside centres
- Will draw trade away from Altrincham and Sale
- No need for another supermarket
- Encourages traffic congestion
- Noise to Budenberg residents
- Light pollution
- Trading hours
- Traffic congestion on A56
- Morrisons format threatens Altrincham Market

#### **Bowdon Downs Residents Association**

- Altrincham and Sale town centres failing because range of goods allowed on Retail Park
- Another 1-2 food stores will make bad situation even worse
- Smaller shops in accessible town centre will close, stranding those who cannot walk to shops as access limited to buses
- Morrisons format harmful to Altrincham market
- No need for more shops, range and choice already good
- Traffic problems on A56 with more cars turning
- Businesses on Industrial Estate already disadvantaged by traffic
- NO to both Asda and Morrisons

### **The Altrincham Town Centre Partnership**

- No evidence for need for another new supermarket based on figures provided by applicant but better than exaggerated numbers presented by PAG in their deceitful attempt to justify a much larger store for Asda.
- Significant adverse impact on Altrincham Town Centre
- Town Centre First Policy must be applied as no realistic town centre alternatives have been given proper consideration
- Will increase car usage, contrary to NPPF and Council policy
- Public consultation meaningless as no alternative locations offered
- Job creation figures ignore loss of jobs which will result in town centre
- Would cause serious transport problems and have detrimental effect on Altrincham Town Centre and should be refused

**Retailers / Developers** – objections received by and on behalf of other main retailers, including those with current supermarket proposals, namely Maloneview (Sale) Ltd (the owners of Sale Shopping Centre), PAG (the owners of Hangar 14) and Waitrose.

#### Maloneview

- Sale Square is suitable, available and viable opportunity for Morrisons and sequentially preferable site
- New supermarket in Broadheath will draw trade from Sale
- Waitrose trade-draw from Sale demonstrates overlap Sale/Altrincham catchment areas
- Failure to comply with sequential test
- Sale Square is suitable, available and sequentially preferable
- Impact on Town Centre Investment and Health
- Pre-application consultation submitted for Sale Square
- The Square is allocated in Development Plan
- Retailers would not develop in Broadheath and Sale
- If the Broadheath scheme goes ahead then Sale Town Centre Scheme will not
- No evidence of need for further store in Broadheath
- Evidence of investor concern re Sale
- No positive effects to outweigh harm
- Will remove any tenant interest in Sale
- Failure to provide cumulative impact assessment
- Impact on the highway
- Not accessible by sustainable modes in any meaningful way
- Proposed highway works on Atlantic Street not acceptable
- Highway capacity assessments inadequate
- Failure to comply with Policy L4 / NPPF Para 32
- Cumulative highway impacts of both schemes not submitted – would be severe

#### PAG

- Contrary to Policy W2.14 as sited in Retail Warehouse Park
- No evidence of marketing for allocated use
- Smaller (1.76ha) than PAG site (2.8ha) so would not accommodate size of store to meet identified need
- Insufficient car parking / cycle parking / taxi ranks / substandard layout

- Potential for adverse impact on surrounding road network due to queuing and overspill parking
  - Poor design not commensurate with location on A56 / historic context
  - No link to canal towpath
  - Compared to competing foodstore proposals
    - o Not more likely to form connections to Altrincham Town Centre
    - o 1.2km from Altrincham town centre
    - o 247 bus service will make PAG more accessible and closer to bus stops
    - o Sites have some sequential status as measured by access to different modes of transport
- PAG site preferable due to
- o 200 more jobs
  - o Public transport improvements
  - o New right hand turn on A56
  - o Long term investment - relocating 2 builders merchants
  - o Not elevating role and status of retail warehouse park
  - o Regeneration of long-term vacant site

### Waitrose

- Similar concerns to PAG application, both concerned individually and cumulatively about impact
- Need justification based on providing increased choice and competition to Tesco and Sainsburys should not be given any weight
- Role of Waitrose serves Broadheath Local Catchment as identified by Council and appropriately located in residential area
- Wide offer already available in Broadheath Area including Waitrose, Aldi and smaller stores
- HV report confirms no local need and insufficient expenditure capacity to support further foodstores
- No justification based on need/choice and competition
- Up to 14.3% impact on Waitrose trading
- Cumulative impact with PAG scheme will be severe and significant in magnitude
- Policy objection based on W2.9 and W2.12
- Level of trade diversion from Local Centres is significantly underestimated
- Protect Broadheath Local Centre first under NPPF, W2.9 and W2.12

## **OBSERVATIONS**

1. Members are being asked to consider 2 separate planning applications for supermarkets in the Broadheath Area. These are 79984/FULL/2013 for Lyon Industrial Estate, Atlantic Street (Hangar 14) and 80577/FULL/2013 B&Q Plc, Altrincham Retail Park, Atlantic Street (B&Q). Both applications are recommended for refusal.

2. The reason for taking the applications to Committee together is to enable Members to reach decisions based on full details of both proposals, and having regard to the following:
  - i. The NPPF Para 24 states that *“When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre”*.
  - ii. There is a requirement in adopted Core Strategy Policy W1.12 criterion 3, that, *“where a non-employment use is proposed, there should be no alternative sites in the locality to meet the need for development”*.
  - iii. There is also authority to say that the availability of other more suitable sites can be a material planning consideration and the advice of Counsel confirms this approach.
3. The individual applications will be considered in the following manner, with reference to the other, or both, where appropriate.
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise. Conversely, applications which are not in conformity with the Development Plan should not be allowed unless material considerations justify granting planning permission.
5. Each proposal will be assessed as to whether it meets development plan policies (as set out in the Planning Policy Section above); the relevant material considerations, which include the NPPF, benefits arising from the scheme and any proposed mitigation Measures, will be considered, and these will be weighed in making a recommendation to Members.
6. The advice of the Council’s independent retail consultants is that the cumulative impact of both applications on the viability and vitality of nearby centres is unacceptable. The relative merits of each are assessed in the event that Members decide not to follow the recommendations to refuse both applications for the reasons relating to failure of the Sequential Test and *“significant adverse”* impact on investment in Sale Town Centre.

## **PRINCIPLE OF DEVELOPMENT**

7. All proposals for retail development in an Out-of-Centre location must be assessed primarily against Core Strategy Policy W2 Town Centres and Retail; the NPPF (particularly Para’s 23-27) and the Planning for Town Centres Practice Guidance (PTCPG).
8. Site specific policies which relate to the location of this site in an existing Retail Warehouse Park are found in Policy W2.14.

## **PRINCIPLE OF RETAIL DEVELOPMENT**

9. The Council have appointed HollisVincent (HV) as independent retail consultants; Walsingham Planning (WP) advised on the Hangar 14 proposal and Peacock and Smith (PS) on the B&Q proposal. The analysis is based on the following documents, in addition to those submitted with the original planning applications, and will be updated as necessary prior to the Committee Meeting:
- HollisVincent Report on Hangar 14
  - HollisVincent Report on Hangar 14 and B&Q
  - Various Rebuttal Documents from Maloneview on Sale Square Development
  - Various rebuttal documents from WP
  - Correspondence with WP and PS on discrepancy in estimated turnover figures.
  - Correspondence from another supermarket operators
10. The relevant development plan Policy W2.12 Out-of-Centre Development states that:
- “Outside the centres identified above, there will be a presumption against the development of retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance”.*
- (The identified centres are Altrincham, Sale, Stretford, Urmston, Hale, Sale Moor, Timperley and the network of Local Centres)
11. Policy W2.14 states that:
- “Proposals to expand any of the three existing retail warehouse parks (White City, Trafford and Altrincham) should be justified against the tests set out in national guidance. Further development within the retail warehouse parks should be limited to the sale of bulky comparison goods only”.*
12. The tests set out in the NPPF and accompanying Guidance are:
1. The Sequential Test
  2. The Investment Impact Test
  3. The Impact on Vitality and Viability Test.

## **RETAIL APPRAISAL**

13. Hollisvincent were appointed by the Council to carry out an Audit of the Applicants’ Support Material, Assessment of Cumulative Retail Impact and provide Retail Policy Advice in respect of both planning applications currently before the Committee. The following is a summary of their Report and Addendum Report which takes account of the application submission and subsequent representations from both applicants, and interested third parties.

14. The B&Q application is indisputably in an Out-of-Centre location for the purposes of the policy assessment.
15. The NPPF sets out the national policy framework for Town Centres and Sustainable Economic Development, which is a material consideration in planning decisions. The principle of sustainability runs through the document, with a presumption in favour of sustainable development, but the statutory status of the development plan remains the starting point for decision making. In this case the policies are found in the Revised UDP and the Core Strategy adopted in January 2012. The Core Planning Principles are set out which include the requirement to proactively drive sustainable economic development; awareness of the different roles and character of different areas and promotion of the vitality of main urban areas; encouragement of the effective use of previously developed land and focussing significant development in locations which are, or can be made, sustainable.
16. The Government is committed to building a Strong, Competitive Economy. The Section on Ensuring the Vitality of Town Centres is particularly relevant to this application. Para 23 states that: *“planning policies should promote competitive town centre environments and that, in drawing up local plans, LPA’s should, amongst other things:*
- § recognise town centres as the heart of their communities and support their vitality and viability;*
  - § promote competitive town centres that provide customer choice and a diverse retail offer;*
  - § ensure that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability, so that local planning authorities should undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites;*
  - § allocate appropriate sites for main town centre uses in accordance with the sequential approach; and*
  - § plan positively for centres in decline”.*
17. Para 24 sets out the sequential test that applies to planning applications for main town centre uses that are not in an existing, committed and planned public and private investment in a centre or centres and secondly, sets out the impact on the town centre vitality and viability.
18. Attention is drawn to Para’s 186 and 187 on Decision Taking which states that: *“the local planning authorities should approach decision taking in a positive way to foster the delivery of sustainable development”.*
19. The overall conclusions in relation to the NPPF are that:
- it emphasises the role of the development plan as the statutory starting point in the consideration of planning applications, so that applications which accord with the development plan should be approved without delay, whereas if there

is conflict with the development plan, applications should be refused, unless material considerations indicate otherwise;

- the NPPF itself is a material consideration to which we give significant weight;
- the NPPF's presumption in favour of "*sustainable development*" is similar to the presumption in favour of "*sustainable economic growth*", as previously enshrined in Policy EC10.1 of the now replaced PPS4, but, in the decision taking context, the presumption in favour of sustainable development applies only "*where the development plan is absent, silent or relevant policies are out-of-date*";
- the NPPF maintains previous policy in seeking to promote competitive and healthy town centres; and that
- the policy tests in relation to the sequential approach and impact, although expressed in more concise terms, remain essentially the same as the tests formerly set out in Policy EC15 and in Policies EC16.1a, EC16.1b and EC16.1d of the former PPS4.

20. It is considered noteworthy; however, that paragraph 26 of the NPPF does not seek to reflect the separate test of scale that was formerly incorporated in Policy EC16.1e of PPS4. Thus, the issue of scale is subsumed within the tests that relate to impact on investment, impact on town centre vitality and viability (including local consumer choice) and the impact on trade in town centres in the wider area.
21. Para 27 of the NPPF is reflective of the provisions of Policy EC17.1 of the former PPS4 in stating that "*Where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the above factors [in Para 26], it should be refused*". However, Para 27 does not replace the advice previously contained in Policy EC17.2 of PPS4, which required a balancing exercise to be undertaken in cases where there were no significant adverse impacts.
22. The application is then appraised against the retail and land use policy aspects of the current and emerging development plan. The policies in the UDP are effectively replaced by Policy W2 of the Core Strategy DPD, other than in respect of specific allocations and definitions of centre boundaries which will be addressed in a future Land Allocations DPD.
23. Policies W2.1 to W2.11 set out the hierarchy of centres and the strategies relating to these centres. Altrincham is the Principal Town Centre within the Borough; Sale, Stretford and Urmston are the other Town Centres; Hale, Sale Moor and Timperley are District Centres. Proposals for town centre uses in out-of-centre locations are dealt with under Policy W2.12 which states there will be a presumption against such proposals "*.....except where it can be demonstrated that they satisfy the test outlined in current Government guidance*" Para 19.9 of the Justification to the Policy states that the policy "*.....does not propose or identify any new sites for large scale growth in the retail sector....*" Instead it makes proposals to consolidate and enhance the retail offer available within

Trafford's Town, District and Local Centres. Policy W2.14 refers to Retail Warehouse Parks and is referred to in detail below.

24. Having conducted the relevant Sequential and Impact tests outlined in current Government guidance, HV concludes that the application to redevelop the B&Q site for a food superstore is:
- Not consistent with the key objectives of the strategy for Altrincham and Sale Town Centres as set out in Policies W2.2 to W2.5 of the Core Strategy DPD; and
  - In conflict with Policy W2.12 and W2.14 of the Core Strategy DPD.

#### **Need for a supermarket in Broadheath**

25. Both applicants have submitted that the evidence which they have provided, which included detailed Policy Analysis, a Householder Shopping Survey, Sequential Assessment, Retail Impact Assessment and Public consultation Exercise demonstrate that there is a quantitative and qualitative need for a further supermarket in Broadheath. HV have considered this evidence, together with the third party representations. They say there is an identified qualitative and quantitative need for a new supermarket; this will improve competition with existing supermarkets; there is evidence of overtrading particularly at Tesco and Sainsbury in Altrincham and the proposal has local support. PS place emphasis on the improvement of local consumer choice; and addressing overtrading at Tesco Extra in Baguley and Aldi at Broadheath.
26. The assessment of need, as measured by expenditure capacity, is not a development management test as outlined in the NPPF, thus the absence of need on its own can no longer form grounds for a reason for refusal of an application for a town centre use. Conversely, the existence of need on its own does not necessarily mean that there will be no adverse impacts. Nevertheless, the Planning for Town Centres Practice Guidance makes it clear that an assessment of need informs the consideration of the sequential approach and impact, both of which are requirements under the NPPF, for applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date development plan. An assessment of the quantitative and qualitative need has therefore been carried out to inform those tests, in respect of the Hangar 14 application only. Need is also a relevant consideration in Para 22 of the NPPF relating to the alternative use of land allocated for Employment Use, and is also relevant to Policy W1.12 as the site is in a Main Employment Area, but this does not apply to the B&Q application.

#### Quantitative Need - Conflicts in Support Material

27. There is an important conflict in the support material put forward by both applicants. This has given rise to comment from third parties including local residents. The Expenditure Capacity, which is the measure used to assess need, has been derived from both applicants separate Householder Shopping Surveys using 1000 respondents from the same catchment area and using the same zoning systems. The primary difference is that the WP survey was conducted in



October 2012 and the PS survey was more recent in April 2013 following the opening of Tesco at Stretford.

28. The surveys produce substantially different results in relation to spending patterns and the turnover estimates for large and medium sized foodstores. WP consistently identify higher convenience goods turnover for the medium and large sized foodstores, based on higher market shares for those stores. Part of the reason for this is that WP use per capita expenditure figures which are 13%-14% higher over all zones. Despite attempts, neither party has been able to resolve the difference.
29. The different figures on market shares of large supermarkets can relate to sampling error, the forms of questions asked and the different time of the surveys. The opening of Tesco Stretford would depress the turnover levels at other stores. However, HV agree with PS that the wording employed in the key question of WP's survey is likely to have resulted in overstating of the market share of supermarkets and superstores.
30. This results in the stark contrast between WP's conclusion that there is an aggregate level of overtrading in supermarkets in the Altrincham, Sale and Baguley areas of approximately £41.8m with expenditure capacity at £27.2m up to 2017, and that of PS which leads to an aggregate level of overtrading of £5.4m and a negative expenditure capacity of -£7m up to 2017.
31. HV considers that the PS survey findings which produce an aggregate position in the convenience goods sector are more realistic based on their own observations at the various stores. They agree with PS's observations that there is no evidence of significantly high levels of overtrading other than at the Aldi store in Broadheath. The evidence is that Waitrose at Broadheath overtrades slightly, as stated in their representations, and there is little evidence of congestion or customer discomfort at the two food superstores in Altrincham Town Centre. Thus, on-the-ground evidence would suggest that PS's findings and expenditure data are more reliable.

	CUMULATIVE IMPACT ON ALTRINCHAM WITH 'EMERGING ALTAIR'					
	Using Walsingham Planning Expenditure Data			Using Peacock and Smith Expenditure Data		
	Comparison	Convenience	Combined	Comparison	Convenience	Combined
	%	%	%	%	%	%
Hangar 14 / PAG	-1.8	-14.9	-7.8	-2.0	-17.1	-8.9
B&Q / Morrisons	-1.2	-10.8	-5.6	-1.3	-12.5	-6.4
Two Store	-2.2	-21.4	-11.0	-2.4	-24.1	-12.3

Emerging scheme Altair has a convenience sales area of 375sq.m. and a comparison sales area of 400sq.m. Both sets of data utilises market share derived from the household survey commissioned by Walsingham Planning.

32. However, HV have used WP's expenditure data and shopping patterns which favour both applicants, but have undertaken sensitivity testing to assess the impact of using PS figures (see Impact Table above).

Quantitative Need

33. HV have recalculated the Expenditure Capacity using WP's figures, allowing for the turnover requirements of commitments to redevelop the local centres in Hale Barns and Partington and the understanding of the broad content of the emerging proposals for a revised scheme at the Altair site, which is likely to be dominated by leisure, restaurant/bar and residential uses, with a limited Class A1 Retail component. This results in a residual expenditure capacity to support new convenience floorspace of £27m in the period up to 2017, as shown in the Table below:

	CONVENIENCE GOODS	
	Aggregate overtrading	Catchment Area Capacity at 2017
	£m	£m
Using WP Expenditure Data	41.8	27.2
Using PS expenditure Data	5.4	-7.0

This uses WP data, with results from PS data being slightly higher.

34. The residual expenditure is lower than the convenience goods expenditure requirement of the Hangar 14 store of £34m, but higher than the convenience goods expenditure turnover of the Morrisons store at £22m.

35. However, HV argues strongly that the £27m residual expenditure, identified by using WP's data, should be channelled towards Altrincham Town Centre so as to reduce the vacancy level, towards Sale Town Centre to support the emerging proposal for the redevelopment of The Square Shopping Centre and to Sale Moor District Centre, for which Policy W2.8 of the Core Strategy DPD identifies a need to plan for a small to medium sized supermarket.

36. Thus, HV's overall conclusion is that there is insufficient expenditure capacity, or quantitative need, to support the turnover requirements of either of the application proposals. HV points out, however, that the absence of need, on its own, is no longer a ground for refusal under the NPPF, although it does inform the approach to the sequential and impact tests.

Qualitative Need

37. Both applicants' submissions in respect of qualitative need rely mainly on the perceived level of choice in the catchment area, which is largely dominated by Tesco and Sainsburys. WP argue that there is evidence of consumer discomfort resulting from overtrading.

38. HV have analysed the evidence which does not indicate any significant levels of discomfort or congestion resulting from current trading levels. HV consider that

the fact that the some stores trade at densities above their respective company averages is not a good indicator of qualitative need for a further large foodstore in an Out-of-Centre location in Broadheath.

39. The submitted surveys indicate:

- The Aldi store at Broadheath is extremely popular and demonstrates the consumer demand for a discount operator in this location.
- The Waitrose store at Sinderland Road Local Centre is also popular and draws trade from a wide area, in addition to meeting local need
- There is some level of dissatisfaction with the large foodstores in Sale Town Centre.
- The large and medium sized foodstores in Altrincham and Broadheath are all trading well.

40. The overall conclusion, therefore, is that there is no pressing qualitative need for an out of centre food superstore in the Broadheath area, and that the residents of this area already have a wide choice of convenience goods outlets, ranging from local stores, such as Nisa, to the discount offer provided by Aldi, the medium sized Waitrose supermarket, and the large superstores and market facilities offered in Altrincham Town Centre. Indeed, the NEMS Survey suggests that the most pressing qualitative need is to improve the large foodstore offer in Sale Town Centre.

41. The analysis of the latest GOAD Plan for Altrincham Town Centre (August 2012) (an independently produced survey) suggests that there is also a need to improve the representation of small independent convenience traders in the Town Centre. Indeed, these smaller convenience goods operators account for only 4% of all retail and service units in Altrincham and there is plenty of opportunity for such retailers afforded by the vacant units which existed at the time of the last GOAD survey on 15th August 2012.

42. The above conclusion on absence of quantitative and qualitative need is relevant to the Hangar 14 application as it then fails the criteria in Policy W1.12 which requires demonstration that there is a clear need for the proposed land use(s) in this locality. Even if a need is considered to have been demonstrated, it is not locationally specific to the Broadheath area, but relates to the whole catchment area identified in the surveys, including Sale.

#### THE SEQUENTIAL TEST

43. The NPPF (Para 24) sets out the sequential test that applies to planning applications that are not in an existing centre and not in accordance with an up-to-date Local Plan. Policy W2.12 requires such proposals to satisfy the tests set out in Government guidance.

44. Para's 6.36-6.50 of the Planning for Town Centres Practice Guidance (PTCPG) provides advice in relation to the three key components of the sequential test which must be addressed to establish whether there is a site in a sequentially

preferable location which is “*available, suitable and viable*”, with these terms defined as follows:

- Availability – whether sites are available now, or are likely to become available for development within a reasonable period of time (determined on the merits of a particular case, having regard to, inter alia, the urgency of the need).
- Suitability – whether sites are suitable to accommodate the need or demand which the proposal is intended to meet.
- Viability – whether there is a reasonable prospect that development will occur on the site at a particular point in time, which will depend in part on the nature of the need, and the timescale over which the need is to be met.

45. Taking into consideration the quantitative and qualitative need which has been identified above, it is considered that for a site to be considered sequentially preferable, it must be within the relevant area of search, must serve a similar function and achieve similar objectives to the proposal, and be capable of trading within a reasonable timescale.

#### Area of Search

46. This has been the subject of considerable debate between the parties. The applicants contend that the area of search for a sequentially preferable site should not include Sale Town Centre on the basis that:

- Altrincham and Sale have separate catchment areas, evidenced by the fact that Tesco, Sainsbury, Aldi and M&S all have stores at both centres
- The evidence that Waitrose at Sinderland Road draws trade from both Sale and Altrincham is not applicable to other supermarket operators as the trade draw in the case of Waitrose arises specifically as a result of the type of offer available at Waitrose which distinguishes it from other supermarket operators.

The Council’s retail consultant agrees that Sale and Altrincham have distinct catchment areas.

47. Of significant importance, however, is the fact that the Waitrose store at the Sinderland Road Local Centre draws convenience trade from throughout the catchment area of the application proposal. Therefore, although Sale and Altrincham have reasonably distinct PCA’s, because most of the large and medium sized foodstores are present in both centres, it is clear that the introduction of a new operator, in the form of Waitrose, has led to trade being drawn into the Broadheath area from residents of Sale. Thus, it seems likely that the introduction of another new operator in Broadheath would draw trade from the residents of both the Altrincham and Sale PCA’s.

48. In considering whether, or not, Sale Town Centre should be included in the Area of Search for the purposes of the Sequential Test, HV have taken account of the advice given in Para’s 6.21 – 6.26 of the Practice Guidance. They note that:

- the Core Strategy envisages new retail floorspace of 4000sq.m. in Sale, and the emerging proposals at Sale Square can accommodate all the development of the sales area sought at these sites
  - both applicants define the catchment area as being approximately a 15 minute drive time, whereas Sale is less than 10 minutes drive from the application sites
  - the scale and size of the proposals will serve a materially wider catchment area than small local foodstores
  - there is no quantitative or qualitative need for a further large foodstore in the Broadheath area
  - there is no gap or deficiency in the range and choice of supermarket facilities available to residents in the Broadheath area.
49. HV are of the opinion that a new operator on the Hangar 14 site would draw trade from residents of Sale, Broadheath, Timperley, and Altrincham areas. This is due to the location of the site within a 10 minute off-peak drive time from Sale, and is confirmed by the applicant's Transport Analysis showing a substantial proportion of traffic distribution from the north. The same analysis would apply equally to this application.
50. The representations from the owners of the Sale Square site draw attention to the likely draw of the proposal from Sale and Altrincham, pointing out the new right hand turn lane from Manchester Road, heading South onto George Richards Way provided for in the development proposal for Hangar 14, which in their view confirms this. They estimate as much as 40% of the trade could be drawn from Sale, compared to the HV estimate of 21% and WP estimate of 15%. Again, this is relevant to consideration of this issue in relation to this application too.
51. Furthermore, if the applicant is relying on its overall 15 minute study area for assessing quantitative need, then it must search for sequentially preferable opportunities in all town centres within that catchment area in seeking to meet that need. It would not be possible for an operator such as ASDA or Morrisons to attract its required turnover from residents of Altrincham alone and the expenditure capacity identified by Walsingham Planning derives from all of the 244,000 population that are projected to live within the study area in 2017.
52. PS have suggested that Morrisons would seek to locate in both Broadheath and Sale, but HV are not persuaded that there is sufficient evidence to support this statement. Therefore HV conclude that Sale Town Centre should be included within the area of search for "Sequentially Preferable Sites" in terms of the tests set out in the NPPF.

#### Sequential Site Search

53. The applicant examined 19 sites (including the site of the Lyon's Industrial Estate) in seeking to apply the sequential approach. Having examined this material, HV considers that there is only one site which requires further

examination, and this is the emerging opportunity to redevelop The Square in Sale Town Centre. It is agreed that each of the other 17 sites fail one, or more, of the 'available', 'suitable' or 'viable' components of the sequential test. One of these was the Altair site, in Altrincham. This has been discounted as not meeting the tests because the proposal would neither fit with the extant planning permission nor the development agreement.

#### Availability

54. The recent submission of a formal Pre-application Consultation request by consultants acting on behalf of the owners of the Sale Town Centre site is an indication that the scheme is currently progressing and is expected to be the subject of a planning application in the near future.
55. Para 6.38 of the Practice Guidance emphasises that a site can be considered to be "available" for development "... when, on the best information available, there is confidence that there are no insurmountable legal or ownership problems...."
56. Both applicants have questioned the availability of the Sale Town Centre site, citing the need for various land and property acquisitions, the need to relocate both retailers and residential occupiers, and the availability of funding.
57. The owners responded to these points, setting out in detail the progress which had been made in land and property acquisitions. The funding availability was confirmed by the National Asset Management Agency, if a foodstore operator is secured. The plan to relocate existing occupiers was supplied.
58. HV conclude that, given the conclusion that there is no pressing quantitative and qualitative need for a further Out-of-Centre supermarket at Broadheath, the owners of the Sale Town Centre site should be given a reasonable period of time, to bring this sequentially preferable scheme forward. This is consistent with Practice Guidance advice that major town centre sites can take 10-15 years to deliver.
59. A very late submission has been received from Tesco Stores which suggests that there may be some outstanding issues in relation to a right of way from the existing Tesco store in Sale and which would impact on the deliverability of the scheme and hence on the 'availability' of the site for the purposes of the sequential test. This is being followed up by officers and there will be a further report on this issue to Members.

#### Suitability

60. There is recent case law ('The Dundee Case') on the interpretation of this requirement, which HV summarise as being a need for all parties to demonstrate flexibility and realism and that the sequentially preferable location must be able to provide for a retail development that will serve a similar function and achieve

similar objectives to the application proposal. The words in the Judgement are “*suitable for the development proposed by the applicant*”.

61. HV conclude that the Sale Town Centre site can accommodate a food store of a similar size to that proposed in either scheme. The applicants suggest the main objectives are to meet an asserted localised need for a further large supermarket in the Broadheath area and enhance consumer choice and to provide more competition for the existing stores. HV dispute the evidence of need and consider that the objective of providing competition with existing stores could be achieved with the Sale Town Centre site, and that this is a more sustainable location and in accordance with planning objectives of the Core Strategy DPD.

#### Viability

62. Paragraph 6.37 of the Practice Guidance states that the ‘viability’ component of the sequential test is judging “...*whether there is a reasonable prospect that development will occur on the site...*” and paragraph 6.47 states that: “*this will be influenced by a range of market, cost and delivery factors*”.

63. Walsingham Planning’s representations raise a number of points in relation to viability, the most important being:

- questioning whether Maloneview has the financial capabilities to expend the substantial monies that will be required to promote the scheme (which is a matter that is dealt with in NAMA’s letter of 24<sup>th</sup> May 2013)
- the range of abnormal development costs, including site acquisition from the Council, Trafford Housing Trust and the Institute of Civil Engineers and Surveyors
- the financial payment it envisages to Tesco in lieu of its ‘easement’ over part of the site (which is specifically refuted by Maloneview)
- demolition costs
- compensation and relocation costs for existing retailers and residents; and
- the costs involved in pursuing a compulsory purchase order if this proved to be necessary.

64. However, the Practice Guidance states at paragraph 6.49 that ‘*Where alternative sites are being actively promoted for new development by a developer/retailer, this is a reasonable indicator that the location is viable*’. Furthermore, the Practice Guidance states at paragraph 6.50 that ‘*It will rarely be necessary to undertake detailed development appraisals to test the viability of alternative sites*’. Maloneview’s representations indicate that it is confident that a viable scheme can be delivered, and it is noted that expenditure is already being incurred in promoting the pre-application request.

65. HV consider that there is nothing in the representations submitted by WP or PS that seriously questions the viability of the emerging scheme in Sale and HV is satisfied that Maloneview has provided the necessary level of evidence required by the Practice Guidance to suggest that its scheme is viable.

### Overall Conclusion on the Sequential Test

66. Given the conclusions that Sale Town Centre should be included in the 'area of search' for sequentially preferable opportunities and that the opportunity in Sale Town Centre is considered to be available, suitable and viable for the development proposed by PAG, both the Hangar 14 and B&Q application proposals therefore fail the sequential test. In these circumstances Paragraph 27 of the NPPF states that where an application fails to satisfy the sequential test it should be refused. However it should be noted that material considerations may exist to which such weight should be given as to indicate otherwise. In this regard there are representations received from both applicants which question the ability of the Sale site to satisfy all three elements of the sequential test. It should also be noted as indicated above that correspondence has now been received from Tesco which may have a bearing over the "availability" test for the Sale site. This matter is being investigated further and any necessary update will be provided by way of an additional information report.

### THE IMPACT TESTS

67. Para 26 of the NPPF sets out the impact tests for applications for retail, leisure and office development that is located outside town centres and which is not in accordance with an up-to-date Local Plan. Where the development exceeds the national or a locally set threshold (200sq.m. as set out in the Core Strategy), the application must face the impact tests set out in paragraph 26 of the NPPF.

68. The impact tests require an assessment of:

- a) 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
- b) 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. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

69. Planning for Town Centres Practice Guidance states that *"it will be for the decision maker to determine what constitutes an 'acceptable', 'adverse' or 'significant adverse' impact based on the circumstances of each case, having regard to national and local policy objectives"*. The Practice Guidance then goes on to state that *"...there are no meaningful benchmarks of what constitutes an 'acceptable' level of trade diversion... the relevant factors will depend on the circumstances of each case"*

70. In forming a judgment as to whether the effects of a proposal are likely to reach the 'significant adverse' threshold, it is for the decision maker to take account of:

- the vulnerability of the town centres likely to be affected by the application proposal and their state of health
- the impact on the market share of the town centres



- the effect on planned investment in the town centres
- the impact on vacancies and quality of the retail offer in the centres affected
- the impact on investor confidence.

#### Impact on Existing, Committed and Planned Investment

71. HV have agreed with both applicants that there is unlikely to be a 'significant adverse' impact on the planned investments in Partington and Hale Barns, or on the emerging Altair scheme in Altrincham Town Centre. However, the concerns expressed by the owners of the Sale Town Centre site are given significant weight. Quite simply, they state that *"If the Broadheath scheme (Hangar 14) goes ahead then the Sale Town Centre scheme will not"* and they express similar concerns regarding the B&Q proposal. The likely operators, Asda or Morrisons have not satisfactorily demonstrated any intention to operate in both Broadheath and Sale, and both schemes are competing for the same market opportunity.

#### Overall Conclusion on the Impact on Planned Investment

72. The overall conclusion is that the Hangar 14 application, which is speculative to the extent that it currently has no named food retail occupier or the B&Q application with Morrisons as the named occupier, are each likely to cause a significant adverse impact on planned investment in Sale Town Centre, which would undermine an important aspect of Policy W2.5 of the Council's Core Strategy

73. Thus, in relation to the checklist set out under paragraph 7.21 of the Practice Guidance, which gives advice on how to measure the effects on planned investment in nearby town centres, it is concluded that:

- Maloneview appears to have secured funding support, has entered into formal pre-application discussion process, and is in detailed discussion regarding the necessary land and property acquisitions
- significant policy weight should be attached to the proposal to redevelop the Square Shopping Centre in Sale, since this would assist the objectives set out in Policy W2.5 of the recently adopted Core Strategy DPD
- there is not sufficient need for a large foodstore in an out of centre location in Broadheath, as well as a large foodstore in Sale Town Centre
- Sale Town Centre is in direct competition with the out of centre promoters for the same market opportunity i.e. ASDA or Morrisons
- there is evidence of investor concern, through the representations from Maloneview and NAMA
- neither of the out of centre schemes has positive retail benefits that would outweigh the failure to deliver investment in Sale Town Centre.

74. On that basis it is concluded that there is a real likelihood of a *"significant adverse"* impact on planned investment in Sale Town Centre, and this risk is exacerbated by the fact that an operator could be trading from either of these sites sometime before the scheme in Sale Town Centre becomes operational.

75. Both proposals are therefore considered to fail the test relating to 'Impact on Existing, Committed and Planned Investment' in a town centre in the catchment area of the proposal and a Reason for Refusal referring to Policy W2.12 and the NPPF Para 26 and 27 is therefore recommended.

## **IMPACT ON TOWN CENTRE VITALITY AND VIABILITY, AND TURNOVER OF THE TOWN CENTRES**

### **B&Q**

76. In respect of the B&Q proposals, the figures are proportionately less than those in relation to the Hangar 14 proposal reflecting the smaller size of the store. When factoring in the emerging Altair scheme, the overall impact on Altrincham's Retail trade would be 5.6% - 6.4% as a result of a cumulative diversion of £15.4m, depending on which Expenditure Data is input. The impact on Altrincham's convenience sector rises to 13.7% of their convenience trade.
77. The impact on Sinderland Road Local Centre is 9.2% rising to 10.3% in the convenience sector. Although these impacts are slightly lower than the original estimates because of the reduced convenience goods turnovers of commitments, they still appear comparatively high. HV consider that such an impact would be unfortunate given that the local centre has only recently been established, however they conclude that it is likely to be below the "*significant adverse*" threshold incorporated in Paragraph 27 of the NPPF, given that much of the impact will fall on the Waitrose store which is acknowledged by the operator to be '*...overtrading to a degree*'.
78. The impact on Sale's overall turnover is 5.5% rising to 8.3% in the convenience goods sector; and on Timperley 5.5% with 8.3% in the convenience sector.
79. HV's overall conclusion, therefore, is that the B&Q application will not cause a '*significant adverse*' impact on the overall vitality and viability of any of the Borough's Town, District or Local Centres, assuming successful implementation of Nikal's emerging proposal for the Altair site. Thus, there is no conflict with the second of the impact tests set out in Para 26 of the NPPF.

### **Hangar 14**

80. The original HV Report of May 2013 has been updated following further correspondence referred to above. Originally, there was an assessment that, depending on the final composition of the Altair scheme in Altrincham town Centre, then the impact on trading levels in Altrincham Town Centre would be likely to cause a "*significant adverse*" impact on its overall vitality and viability and a reduction in consumer choice. The impact on Sale, Stretford, the District and Local Centres is not considered to be significant.
81. The revised assessment of June 2013 summarises the cumulative impact of the Hangar 14 proposal, together with the revised commitments (relating to Tesco

Chester Road; Partington and the emerging Altair scheme). This results in a cumulative impact on Altrincham's overall retail turnover of 7.8% as a result of a cumulative diversion of £21.5m. The impact on Altrincham's convenience sector rises to 14.9%, but much of this impact falls on the Tesco and Sainsbury's stores which are projected to lose 18% of their convenience trade.

82. HV considered that the overall impact on Altrincham's retail trade of 7.8% is at the margins of acceptability, given the relatively fragile state of the town centre, but the estimate of the direct quantitative impact does not reflect the benefits of the uplift in footfall associated with a well integrated development at the Altair site, which is not quantifiable. Thus, the overall conclusion is that the impact on Altrincham Town Centre as a result of the Hangar 14 application is below the 'significant adverse' threshold referred to in Para 27 of the NPPF assuming that Altair is developed out thus creating an uplift in expenditure in Altrincham Town Centre.
83. The impact on Sinderland Road Local Centre is 12.2%, rising to 13.7% in the convenience goods sector. Although these impacts are slightly lower than the original estimates because of the reduced convenience goods turnovers of commitments, they still appear comparatively high. HV consider that such an impact would be unfortunate given that the local centre has only recently been established, however they conclude that it is likely to be below the "*significant adverse*" threshold incorporated in Paragraph 27 of the NPPF, given that much of the impact will fall on the Waitrose store which is acknowledged by the operator to be '*...overtrading to a degree*'.
84. The impact on Sale's overall turnover is 6.4%, rising to 6.9% in the convenience goods sector. These levels of impact are lower than those identified in the original report, because of the reduction in convenience turnover of the commitments, and the opinion remains that the impact on Sale's Town Centre overall vitality and viability will remain below the '*significant adverse*' threshold. Similarly, the impact on Timperley District Centre is marginally lower than in the original report and again the impact is considered to be below the '*significant adverse*' threshold.
85. HV's overall conclusion, therefore, is that the Hangar 14 application will not cause a '*significant adverse*' impact on the overall vitality and viability of any of the Borough's Town, District or Local Centres, assuming successful implementation of Nikal's emerging proposal for the Altair site. Thus, there is no conflict with the second of the impact tests set out in Para 26 of the NPPF.

#### Overall conclusion on Impact on Vitality and Viability

86. HV conclude that both proposals will remain below the '*significant adverse*' threshold of government guidance. However there is a real concern that the B&Q proposal could prove more harmful in terms of its actual impact on Altrincham Town Centre. This is due to concerns that introducing a foodstore of the size of the Morrisons proposal into the existing retail park with its current

mix of retail operators produces a very real likelihood of reinforcing a local centre effect at the Altrincham Retail Park. This effect could not be quantified by a retail impact assessment. Although there is the possibility that this effect could also be produced by the Hangar 14 proposal, it is likely that it would be more marked with the B&Q/Morrisons proposal given its relative proximity to other retail uses and the higher likelihood of pedestrian movements and other linked trips. Additionally it is noted that concerns have also been raised about the format of Morrison's "market place" which could further impact on the vitality and viability of Altrincham's market. However whilst any additional impact arising from these issues is unlikely to result in either proposal causing a significant adverse impact on Altrincham Town Centre it is appropriate to weigh these issues in the balance when considering the proposals.

#### Overall Conclusion on Retail Policy

87. The overall conclusion reached by HV on retail policy is that both proposals should be refused planning permission on the following grounds:
- a) failure of the sequential test, given the emerging opportunity to redevelop the Square shopping centre in Sale Town Centre; and
  - b) a "significant adverse" impact on planned investment in Sale Town Centre.
88. NPPF states at paragraph 27 that *"Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused"* (Acting Chief Planning Officer emphasis).
89. Core Strategy Policy W2.12 Out of Centre Development has a presumption against development which fails the tests in current Government Guidance (i.e. the NPPF); therefore, both applications should therefore also be refused as a result of their failure to comply with this policy.

#### **CONSIDERATION OF POLICY W2.14 RETAIL WAREHOUSE PARKS**

90. The B&Q site is located within Altrincham Retail Park and is subject to Core Strategy Policy W2.14 which states:
- "Proposals to expand any of the three existing retail warehouse parks (White City, Trafford and Altrincham) should be justified against the tests set out in national guidance. Further development within the retail warehouse parks should be limited to the sale of bulky comparison goods only"*.
91. This forms part of Policy W2.12-14 which relates to Out-of-Centre Development for retail, leisure and other town centre type uses. These are governed by Policies W2.12, W2.13 (only relevant to the Trafford Centre) and W2.14 (only relevant to the three existing retail warehouse parks, which include the Broadheath Retail Park in which the Morrisons/B&Q application is located).
92. Policy W2.12 states that there will be a presumption against such proposals *'...except where it can be demonstrated that they satisfy the tests outlined in current Government guidance'*. Part of the explanation to Policy W2.12 is set out

in paragraph 19.9 of the Core Strategy DPD, which cross refers to the findings of the Trafford Retail and Leisure Study, published in 2007, and states that the policy ‘...does not propose or identify any new sites for large scale growth in the retail sector...Instead it makes proposals to consolidate and enhance the retail offer available within Trafford’s Town, District and Local Centres...’.

93. In light of the provisions of Policy W2.12, and its cross reference to the National Policy tests, there has been some debate as to the weight that should be given to Policy W2.14 of the Core Strategy, in light of the conclusions reached by the Trafford Retail Park Inspector to the effect that:

- a) ‘...what W2.14 seeks can be overridden by a proposal which satisfies W2.12, which leads directly to the National Planning Policy Framework’ (Inspectors Report Para 38); and that
- b) if there is no objection the proposal in terms of NPPF ‘...it follows [that there will be] no objection in terms of Core Strategy Policy W2’ (Inspectors Report Para 40).

94. However, given the subsequent conclusion that the Morrisons/B&Q application fails at least two of the national policy tests, there is a clear conflict in relation to Policy W2.12 of the Core Strategy. In addition, it follows that the Morrisons/B&Q application is in conflict with Policy W2.14 of the Core Strategy, which states that ‘further development within the retail warehouse parks should be limited to the sale of bulky comparison goods only’. Thus, the Morrisons/B&Q application conflicts with Policies W2.12 and W2.14.

This is therefore included as a Reason for Refusal of the application

## **LOCATION OF THE SITE: ACCESSIBILITY AND SUSTAINABILITY**

95. The site is in an Out-of-Centre location in relation to the nearest Town Centres of Altrincham and Sale.

96. The applicant for B&Q submitted the following table to demonstrate the Comparison of Accessibility of the Hangar 14 and B&Q sites:

Accessibilty Criteria		Site 5 (PAG)	Application Site (Morrisons)
Distance to Altrincham town centre boundary by car, foot and cycle	Car	2km	1.2/1.5km
	Foot	2km	1.2/1.5km
	Cycle	2km	1.2/1.5km
Journey time to Altrincham town centre by bus (if available)		10mins from Craven Road (+6min walk and only 1-2 buses per hr)	5mins from A56 (+3min walk and 5-17 buses per hr)
Distance to nearest bus stop on foot		500m to Craven Road 800m to A56	250m from A56

Distance to nearest housing on foot	450m to Craven Road and Dairyhouse Lane	250m to Beaconsfield Road
Distance to railway/train station	1.5km to Navigation Road	800m to Navigation Road
Distance to nearest shops located on Altrincham Retail Park (excluding Aldi)	500m Toys r us	50m TKMax

97. The applicants also argued that the B&Q site is more accessible by non-car modes; there is scope for pedestrian linkage to nearby housing and other retail uses located at Altrincham Retail Park (thus allowing for walk-in trade and multi-purpose shopping trips) and it is located much closer to Altrincham town centre, albeit too far to establish pedestrian linked trips.
98. WP dispute these claimed comparative advantages regarding the location of the site. They consider that locating the foodstore on the Retail Park will change its role, function and status to the detriment of Altrincham Town Centre; although it is closer to Altrincham Town Centre, it is still too far away to create pedestrian linkage between the two destinations and the Hangar 14 site will be closer to a bus stop when the 247 bus route is diverted.
99. TfGM agree with the B&Q Transport Assessment which highlights that the location adjacent to the A56 Quality Bus Corridor ensures that the site has good transport accessibility and the Bridgewater Canal provides further opportunity to increase sustainable travel to the site. In response to this request, the applicants have indicated a link from the site through to the Bridgewater canal towpath. A Negotiated Element S106 Contribution towards funding is also offered as described below. This would be an important benefit arising from these proposals.
100. It is concluded that the proposal complies with Policy L4 and L7 and the NPPF in regards to the accessibility of the site.

## **HIGHWAYS**

101. The application was accompanied by a detailed Site Layout indicating the proposed access, car parking arrangements, and highway and junction improvement works in the vicinity of the site; together with a Transport Assessment and Interim Travel Plan. These were assessed by the LHA, who requested further information and amendments to the proposals which were submitted by the applicants and are subject to the following comments:

#### **A. Parking provision and layout**

102. The proposals indicate 276 car parking spaces, including 18 accessible spaces, motorcycle parking spaces in a designated area and 34 cycle spaces for use by the Morrisons store. The total requirement for the whole site, which includes the retained adjoining retail warehouse units, would be 407 car parking spaces, 22 disabled parking spaces, 17 motorcycle spaces and 43 cycle spaces to meet the Council's Car Parking Standards (making allowance for the proposed split of 80:20 convenience:comparison sales area). This is 67% of the Standard, or 77% if the retained units were restricted to retail warehouse use only. This causes concern regarding disamenity issues for neighbouring retail units due to overspill car parking; congestion on the highway due to drivers circulating to find a parking space and safety in the site due to substandard islands in the car park limiting visibility.
103. The applicants have submitted a further TRICS analysis which indicates that 268 spaces would be the maximum required at the peak time on a Saturday.
104. The car parking layout requires amending in a number of respects, which could be dealt with by further details and subject to conditions.

#### **B. Access arrangements**

105. The main access areas will be from Atlantic Street with a priority junction and right turning facilities. An existing access to the retained units also links to the car park. There is some concern about the design of the access and car parking arrangement and the highway improvements which are proposed. These amendments should be the subject of a condition if approval is granted and be provided at the applicants' expense. The link to the canal requested by TfGM should be provided at the applicants' expense, and S106 funds spent on upgrading the Bridgewater Way.

#### **C. Servicing**

106. The requested narrowing of the service access has been indicated; the service gates are set back from the road to prevent HGV's blocking the highway; swept path analysis indicates satisfactory service access; a footway to the front of the retained units must be provided.

#### **D. Travel plan**

107. This is generally acceptable, subject to improving staff cycling facilities and access; annual monitoring for 10 years and measurable targets included as conditions.

#### **E. Modelling / Off-site highway improvements**

108. Atlantic Street highway improvements include widening to create turning lanes to improve safety and reduce congestion. A pedestrian refuge island is not ideally positioned and the adjoining carriageway width is narrow for HGV's. Improvements to the junction of Davenport Lane allow large vehicles to make

satisfactory manoeuvres. A dropped kerb close to the above junction is not acceptable on safety grounds.

#### Bridgewater Way pedestrian / cycle link

109. This is a matter of importance, the proposed design is acceptable and it should be provided at the applicant's expense.

#### Modelling

110. All the network in the vicinity of the site has been modelled. The summary of this exercise is:

111. The modelling provided indicates that during the Friday PM peak hour the network is operating within practical capacity with the proposed development added, despite slight increases in queuing on some links as a result of the increased trips.

112. During the Saturday peak hour the network is operating over its practical capacity in the base situation and the proposed development traffic reduces the capacity yet further. However it is considered that the queues do not worsen significantly, a maximum increase of 4 passenger car units is recorded.

113. The results indicate that an additional 2 PCU's or less will queue back on the Davenport Road junction with George Richards Way and the applicant states that the junction will not queue back and block Atlantic Street according to the modelling provided. However, the LHA would state that this has not been clearly demonstrated within the assessment.

114. The applicant states that furthermore, the proposed right turn lane on Atlantic Street should ensure that any short term queuing into Davenport Road does not block the flow of traffic on Atlantic Street. The LHA would request that a thorough assessment and redesign of this junction is necessary in order to address the concerns and issues raised by the LHA. In addition, consideration should be given to the impact of the Aldi access at this point also.

115. The applicant notes that's whilst the signal network within the vicinity of the site is operating slightly over its practical capacity in the Saturday Peak hour, development traffic has a minimum impact on its operation and would not be perceivable over day to day fluctuations in traffic flow and therefore no capacity improvements are considered to be necessary to accommodate the development.

#### **F. Conclusions**

116. While there is no objection in principle to the proposed development it is acknowledged that it will generate an increase in traffic onto an already busy local highway network, and the applicant's traffic modelling work submitted in support of the application shows that the junction of Davenport Lane / George Richards Way will be approaching capacity which will result in a lengthening of



the queues experienced at the junction which could block back across the junction of Davenport Lane and Atlantic Street from the LHA's calculations. It is the LHA's view that this issue has not been adequately demonstrated within the assessment. If a queue did block the junction it would quickly cause queues for vehicles travelling southbound on Davenport Lane and for vehicles on Atlantic Street and would cause congestion and highway safety issues.

117. It is the LHA's view that the proposals fall short of the required parking needed to support a site of this type at just 67% of the Council's car parking standard. Whilst the LHA is aware that this is a maximum standard, the site is located in the least sustainable element of the parking standards as it is envisaged that more visitors will be in a vehicle than on foot or on bicycle due to the nature of the surrounding areas. It is the LHA's view that on balance, considering the restricted visibility afforded within the site (due to narrow islands) and the dual access points available, that this lack of parking could cause disamenity issues for neighbouring retail locations with car parks and could increase congestion within the proposed car park and on the surrounding public highway as vehicles re-circulate in an attempt to find a parking space.
118. It is the LHA's view, that the 1m depth islands should be increased in width to afford acceptable visibility within the site at give way lines, to be acceptable on safety grounds. This could be conditioned but would lead to a further reduction in parking spaces within the site.
119. The give way marking alongside the final island along the main access way needs to be amended to be acceptable on safety grounds. This is deliverable and can be conditioned.
120. Despite issues being raised with the applicant over pedestrian accessibility within the site, the proposals fall short of the safe and acceptable standards as there is no footway proposed in front of the existing retail units. This is essential for the proposals to be deemed acceptable and the LHA believe this is deliverable within the site and therefore could be conditioned.
121. The proposed disabled bays outside the existing retail units should be amended to relocate the circulation aisle to within the aisle behind the parking space and the disabled marking show the correct way. It is the LHA's view that this is deliverable and can be conditioned. The Bridgewater Way link should be conditioned and delivered at the applicant's cost as part of the development.
122. The applicant should provide the required motorcycle and cycle parking for the existing units in a location in close proximity to the units. It is the LHA's view that this is deliverable and can be conditioned but would potentially lead to a reduction in car parking spaces within the site. The applicant should provide the required motorcycle for the foodstore with secure lockable points. It is the LHA's view that this is deliverable and can be conditioned but would potentially lead to a reduction in car parking spaces within the site.

123. The applicant should provide the required secure cycle parking, lockers, showers and changing facilities for staff at the foodstore. It is the LHA's view that this is deliverable and can be conditioned.
124. The hackney carriage rank proposed is acceptable but should have appropriate signing and lining to enforce its use. The design of which should be agreed with the LHA. It is the LHA's view that this is deliverable and can be conditioned.
125. The LHA is concerned regarding the proposed highway arrangements. Just 3.2m width is provided for the eastbound lane at the point where the applicant has proposed a pedestrian refuge island. It is felt that this falls below highway standards on a road that caters for a large number of HGV movements. In addition to this the proposals included drops and tactile part way between the above pedestrian refuge island and the junction of Davenport Lane/ Atlantic Street. This arrangement is not safe, offers no benefit to pedestrians and should be removed from the proposals. The proposed public highway works should be delivered by the LHA either at the applicants cost or by the applicant under the supervision of the LHA and detailed design should be agreed with the LHA prior to commencement on site.
126. The travel plan submitted is not acceptable and therefore a travel plan condition should be added to any approval.
127. In its current form the proposals are not acceptable on highways grounds.
128. The Representations received from Walsingham Planning on behalf of the Hangar 14 site include detailed comments on the car parking provision and layout, and also on the problems with queuing, lengthy stays due to linked trips to the other retail units and concludes that the proposal is unacceptable on parking and highways grounds.
129. Whilst the applicants have responded to concerns of the LHA through the provision of further supporting information and revised plans, these have not been able to fully resolve these concerns. The LHA is of the opinion that the proposals are not acceptable on highways grounds, and a recommendation is made of a Reason for Refusal for failure to satisfy Policies L4 and L7 and failure to meet the Council's adopted Car Parking Standards. Should Members be minded to approve this application further consideration could be given as to whether the concerns of the LHA could addressed satisfactorily through the use of a Grampian condition.

### **DESIGN/HERITAGE IMPACT**

130. This proposal is adjacent to the Bridgewater Canal (identified to be a non-designated heritage asset) and also in close proximity to three designated heritage assets; 139-141 Manchester Road, former Canal Warehouse (adjacent

to Coal Wharf, Manchester Road) and the Railway Inn Public House (Manchester Road), all individually listed Grade II. The designated heritage assets form a relationship through the industrial context commenced by the Canal and continue through to the Broadheath Industrial Estate. The design of the scheme is therefore sensitive in this location, due to its visual prominence from the A56 and the siting in relation to heritage assets.

131. The Heritage Statement draws attention to the proximity of the Roman road, on that basis the GMAAS have been consulted and their response is awaited. Whilst it is considered they are unlikely to object in principle, given the existing and previous development on the site, they may wish to recommend appropriate conditions in the event of Member being Minded to Approve the application.
132. Using the relevant English Heritage Guidance, the designated heritage assets have been assessed to establish the effect of the proposal.
133. It is acknowledged that the existing B&Q building does little to enhance the setting of the heritage assets. In principle, there is no objection to the replacement building in terms of use and footprint. However, there is concern about the proposed positioning of the store closer to Atlantic Street, which will be significantly deeper than the existing B&Q store. This effect is exacerbated by the lack of architectural treatment, with the east and northern elevations having little or no active frontage. The horizontal emphasis of the building is emphasised by the reflectiveness of the uniform cladding. There is also concern about the paucity of landscaping and boundary treatment, particularly around the prominent service yard on the A56 frontage. The use of strong corporate colours on the building draws attention to the building rather than to the positive contribution to the street scene of the nearby heritage assets.
134. It is considered that the applicant has not adequately assessed the effect of the proposed development on the significance (as per EH guidance) of the adjacent heritage assets; the proposed siting, design (form, architectural treatment), and the materials for the proposed development will directly cause harm to the setting of two designated heritage assets and the Bridgewater Canal which is identified as a non-designated heritage asset.
135. Whilst it is acknowledged that the amended scheme has resulted in some improvements in the elevations; the elevations to Atlantic Street and the Bridgewater Canal, in particular, remain poor and would detract from the street scene, visual amenities of the area (in particular as the building comes so much closer to Atlantic Street than the existing), and the heritage assets previously identified. There is an opportunity to seek a significant improvement to the existing unattractive B&Q building on the site; this current scheme, even as amended, misses that opportunity.

136. It is recommended that a Reason for Refusal relating to the failure to comply with Trafford Core Strategy Policies L7 - Design, and R1 – Historic Environment and the guidance in the NPPF on design and heritage assets is given.

### **RESIDENTIAL AMENITY**

137. Core Strategy Policy L7 – Design identifies that high quality design is a key element to making places better and delivering environmentally sustainable developments. It seeks to ensure a high standard of design and layout and compatibility with the character of the surrounding area and the amenity of the occupiers of adjoining property.
138. The site lies within a reasonable distance of residential properties for the purposes of journeys on foot. However, given the existing use of the site and the nature of the surrounding area, it is not considered that there will be undue impact on residential amenity. Any recommendations from Pollution and Licensing regarding hours of operation, noise etc could be the subject of appropriate conditions.

### **NOISE**

139. A Noise Report was submitted with the application which has yet to be assessed by Pollution and Licensing, as indicated in Consultations above. The Report assesses the likely effect of noise from the equipment and activities associated with the development on nearby residential properties. It recommends measures which could be the subject of conditions, subject to the comments of Pollution and Licensing.

### **LIGHTING**

140. There is no lighting scheme with the proposals, and GMEU have requested further information on how this might impact on the Bridgewater Canal Corridor. This could be dealt with by an appropriate condition.

### **ECOLOGY**

141. An Extended Phase 1 Habitat Survey is submitted which demonstrates that the proposal would not give rise to negative impacts on ecology. The GMEU

recommend conditions relating to further information required prior to development, if approved. This complies with Policy R2 and the NPPF.

### **FLOOD RISK**

142. The site triggers the requirement for a Flood Risk Analysis. United Utilities and the Environment Agency have no objection in principle, subject to compliance with conditions which have been referred to the applicant for consideration. Subject to these, the proposal complies with Policy L5 and the NPPF.

### **CONTAMINATED LAND**

143. A Phase 1 Environmental Site Assessment was submitted which the Environment Agency indicates requires a Phase 2 Assessment to identify the presence, character, extent and significance of potential contamination sources. This could be the subject of a condition to require implementation of any required remediation measures. This complies with Policy L5.

### **AIR QUALITY**

144. The applicants have submitted an Air Quality Assessment which has not yet been assessed by Pollution and Licensing.

### **DEVELOPER CONTRIBUTIONS**

145. Policy L8 sets out that planning obligations are an established and valuable mechanism for bringing development in line with policies and proposals contained in relevant national and local planning policies (Policy L8). L8.1 sets out that in relation to proposed development that would, if implemented, generate specific adverse impacts that cannot be provided for or mitigated against through the use of planning conditions, the Council will seek to negotiate appropriate planning obligation(s) to make the development acceptable and sustainable. Such an obligation can only be applied if it meets the three statutory tests of being necessary to make the development acceptable in planning terms; directly related to the development; and, be fairly and reasonably related in scale and kind to the development.

146. The Council's approach to contributions is based on two elements:- the Trafford Developer Contribution (TDC), which is the 'Required Element' and is

set out above; and a 'Negotiated Element', which will only be applied on a case by case basis where there is a need to address a specific impact not covered by the TDC.

**SPD1: PLANNING OBLIGATIONS CONTRIBUTION – THE REQUIRED ELEMENT**

147. The proposed development is of a scale and use that requires consideration of developer contributions under Core Strategy Policy L8 and the Council's SPD1: Planning Obligations. The Trafford Developer Contributions (TDC) required by SPD1 Planning Obligations are set out in the table below. The calculations are based on a floorspace figure of 4655sq.metres, with an 80:20 split between food, non-food and an existing non-food retail unit of some 6937sq.metres. It has been assessed on the basis of the site being in a Most Accessible area.

<b>TDC category.</b>	<b>Gross TDC required for proposed development.</b>	<b>Contribution to be offset for existing building/use or extant planning permission (where relevant).</b>	<b>Gross TDC required for proposed development.</b>
Affordable Housing	N/A		
Highways and Active Travel infrastructure (including highway, pedestrian and cycle schemes)	£151,895	£78,936	£72,959
Public transport schemes (including bus, tram and rail, schemes)	£320,550	£68,793	£251,757
Specific Green Infrastructure (including tree planting)	£28,830	£43,090	£0
Spatial Green Infrastructure, Sports and Recreation (including local open space, equipped play areas; indoor and outdoor sports facilities).	N/A		
Education facilities.	N/A		
<b>Total contribution required.</b>			<b>£324,716</b>

## **OTHER CONTRIBUTIONS – THE NEGOTIATED ELEMENT**

148. The applicants have agreed to enter into a Section 106 Agreement to make the following contributions:

1. The TDC of £324,716
2. A negotiated Element of £350,239 which is to be directed to the following:
  - Securing improvements to the canal towpath, in order to improve the site's accessibility for cyclists and pedestrians.
  - Contribute to planned public realm improvements to Altrincham town centre as proposed by Altrincham Forward in order to mitigate any retail impact.
  - Target new jobs at the foodstore to local people through the local labour agreement.

149. The total of £675,000 would also have to pay for any additional off-site highway works required by the LHA which are not already shown on the latest site plan, and the cost of the connection to the towpath, depending on who is responsible for its construction.

### Comment

150. These contributions would be partly used to enhance the accessibility of the site, particularly to walkers and cyclists using the Bridgewater Canal towpath route. There is already funding to improve this route up to the A56 and this would be a welcome extension to that facility.

151. The contribution to planned public realm improvements in Altrincham would be assessed on the same basis as the application for Hangar 14. It would mitigate to an unknown extent against the harm caused by the proposal but it is disproportionately less relative to the different levels of impact on vitality and viability.

## **THE DECISION MAKING PROCESS**

152. Members are advised that the decision on these applications should be approached as follows:

1. The advice of HV is that both applications fail the Sequential Test and the Investment Impact Test and should be refused planning permission.
2. There are other recommended Reasons for Refusal, which are different in the case of each application.
3. If the advice on the Sequential Test and the Investment Impact Test, and all other Reasons for Refusal in relation to both applications were rejected, then the scenario of two stores being developed would have to be considered. HV have conducted such an analysis, as set out below in Cumulative Impact of 2 Supermarket Proposals in Broadheath.

4. The result of this is that the two store scenario would result in unacceptable “*significant adverse*” impacts on the vitality and viability of Altrincham Town Centre, Timperley District Centre and Sinderland Road Local Centre. In this case, a choice would have to be made between the 2 proposals.
5. The choice between the 2 proposals would have to be made based on an overall planning balance of a number of considerations. These would include the economic, social and environmental aspects of the national and local sustainability agenda. These considerations are set out below in Comparison of Competing Applications.
6. The Section 106 Contributions to mitigate the impacts of the proposal could be considered in the balance at this stage.
7. If Members are Minded to Approve one of the applications, the other application should be refused planning permission as it would fail the Impact Test on the vitality and viability of nearby centres.
8. If Members are Minded to Approve either application, the application(s) would have to be referred to the Secretary of State as a Departure from the Development Plan.

## **CUMULATIVE IMPACT OF 2 SUPERMARKET PROPOSALS IN BROADHEATH**

153. HV have carried out a Cumulative Impact Assessment of proposals, taking account of existing commitments and assuming the emerging scheme at Altair. The results for the impact on the affected centres, is shown in the Table below:

Summary of Two Store Cumulative Impacts with Commitments and Emerging scheme at Altair

Destination	CUMULATIVE DIVERSIONS (£m)			PERCENTAGE IMPACTS (%)		
	COMPARISON	CONVENIENCE	TOTAL	COMPARISON	CONVENIENCE	COMBINED
Broadheath Local Centre	-0.1	-3.0	-3.1	-2.2	-19.4	-17.2
Altrincham Town Centre	-3.2	-27.1	-30.3	-2.2	-21.4	-11.0
Sale Town Centre	-2.3	-10.7	-13.0	-3.1	-12.0	-7.9
Stretford Town Centre	-0.9	-2.1	-3.0	NA	NA	NA
Timperley District Centre	-0.2	-2.6	-2.8	-2.0	-15.8	-10.8
Partington Local Centre	2.2	1.6	3.8	1,353.0	63.7	144.8
Hale Barns Local Centre	-	5.4	5.4	-	174.3	240.6

154. In respect of the centres, it is concluded:

Altrincham Town Centre      “*Significant adverse*” impact  
 (-11%)                              on overall vitality and viability





159. The above analysis takes account of only Retail Policy in the scenario of choosing between 2 competing schemes. This concludes that neither scheme is sequentially preferable, both being Out-of-Centre and failing to meet the requirements of Policy W2.12 and the Sequential and Impact Tests of the NPPF.

#### Other Reasons for Refusal

160. Both schemes are recommended for Refusal for additional Reasons, and Members would also have to reject the advice on those matters in order to approve either scheme.

161. In respect of the Hangar 14 application, this has been found to be in an unsuitable location for the proposed use as a food supermarket, due to the basic land use considerations and physical constraints to pedestrian linkages. It is not well placed to serve the population in the catchment area and is not accessible by a choice of means of transport. Whilst some measures may be proposed to create a bus connection (those for diverting the 247 bus route having been found to be unacceptable by TfGM), these cannot address more fundamental issues of accessibility. The proposal will inevitably generate additional car journeys and will not encourage linked trips on foot.

162. The site is located in a Main Employment Area and the proposal fails to comply with the criteria set out in Policy W1.12 for a number of reasons which include failure to demonstrate that the site is redundant for employment use; that there is a need for the proposed use; or that there is no suitable alternative site in the locality to meet the identified need (there being no proven need and Sale Square being a suitable alternative site in the catchment area of the proposed store, or the B&Q site if an amended acceptable scheme came forward).

163. There are outstanding issues relating to junction improvements on the A56, required to mitigate the acknowledged impact of the development which is otherwise unacceptable. However, these issues appear capable of resolution with an agreed design, which could be the subject of a Grampian Condition.

164. As far as the B&Q scheme is concerned, there are Policy conflicts with W2.14 in respect of Retail Warehouse Parks, although it is accepted that, in the event of Policy W2.12 being satisfied, a previous Inspector in the case of Trafford Retail Park found W2.14 to be thereby satisfied also. It is not accepted that the proposal satisfies Policy W2.12, as the above analysis has demonstrated that the proposal fails to meet the Sequential and Impact Tests in the NPPF, however, each case is judged on its own merits. It is considered important to protect Altrincham Retail Park for retail warehouse park development to protect town centres as set out in the retail study and also to minimise the effect of linked trips within the retail park, thus creating a "centre" effect.

165. The current B&Q scheme has been found to be unacceptable by reason of its design, on a prominent principal route and impacting on the setting of heritage

assets in the vicinity. Similarly, the access and parking arrangements are unsatisfactory. However, there is no objection in principle to a well designed building which respects its setting and provides adequate access and parking arrangements, which is sustainable and is otherwise in accordance with the Development Plan, but such a scheme is not before Members.

#### Measures for comparing schemes

166. PPS4 provided a format on how competing Out-of-Centre retail proposals should be assessed, but this is not taken forward in the NPPF. The only reference to this is at Para 24, which says that *“When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre”*.
167. Whilst WP argue that the proposed bus stops associated with the diversion of the 247 bus route make the Hangar 14 site more accessible, this is not agreed by TfGM, the LHA, HV or The Chief Planning Officer although consideration should be given to whether this matter can be addressed through the imposition of appropriately worded conditions . The location of the B&Q site, closer to the town centre, on the A56 Quality Bus Route Corridor with up to 17 bus services passing the site; in walking distance of residential properties and with potential connections to the Bridgewater Canal towpath/cycle link, is undeniably in a more accessible location for any use.
168. Policy EC10.2 of the withdrawn PPS4 provided a useful set of criteria for assessing economic development which can also be used to assess competing retail schemes. These are stated in “i to v” below.
- i Whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions and minimise vulnerability and provide resilience to climate change  
Neither applicant has submitted any detailed appraisal of this aspect of their proposals in the form of specialised reports. Both applicants’ Design and Access Statements set out how a number of sustainability measures will be introduced, to comply with objectives of Policy L5 and to achieve BREEAM Very Good Assessment. In this respect, there is little to choose between them although the location and larger size of the Hangar 14 site is likely to result in a more car journeys and hence increased CO<sub>2</sub> emissions.
  - ii The accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially on the trunk road network) after public transport and traffic management measures have been secured See above.

- iii Whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions

The Hangar 14 scheme is acceptable as presented and complies with Policy L7 - Design; the B&Q scheme currently fails to comply with Policy L7.

- iv The impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives

The Hangar 14 scheme achieves regeneration benefits of redevelopment of a vacant site, as set out in the applicants' submission however it would not be in conformity with land use planning policy objectives. However, its accessibility constraints do not foster social inclusion objectives, disadvantaging those reliant on walking or public transport. The B&Q site is not currently vacant, but if the current use was to cease, as has been stated, then a vacant site would detract from the general amenity of the area, in a very prominent gateway location with heritage assets in the vicinity. The existing building does not make a positive impact in the street scene and its replacement with a building which did this would be welcome. The economic benefits in terms of job creation are detailed below.

- v The Impact on Local Employment

The Hangar 14 site would generate on-site employment for around 350 people and the B&Q site around 220.

Whilst these figures are considered to be a realistic estimate for on-site employment, they do not reflect the actual net increased number of jobs but in any event, the Hangar 14 scheme would create more jobs.

169. Both schemes come with an offer of a local labour agreement. Therefore, should a decision be made to approve either proposal a local labour agreement should form part of a Section 106 Agreement.

170. In overall terms, there are aspects of both proposals which make them unacceptable in their current form, and in these circumstances it is difficult to draw a conclusion that either could be supported in preference to the other. However from the above analysis one could draw the conclusion that the Hangar 14 site performs better in terms of regeneration, design, and employment but worse in terms of sustainability, accessibility and has more impact on existing centres. The B&Q site performs better on sustainability, accessibility and has less quantifiable impact on existing centres; It has also attracted significantly less objection at the planning application stage.

#### Implications of s106 contributions

171. The relative total S106 Contributions offered are £2.15m (£1.4 for mitigation measures) for Hangar 14 and £675,000 (£350,000 for mitigation measures) for

B&Q. It is considered entirely appropriate that the contributions offered are different, reflecting the respective size and impact of each proposal.

172. Whilst the total diversion from Altrincham Town Centre associated with the Hangar 14 proposal is around 28 per cent more than the diversion associated with the Morrisons proposal, the Hangar 14 applicant is also offering a Section 106 contribution that is around 75 per cent more than that offered by the Morrisons applicant.
173. However, it is not possible to quantify the mitigation effects that the respective contributions will have in relation to the impact on Altrincham Town Centre, and for this reason is not possible to determine whether or not the larger contribution offered by PAG will offset the higher diversions associated with its Hangar 14 proposal. In a scenario in which Members wish to permit one of the stores, the choice as to which one to permit will require a comprehensive planning balance appraisal in relation to each of the economic, social and environmental aspects of the national and local sustainability agenda.
174. HV advise that it is also important to record that in a 'one store' scenario, the impacts on Altrincham Town Centre, of whichever store is chosen, would be below the '*significant adverse*' threshold, but that even in these circumstances it is proper that financial contributions are being offered in order to mitigate the impacts, given the current concerns as to the health of the town centre. The priority for spending the contributions offered, from a retail impact perspective, is to improve the linkages between the Tesco and Altair sites, as major generators of footfall, with the town centre. Thus the priority for public realm improvements should be the linkages across Moss Lane, Cross Street and Shaws Road, so as to link the Altair and Tesco sites to the heart of the Primary Shopping Area in George Street and onto the Market Quarter.

## **CONCLUSION**

175. The proposal for an Out-of-Centre supermarket has been assessed against relevant adopted development plan policies and other material considerations, which include the NPPF, Section 106 Contributions offered by the applicant and the acknowledged benefits of the scheme.
176. The above analysis has concluded that the proposal fails to comply with development plan policies in respect of retail, design, heritage and fails to meet the tests for retail development and the impact on heritage assets set out in the NPPF.
177. The site is located in a Retail Warehouse Park and subject to Policy W2.14. This states that development should be limited to sale of bulky goods only. The proposal does not comply with the requirements of that policy.

178. The respective evidence of the various retail consultants advising in respect of this application, the Hangar 14 application and also the Sale Square site has been subject to review by the Councils independent retail consultant. The applicants have submitted various rebuttals to the HV report which has been circulated for consultation and subsequently reviewed. HV remain of the opinion that the proposals fail to meet relevant development plan policies and the tests set out in the NPPF. Specifically, there is no quantitative or qualitative need for a further supermarket in Broadheath; there is a sequentially preferable site at Sale Square and the proposal will have a significant adverse impact on the likely investment in that site.
179. The applicants have produced amended proposals to address the concerns of the LHA in respect of aspects of the site layout; and access and parking arrangements, but have failed to satisfactorily address these concerns in full, and the proposal remains unsatisfactory in that regard.
180. The applicants have similarly produced revised details of the design and elevations of the building to address concerns regarding its appearance on this prominent gateway site, close to a number of heritage assets. Whilst it is acknowledged that these have resulted in an improvement overall, it is considered that these do not go far enough to address those concerns.
181. It is acknowledged that the proposal brings a number of benefits which include job creation; redevelopment of a brownfield site (albeit still in use) and increased choice for shoppers in Broadheath. There is also support for the proposal as set out in the Representations section above. It is also acknowledged that mitigation measures will go some way to addressing the concerns in respect of the acknowledged harm to Altrincham town centre which has been agreed not to be “*significant*”. However, it is concluded that these benefits and mitigation measures are not of sufficient weight to outweigh the harm resulting from these proposals. Accordingly, the recommendation is to REFUSE the application for the Reasons set out below:

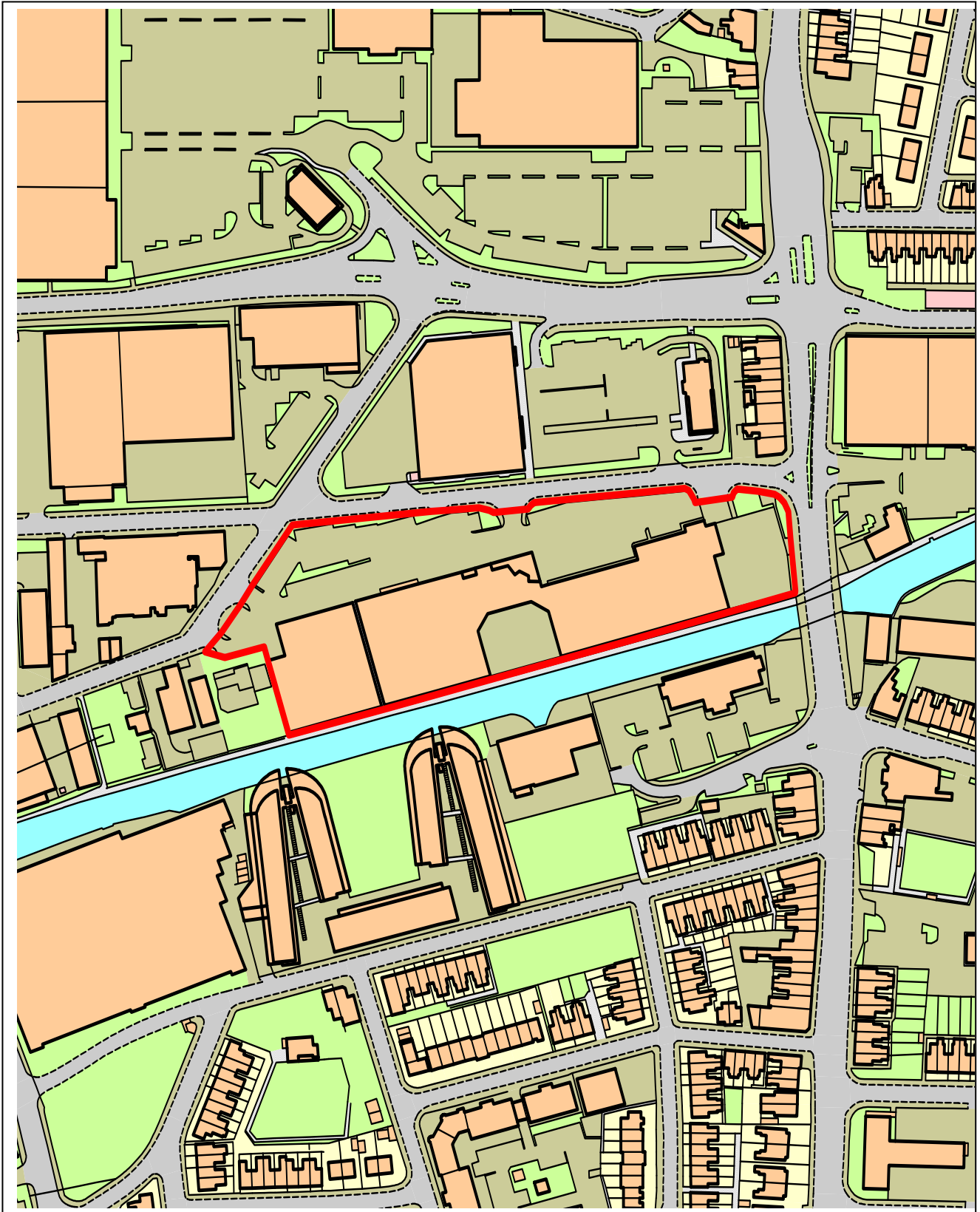
**RECOMMENDATION: REFUSE, for the reasons set out below**

1. The proposal would result in an unsustainable form of development that fails to meet the Sequential Test in NPPF given the emerging opportunity to redevelop The Square Shopping Centre in Sale Town Centre.  
As such the proposal is contrary to the Trafford Core Strategy Policy W2 and NPPF.
2. The proposal fails to meet the Investment Impact Test as set out in NPPF as there is a “*significant adverse*” impact on the planned investment in The Square Shopping Centre in Sale Town Centre.  
As such the proposal is contrary to the Trafford Core Strategy Policy W2 and NPPF.

3. The proposal is sited within an Existing Retail Park where further development should be limited to the sale of bulky comparison goods only in order to protect Trafford's town centres.  
As such the proposal is contrary to the Trafford Core Strategy Policy W2.
4. The proposal fails to provide satisfactory access and parking provision which would result in congestion, inconvenience to road users to the detriment of highway safety and loss of amenity to neighbouring businesses .  
As such, the proposal is contrary to the Trafford Core Strategy Policies L4 and L7 and the Adopted Car and Cycle Parking Standards.
5. The proposal fails to make the best use of opportunities to improve the character and quality of the area, particularly given its prominent location, and will cause harm to the setting of designated heritage assets and the Bridgewater Canal identified as a non-designated asset.  
As such the proposal is contrary to the Trafford Core Strategy Policy L7 and Policy R1, and NPPF.

IN THE EVENT OF MEMBERS BEING MINDED TO APPROVE APPLICATION 79984/FULL/2013 FOR HANGER 14, THE FOLLOWING REASONS SHOULD BE ADDED TO THIS DECISION:

- A) The proposal fails to meet the Impact Test on Town Centre Vitality and Viability of Altrincham Town Centre, Timperley District Centre and Sinderland Road Local Centre.  
The proposal is contrary to Adopted Core Strategy Policy W2.12 and the NPPF Para 26.
- B) The applicant has failed to assess the effect on the local highway network resulting from the cumulative impact of the proposal together with the development at Hangar 14, Lyon Industrial Estate (79984/FULL/2013).  
The proposal is contrary to the Trafford Core Strategy Policy L4.



**LOCATION PLAN FOR APPLICATION No: - 80577/FULL/2013**

Scale 1:2500 for identification purposes only.

Acting Chief Planning Officer

PO Box 96, Waterside House, Sale Waterside, Tatton Road, Sale M33 7ZF

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