

Application No: 17/4497M

Location: MARKS AND SPENCER PLC, COPPICE WAY, HANDFORTH, CHESHIRE, SK9 3PB

Proposal: Outline application for extension to the existing Marks and Spencer unit and amendments to the car park layout

Applicant: Mrs Andrea Mac-Gregor Barbour, Marks and Spencer Plc

Expiry Date: 07-Dec-2018

## **SUMMARY**

The application proposes a retail use on a site allocated as existing employment land in the MBLP. Policy EG3 of the CELPS seek to retain employment land in employment use. In this case the site has a longstanding use as a retail park, and as such there will be no loss of employment land compared to the existing situation. The principle of retail development on this area of employment land is therefore considered to be acceptable in this case.

Whilst M&S have implemented a programme of store closures in town centres across the country in recent times, the proposal is not considered to have a significant adverse impact upon existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and does not have a significant adverse impact on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment. It has also been demonstrated that there are no sequentially preferable sites to the application site. The proposal therefore complies with the requirements of policy EG5 of the CELPS.

No significant highway safety, flood risk, air quality or residential amenity issues are raised by the proposal. Whilst the application has been submitted in outline with all matters reserved except for access, indicative plans have been provided that show that the development can be accommodated without undue impact upon then character of the area. However, the scale, layout, appearance and landscaping will be determined as part of a later reserved matters submission.

Accordingly, the proposal is recommended for approval subject to conditions.

## **SUMMARY RECOMMENDATION**

**Approve**

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises part of the existing Marks & Spencer store at the Handforth Dean Retail Park, and the car park area immediately to the south of this building. The site is bordered by further car parking serving the retail park to the east and vacant land to the west, on the opposite side of Coppice Way. To the south, also on the opposite side of Coppice Way, there is a landscaped mound, with the construction of a care village taking place beyond the mound. The whole of the Handforth Dean Shopping Centre (including the application site) is allocated as an Existing Employment Area within the Macclesfield Borough Local Plan, but the site has long been an established out of centre retail site.

The application site was amended during the course of the application to exclude an area of land to the north west of Marks & Spencer off Kiln Croft Lane, where a new car park was proposed, due to concerns relating to the loss of employment land.

## **DETAILS OF PROPOSAL**

This application seeks outline planning permission with all matters reserved except for access, to erect an extension to the existing Marks and Spencer store and make amendments to the car park layout. Appearance, landscaping, layout and scale are reserved for subsequent approval.

Indicative plans and elevations have been provided. The proposed extension is stated on the plans to have a floor area of 2,450sqm. The application form also states that 2,450sqm off gross internal retail floorspace is being sought. However, measurements taken from the submitted indicative plans indicate a floor area (measured externally) of approximately 2,590sqm.

The proposed extension will have a net sales area of 1,960sqm. It has been confirmed that all of the net sales area will be used for the sale of comparison goods.

## **POLICY**

### **Development Plan**

#### Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG6 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer contributions

EG1 Economic Prosperity

EG3 Existing and allocated employment sites

EG5 Promoting a town centre first approach to retail and commerce

SC1 Leisure and Recreation

SC2 Outdoor sports facilities

SC3 Health and Well-being

SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE7 The Historic Environment  
SE9 Energy Efficient Development  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport  
CO2 Enabling business growth through transport infrastructure  
CO4 Travel plans and transport assessments

Macclesfield Borough Local Plan (saved policies) (MBLP)

NE11 (Nature conservation interests)  
E3 (Employment land – business)  
E4 (Employment land – industry)  
DC3 (Protection of the amenities of nearby residential properties)  
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)  
DC8 (Requirements to provide and maintain landscape schemes for new development)  
DC9 (Tree protection)  
DC63 (Contaminated land)

Handforth Neighbourhood Plan (HNP)

H8 Landscape and Biodiversity  
H9 Trees and Hedgerows  
H11 Encouraging High Quality Design  
H12 Surface water management  
H13 Supporting the Local Economy  
H16 Congestion and Highway Safety  
H18 Promoting sustainable transport  
H19 Improving access to the countryside in Handforth and the surrounding area.

**Other Material Considerations**

National Planning Practice Guidance  
National Planning Policy Framework

**CONSULTATIONS (External to Planning)**

There have been two rounds of public consultation on this scheme following amendments / additional information being received. The most up to date responses are summarised below:

**United Utilities** – No objection subject to condition relating to drainage

**Environmental Health** – No objection subject to conditions relating to pile foundations, floor floating, electric vehicle infrastructure and contaminated land

**Head of Strategic Infrastructure** – No objection

**Lead Local Flood Authority (LLFA)** - No objection subject to conditions relating to drainage

**Public Rights of Way** – No objection – request improvements to FP91.

**Handforth Parish Council** – No objection but note that this will provide, not only, more adequate and safe car parking provision for employees at the site, but will also free up extra car parking spaces for customers. Request that Marks and Spencer PLC consider giving more support to the subsidy of local community bus services, either as a company or under any S106 agreement which may be drawn up as part of this development proposal.

## **OTHER REPRESENTATIONS**

Three letters of representation were received during the first round of consultation from Peel Holdings (owners of the Peel Shopping Centre in Stockport), Eskmuir (owners of Grosvenor Shopping Centre in Macclesfield) and the Handforth Neighbourhood Plan Steering Group making the following comments:

- Any loss of woodland as a result of new car park would be contrary to HNP.
- Insufficient information to assess retail impact of proposal
- Cumulative impact of development together with Orbit and CPG applications on Earl Road needs to be considered, and a robust decision cannot be made until the Secretary of State has determined these applications.
- The potential for the development to be subdivided needs to be controlled by conditions
- Sequential search limited to one site. Other sites are available e.g. Churchill Way site in Macclesfield
- No assessment of the impact upon the viability and vitality of surrounding town centres has been undertaken

Since the second round of consultation 1 further letter has been received on behalf of Eskmuir objecting to the proposal on the following grounds:

- Material change in circumstances since last objection letter with SoS decisions on the retail applications at Earl Road, Handforth
- Macclesfield Town Centre now cannot be described as a healthy town centre. Its health is considered to be worse than that of nearby centres of Stockport (Inspectors report para 9.273) and Wythenshawe.
- Macclesfield is experiencing issues of a fall in footfall, spin off trade and vacant stock due to growth in internet sales, reduced retailer and shopper confidence and the pressure from out of centre retail parks Inspectors report paras 9.144-9.148)
- Decisions by CEC to pursue the preparation of the Strategic Regeneration Framework for Macclesfield centre and apply for funding through the Future High Streets Fund further demonstrate difficulties faced
- Impact of proposals need to be carefully considered in light of SoS decisions where two called in applications were refused due to the impact they would have on Macclesfield and Stockport centres
- Development of retail floorspace outside of designated centres is contrary to national and local planning policy

- Such proposals would make securing occupiers more difficult in Macclesfield town centre, and given high vacancy rates in the centre, would further weaken the centre's viability and vitality.
- Impact would be further magnified if the proposal is for fashion clothing in an out of centre location, as demonstrated by condition on SoS approved retail scheme restricting floorspace for such goods to 15% of total.
- Closure of M&S Macclesfield town centre store would compound this further

Following the publication of the Committee agenda for the August SPB meeting, a further letter has been received on behalf of Eskmuir objecting to the proposal on the following grounds:

- Sites not considered in sequential assessment
- Proposal would have a significant adverse impact upon Macclesfield Town Centre
- Committee Report fails to actually provide a figure for the cumulative impact on Macclesfield Town Centre and, in doing this, fails to consider what other proposals this application was considered in cumulation with.

## **OFFICER APPRAISAL**

### **Background**

This application has been held in abeyance by officers whilst the outcome of 3 planning applications and 1 appeal on sites at Earl Road in Handforth, which were called in by the Secretary of State (SoS) was awaited. The decisions for these applications have now been issued by the SoS and were as follows:

15/0400M - Demolition of existing buildings and erection of five units to be used for Class A1 (non-food retail) purposes, and two units to be used for Use Class A1 (non-food retail or sandwich shop) and/or Use Class A3 and/or Use Class A5, creation of car park and provision of new access from Earl Road, together with landscaping and associated works – **Allowed subject to conditions**

16/3284M - Erection of 2,320 square metres retail floorspace – **Approved subject to conditions**

16/0802M - Erection of four Restaurants and three Drive-thru Restaurant/Café's along with associated car parking, servicing and landscaping – **Refused**

16/0138M - Construction of 23,076 square metres of class A1 retail floorspace and 2,274 square metres of class A3/A5 floorspace along with associated car parking, access and servicing arrangements and landscaping – **Refused**

A total of 8355sqm of retail floorspace has been approved as a result of these decisions (6,035sqm under application 15/0400M and 2,320sqm under application 16/3284M).

### **Principle of the development**

As noted above the site is allocated as existing employment land in the MBLP. Policy EG3 of the CELPS seek to retain employment land in employment use. In this case the site is already in use as a retail park, and as such there will be no loss of employment land

compared to the existing situation. The principle of retail development on this area of employment land is therefore considered to be acceptable in this case.

### **Retail Impact**

CELPs policy EG5 sets out a hierarchy of retail centres in Cheshire East. The policy states that the Principal Towns will be the main focus for high quality comparison retail, supported by a range of retail, service, leisure, tourism, office and other town centre-type uses, including residential. Macclesfield is identified as a Principal Town by policy PG2 of the CELPS and Wilmslow and Handforth are the nearest centres to the site, which are identified as Key Service Centres in the CELPS, which are approximately 2.5km and 1km from the site respectively.

Policy EG5 sets out that there will be a sequential approach to main town centre uses, including retail, with town centres being promoted as the primary location for such uses. The policy states that proposals for main town centre uses should be located within the designated town centres or on other sites allocated for that particular type of development. It is advised that where there are no suitable sites available, edge-of-centre locations must be considered prior to out-of-centre locations. The policy sets out the following criteria which must be satisfied where edge-of-centre and out-of-centre retail development is proposed:

- There is no significant adverse impact on the vitality and viability of the surrounding town centres; and
- It is demonstrated that the tests outlined in current government guidance can be satisfied.

The supporting text to Policy EG 5 states that the Council is keen to preserve and enhance the vitality and viability of its existing town centres. Therefore, it is important to make sure that proposals for town centre uses located outside of these town centres do not have a significant adverse impact on these existing centres. These impacts could include an increase in the number of vacant units and a reduction in turnover. The supporting text goes on to state that information on town centre impacts can be found in government guidance, but the Council will apply the sequential test (it is understood that this is a typo and this should read 'impact test') set out in paragraph 26 of the NPPF (now replaced by paragraph 89 of the revised NPPF) when determining retail applications with a floorspace in excess of 2,500sqm. A retail impact assessment has been submitted with the application.

### Sequential assessment

Paragraph 86 of the Framework states that:

*“Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centre sites be considered.”*

Paragraph 87 continues:

*“Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.”*

Policy EG5 of the CELPS states that *“Proposals for main town centre uses should be located within the designated town centres or on other sites allocated for that particular type of*

*development. Where there are no suitable sites available, edge-of-centre locations must be considered prior to out of centre locations.”*

The site sits at the southern end of the Handforth Dean Shopping Centre which is not a designated retail shopping area. The Framework defines out of centre as *“a location which is not in or on the edge of a centre but not necessarily outside the urban area”*. Edge of centre for retail purposes is defined as *“a location that is well connected to, and up to 300 metres from, the primary shopping area”*. Having regard to these definitions it is clear that the site is located in an out of centre location.

As part of their original submission, the applicant undertook a search for sites which comprised the following:

- Daisy Bank Lane, Heald Green;
- Land South East of the Junction of Styal Road and Finney Lane, Heald Green;
- Metropolitan House, Cheadle Hulme;
- Massie Street Car Park, Cheadle;
- Cheshire East Leisure Centre Car Park, Wilmslow;
- Land at Meadway, Bramhall;
- Water Street, Stockport; and,
- Barracks Mill, Macclesfield.

Each of these sites was dismissed, and it is accepted that none of them are available and suitable to accommodate the proposed development, either in part or in full. The applicant was subsequently asked to consider vacant sites in Macclesfield, Stockport and Wythenshawe town centres.

#### *Stockport*

All units are too small to accommodate the extended store. The two largest vacant units in and around the town centre are the former Toys R Us unit and the former Marks & Spencer unit. At the time the updated assessment was carried out, the Toys R Us unit was under offer and was therefore unavailable for the proposed extended store. The former Marks & Spencer store is also too small for the extended store subject to this planning application and the proposed additional floorspace is intended to serve a specific purpose – i.e. meet a location specific need and extend an existing Marks & Spencer store rather than introduce a new separate retail unit – therefore this is a further reason to dismiss the former Marks & Spencer unit in Stockport.

The former Toys R Us site has also now been considered. This site has been re-let to The Range and is therefore now not available.

#### *Macclesfield*

The majority of vacant units shown in Macclesfield town centre are under 200sqm. there are only four larger units although these extend to only 410-520sqm and therefore there are not any suitable alternative vacant units in Macclesfield town centre.

However, other sites within Macclesfield were raised by officers as potential alternatives. Consideration of each of these sites is set out below:

- Churchill Way Car Park

The Draft Strategic Regeneration Framework for Macclesfield suggests a change in direction from the previously proposed cinema and leisure led development for Macclesfield, by proposing town centre living on this site. Historical proposals for this site suggest that retail and leisure proposals are not commercially viable on this site. Clearly the site forms part of the wider regeneration proposals for the town centre being put forward by the Council. The site is therefore not considered to be available (within a reasonable period), suitable or viable.

- Duke Street Car Park

The SRF suggests the consolidation of car parking is a priority, which in the longer term could include a possible decked car park on Duke Street. This reflects the applicant's statement that the Duke Street car park is important in supporting good accessibility and increasing the appeal of the Town Centre, allowing it to compete with out-of-centre locations. As the car park supports accessibility to the town centre it is not considered suitable or available within a reasonable period.

- Exchange Street Car Park

The Exchange Street car park supports a B&M store and provides parking for one of the larger convenience goods units (Tesco) in the centre. The loss of the car park would be significant for both units, which play an important anchor role within the centre and attract and support trade. Its loss would be detrimental to the prospect of retaining or attracting national retailers to these units. It is not considered to be a suitable or viable alternative.

- Arighi Bianchi depot (South east of Samuel Street)

The Arighi Bianchi depot is in use and therefore is not considered available.

- Craven House, Churchill Way

The Craven House site benefits from planning permission for an office to residential conversion. It is not considered suitable for the form and scale of development proposed by this development nor available due to ongoing redevelopment.

It should also be noted that the current proposal is for an extension to an existing retail unit. As a consequence, the proposal has a locational specific need and it would be unreasonable to suggest that the additional floorspace should be disaggregated from the existing retail unit.

### *Wythenshawe*

All vacant units in Wythenshawe town centre and are all under 300sqm. therefore, these units are not suitable alternatives to the proposed development and extended Marks & Spencer store.

### *Conclusion on Sequential Assessment*

There are not considered to be any available sites that are sequentially preferable to the application site and therefore it is considered that the proposal satisfies the sequential test.

### Impact on Investment

Paragraph 89 of the Framework states:

*"When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include 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;...*

Stockport and Macclesfield are the two centres that are likely to be most affected by the proposals. In the recent decisions for the called in applications on Earl Road in Handforth, when considering the health of town centres affected by the proposals, the Secretary of State noted the high vacancy rate in Stockport against the national average, decline in national rankings, and decreasing footfall along the primary retail frontage. A causal link between the issues faced by Stockport town centre and out of town shopping in general is also acknowledged. He also agreed with the Inspector that Macclesfield is a significantly more vulnerable centre than Stockport. The Inspector described Macclesfield as *"without seeking to be disparaging it has a functional quality with insufficient attributes to raise it to being described as a vital and viable centre."*

In their updated retail statement, the applicant makes the following comments:

- That the current investment project at Churchill Way in Macclesfield town centre is a leisure led project and as such, the proposed extension to M&S will not impact upon the realisation of this scheme.
- That the future success of the Merseyway Shopping Centre in Stockport will not be materially affected by the proposed extension at Handforth Dean. The applicant notes that the loss of M&S from the shopping centre does create additional vacancy but is it not of a direct consequence of the Handforth Dean store extension proposal. Furthermore, the applicant refers to evidence which was put forward at the recent public inquiry to show that the shopping centre remains attractive to retailers and the future / on-going interest in the centre will be materially affected by an extension to an existing store at Handforth Dean.
- Consideration has also been given to The Peel Centre and the potential for the adjacent gasholder site. The applicant states that there is no credible suggestion that the extension of an existing Marks & Spencer store will affect existing investment in The Peel Centre which is a successful and attractive shopping destination.
- The applicant has not identified any current investment projects within either Wilmslow or Wythenshawe town centres.

With regard to the first point above, Members will be aware that the leisure proposals at Churchill Way by Ask Developments are no longer proceeding, and other options are currently being considered. However, investment has recently been made into the town in the form of the expanded and improved Grosvenor Centre by Eskmuir, the growth of high quality independent units and the growing popularity of the Treacle Market. It is understood that there is also increasing interest in town centre living that will further boost the local economy.

The applicant's retail impact assessment has been considered by independent retail consultants (WYG) on behalf of the officers, and they advise that the applicant's assessment of the planned and committed investment is acceptable and do not consider that the proposal would have a significant adverse impact on the realisation of any of the schemes identified. There are also no known additional schemes which need to be considered for the purposes of the assessment.

The proposal will therefore not have a significant impact upon existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.

#### Impact on Town Centre Vitality and Viability

Policy EG 5 of the CELPS requires edge of centre and out of centre proposals to have no significant adverse impact on the vitality and viability of the surrounding town centres. This requirement is reflected in paragraph 89 of the Framework.

WYG have advised that whilst they question the age of some of the data used to inform the applicant's impact assessment and the methodology used, they have undertaken their own assessment of the information submitted by the applicant.

#### *Assessment Year*

The applicant has adopted a design year of 2022 within the impact assessment. The NPPG states that the design year for impact testing should be selected to represent the year when the proposal has achieved a 'mature' trading pattern. This is conventionally taken as the second full calendar year of trading after opening of each phase of new retail development.

It is unlikely that the extension will be open for trading by 2020, and as such, 2022 is also unlikely to be the year at which the scheme will reach its mature trading pattern. However, given that the scheme relates to an extension to an existing unit and therefore the build-out period may be quicker and that altering the assessment year would likely reduce any identified impact (given that turnovers of existing destinations, population and available expenditure will all increase), WYG are comfortable with continuing the assessment using the assessment year adopted by the applicant.

#### *Turnover of the Application Proposal*

The application seeks permission for 2,450sqm of new Class A1 non-food retail floorspace. The assessment of impact has assumed that the net sales area of the extension will measure 1,960sqm, or 80% of the gross floorspace, and that all of this net sales area will be used for the sale of comparison (non-food) goods.

As such, the applicant has applied a benchmark sales density of £3,910 per sqm, which is stated to have been derived from the latest Mintel Retail Rankings 2018. In using the assumed sales density applied by the applicant, the estimated turnover of the extension is expected to be £8.1m at 2018, rising to £8.8m at 2022.

The applicant has adopted a 2013 Price Base, but have applied a benchmark sales density from 2015 (and without an allowance for VAT). WYG therefore calculate that the 2018 sales density would be closer to £4,778 per sqm (including VAT) at a 2013 Price Base. Applying this increased sales density to the net sales area would increase the turnover at 2018 to approximately £9.4m, an increase in £1.3m from the applicant's assumed figure. It is important to note that it has also previously been accepted by the applicant's agent through their evidence prepared for the Public Inquiry (called in applications) that Handforth Dean is trading well and above benchmark and as such, the applied turnover appears to underestimate how the scheme is trading.

In any event, given that it is the turnover and impact of an extension to an existing store that is being assessed, WYG accept that there is the potential for the turnover to be diluted slightly and have undertaken the assessment based on the applicant's assumptions, providing appropriate caveats where necessary.

#### *Trade Diversion and Impact*

As part of their trade diversion figures, it is important to note that other than the Next commitment at Handforth Dean, the applicant does not allow for any diversion from existing operators at Handforth Dean. This is a robust approach which is welcomed by WYG. The solus trade diversion assumptions as set out in the table below which is taken from the applicant's impact assessment are considered to represent broadly appropriate levels for the purpose of the assessment.

Destination	Solus Diversion to Proposal at 2022
Stockport town centre	£2.2m
Manchester City Centre	£1.5m
Trafford Centre	£1.0m
Cheadle Royal	£0.7m
Macclesfield town centre	£0.3m
Wilmslow town centre	£0.3m
<i>Next, Handforth Dean</i>	<i>£0.3m</i>
<i>Barracks Mill</i>	<i>£0.3m</i>
Altrincham town centre	£0.2m
The Peel Centre, Stockport	£0.1m
Stanley Green Retail Park	£0.1m
Cheadle Village	£0.1m
Inflow	£0.4m

The trade diversion figures identify at 2022 that the proposal will result in £2.2m being diverted from Stockport town centre (£2.3m when combined with the Peel Centre) and £0.3m from Macclesfield town centre. To put this in context the pre-development turnover identified by the applicant for Stockport town centre is £608.5m (when combined with the Peel Centre it is £735.1m) and for Macclesfield it is £223.4m. As a percentage of the turnover of these centres this equates to a 0.36% impact on Stockport (0.31% when combined with Peel Centre), and a 0.13% impact upon Macclesfield town centre.

As part of the decisions on the called in applications whilst the Secretary of State does not identify a specific % impact that the schemes would have on nearby centres, he notes that by virtue of application 16/3284M's small size (2,500sqm), there are no overriding unacceptable effects arising from this proposal. It is also notable this is scheme was a similar scale to the current application from M&S.

Additionally the Inspector and the Secretary of State concluded that the impact of the Orbit proposal (15/0400M) would not undermine the vitality and viability of Stockport town centre

(including the Peel Centre) to a material degree, and would not amount to a significant adverse impact on Stockport town centre.

In terms of Macclesfield town centre the Inspector referred to the 10.4% impact of the Orbit scheme (15/0400M) with commitments identified by CEC during the course of that application and appeal, noting that this was little more than that assessed and accepted by the Inspector at the Barracks Mill appeal (just outside of Macclesfield). The overall conclusions of the Inspector (and accepted by the SoS) were that the Orbit proposals would have a very limited effect on the current level of vitality and viability in the town centre and it would not undermine existing or planned investment. The overall effect would not amount to a significant adverse impact on Macclesfield town centre as a whole.

Given the figures referred to above, the level of impact arising from the current proposal would not have such significant impacts to suggest an alternative conclusion should now be reached in terms of the impacts on Macclesfield and Stockport town centres.

It is also important to note what is being considered as part of this current proposal, in that the application seeks permission to extend an existing retailer at Handforth Dean instead of the introduction of a new operator at the retail park. In this regard, in the event the application is approved, it is considered to be important that the internal subdivision of the unit is controlled to ensure that the proposal does function as is presented and intended.

Whilst the monetary level of diversion from a centre is important, the consideration of impact goes beyond just solely the quantitative impact and looks at whether a proposal could result in the relocation of operators, the implications of the potential reduction in linked-trips as a result of the scheme and what impacts a potential reduction in footfall could have on a centre.

M&S is an existing retailer at an existing well-established retail destination. The application seeks to expand the current offer of the operator by increasing the level of comparison floorspace within the unit. It is likely that the result of the proposal will be to dilute the current turnover across the expanded floorspace. Whilst there is the potential for the larger store to attract some additional trips, it is unlikely that the application will substantially alter shopping patterns in the area. As such, it is not considered that the proposed extension to the store will have a significant adverse impact on the vitality and viability of defined centres.

The proposal is therefore considered to comply with the impact tests set out in policy EG5 of the CELPS.

It does have to be highlighted that M&S have implemented a programme of store closures in town centres across the country (the Stockport store being one that has closed) in the past year or so, and consequently, the proposed expansion of a successful out of town store at Handforth Dean inevitably raises concerns that it could result in further closures locally, notably, the Macclesfield store. As far as officers are aware, this is not an intended consequence of the proposed extension, and as noted above, in planning terms, the retail impact of the proposal is acceptable.

### **Design / Character**

As noted above, the application is made in outline with all matters reserved except for access. Therefore the specific design and appearance of the extension will be considered in detail at

the reserved matters stage. However, indicative plans and a design and access statement have been submitted to illustrate the current thinking in terms of the external appearance of the extension.

Policy SD2 of the CELPS expects all development to “*Contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of:*

- a. Height, scale, form and grouping;*
- b. Choice of materials;*
- c. External design features;*
- d. Massing of development - the balance between built form and green/public spaces;*
- e. Green infrastructure; and*
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood;”*

Similar requirements are also identified in policy H11 of the HNP.

The area is largely characterised by the existing retail buildings which are predominantly two-storey in scale and constructed in red / yellow brick, render and glazing under a slate pitched roof. Further afield there are a range of utilitarian buildings serving a variety of commercial uses and the red brick and render of the care village currently being constructed on the opposite side of Coppice Way.

The extension will project from the southern elevation of the existing retail building, and will be a relatively prominent feature when viewed from Coppice Way and from within the store’s own car park. Even though the indicative scale of the extension at two-storey is taller than the existing building, it ‘book ends’ the existing elevation and creates a natural visual stop to the corner. The proposal offers an active frontage to all the elevations, providing a focal point and areas of natural surveillance.

The suggested materials include matching brickwork to the existing, but also incorporate more contemporary materials including glazing features and grey cladding, with a deep standing seam profile roof.

The footprint of the extension follows the existing frontage although projecting gables break up the massing. The extension projects out to the south side of the existing structure but again, the way the elevations are treated; it works well with the existing building.

Overall the proposal is considered to comply with policies SD2 of the CELPS and H11 of the HNP. The design officer has also commented on the application and noted that the indicative proposals are a well considered design which is sympathetic to the context of the site and is a welcome addition.

Policy SE9 of the CELPS requires non-residential development over 1,000sqm will be expected to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. This can be secured by condition.

## **Living conditions**

The site is located within the car park of the existing shopping centre and is bordered by similar uses and open land. The nearest residential properties are over 60 metres from the site on the opposite side of Coppice Way, and as such no significant amenity issues are raised, and the proposal is considered to comply with policy DC3 of the MBLP.

## **Highways**

Policy H16 of the HNP recommends that detailed traffic management studies are carried out before access routes to any new development sites are finalised. Policy H18 of the HNP seeks to promote sustainable transport options for new development. Policy DC6 of the MBLP requires pedestrian and vehicular access to be safe and convenient, and policy CO1 of the CELPS seeks to deliver the council objectives of delivering a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking.

## Sustainable access

The site is served by an hourly bus service linking the retail park (Mondays to Saturdays 0800-1800) to residential areas to the north of the site and Stockport town centre. In addition the bus and train routes serving Handforth are within walking distance of the site. Contributions towards enhancing the existing bus service/infrastructure along Earl Road and the wider retail park were secured as part of the 'Next' retail store planning permission to the north of the application site, which will benefit staff and customers visiting the application site.

Good footway provision is provided on both sides of the carriageways that abut the site and link nearby proposed and existing commercial and residential uses.

A new, purpose-built sheltered cycle parking facility will be provided within close proximity of the existing and proposed entrances to the M&S retail space. As acknowledged in the Transport Assessment and Design and Access Statement, Public Footpath No. 91 leads from the south of the application to Hall Road. This route is used by both pedestrians and cyclists to travel between the retail park, residential areas and Handforth Station. As part of the care village development, currently being constructed on the opposite side of Coppice Way, part of this footpath was diverted and constructed to an improved standard and width for the use of both pedestrians and cyclists, in recognition of the important link which this route offers. That improvement extends within the landownership of that developer, up to the landownership boundary of M&S. It leaves the short section of the footpath within the M&S land ownership (approximately 50m in length) at its existing width of approximately 1.5m. The proposed development would increase the potential number of users on this footpath, and therefore should consent be granted, the applicant has been requested to deliver the improvements to the path within their landownership in order to increase the carrying capacity of the path to mitigate the impact of the development. The works could be included within the scope of any s278 agreement for the delivery of highways works. Confirmation of the applicant's response to this request will be provided as an update.

An employee travel plan has been submitted which will be supported by the production of employee travel information packs promoted by the appointment of a travel plan co-ordinator.

## Safe and suitable access and parking provision

There are some alterations to the retail park car park include minor modifications to the access (ingress) off the Coppice Way site access roundabout located adjacent to the south west corner of the retail park and alterations to vehicle access and car park circulation arrangements and car parking provisions.

No changes are proposed to the existing service yard or associated access arrangements.

The previously proposed staff car park accessed off Kiln Croft Lane has been removed under the amended plans with staff parking taking place within the existing main retail car park. A survey on current utilisation of the existing main retail car park has been undertaken and this has shown that there is spare capacity which could accommodate car parking demand, both staff and customer, associated with this proposal.

#### Network Capacity

An estimate of the vehicular trip attraction of the proposed use of the site has been based on trip rates derived from the TRICS database.

The traffic generation for the proposed A1 (non-food) retail extension has been estimated for the traditional highway weekday morning and evening peak periods and Saturday midday peak period using survey information contained within the Trip Rate Information Computer System for year 2017 (year of application submission) and a sensitivity test in future year 2022.

As part of the assessment process it was imperative to ensure that the proposed retail development didn't result in severe harm (in terms of the tests within paragraph 109 of the Framework) to the operation of the surrounding highway network.

The above modelling has predicted that the proposed extension would generate around 6 two-way vehicle trips per hour during the traditional weekday morning network peak period (08:00-09:00) which is a minimal volume given existing traffic flows on the local road network and is not considered to be a material impact.

To assess the weekday PM peak and Saturday midday peak traffic impacts previously agreed figures contained within the Transport Assessment that supported the mixed-use retail development located to the north east of the Retail Park (planning application reference 16/0138M) were utilised. This predicts that the proposed extension would likely generate around 46 to 67 two-way vehicle trips per hour during the weekday evening peak period and around 101 to 103 two-way vehicle trips per hour during peak periods on a Saturday.

However, not all of these trips would be new to the highway network, with a relatively high proportion likely to be linked or pass-by along with some diverted trips. Accordingly, in the context of the Framework, and considering the significant number of trips that currently occur on the local road network, the applicant states that the increase in traffic flows associated with the proposed extension would not be noticeable to other road users or have a significant adverse traffic effect on the operation of nearby junctions.

Whilst the principle of this view is accepted, the potential effect of the proposed development on the local highway network has been considered in further detail below.

Additional standalone junction capacity assessments have taken place at the following junctions at Weekday PM and Saturday peak period using appropriate software (in brackets):

- Junction 1: Retail Park Ingress / Coppice Way (Roundabout Junction)
- Junction 2: Retail Park Egress / Coppice Way (Priority Junction)
- Junction 3: Retail Park Southern Access / Coppice Way / Long Marl Drive / A34 Access (Roundabout Junction)
- Junction 4: Retail Park Northern Access / Long Marl Drive / Handforth Dean Business Park/ A34 Access (Roundabout Junction).

These assessments estimate that the proposed development has the potential to increase peak hour two-way traffic flows at the site access junctions by around 1% to 3%. The applicant states that based on these results it is considered that the potential increase in traffic flows at the site access junctions would not be significant and would be acceptable in terms of the operation of the junctions once the development traffic flows have distributed onto the network. In the context of paragraph 109 of the Framework and the 'severe' harm test the Strategic Infrastructure Manager concurs with this view.

#### Highways conclusions

Accordingly, the estimated traffic impact from the proposal is considered to be acceptable from a network operation, access and parking provision perspective. The proposal is therefore considered to comply with policy DC6 of the MBLP, CO1 of the CELPS and H16 and H18 of the HNP.

#### **Air Quality**

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow charging of electric vehicles in new, modern, sustainable commercial properties. A condition is therefore recommended requiring the provision of electric vehicle charging points. Subject to this condition the proposal will comply with policy SE12 of the CELPS.

#### **Contaminated Land**

The submitted phase I site investigation report recommends further site investigations are carried out. The contaminated land officer agrees with this and recommends that it be proportionate to the risk and end use. Appropriate conditions are therefore recommended to secure further details relating to contaminated land.

Subject to these conditions the proposal will comply with policy DC63 of the MBLP and SE12 of the CELPS.



## **Flood Risk**

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the Borough and provide opportunities to enhance biodiversity, health and recreation.

The LLFA and United Utilities have been consulted on the application. The LLFA have noted that the application is acceptable in principle. The key issue moving forward with this site is ensuring all surface water is drained within site boundary at a limited greenfield run-off rate listed within submitted FRA causing no adverse overland flooding with appropriate attenuation on site. The LLFA is aware of a potential local land drainage issue within the proximity of site boundary. Consequently conditions are recommended requiring a detailed drainage strategy to be submitted. Subject to these conditions the proposal will comply with policy SE13 of the CELPS.

## **CONCLUSIONS**

The application proposes a retail use on a site allocated as existing employment land in the MBLP. Policy EG3 of the CELPS seek to retain employment land in employment use. In this case the site has a longstanding use as a retail park, and as such there will be no loss of employment land compared to the existing situation. The principle of retail development on this area of employment land is therefore considered to be acceptable in this case.

Whilst M&S have implemented a programme of store closures in town centres across the country in recent times, the proposal is not considered to have a significant adverse impact upon existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and does not have a significant adverse impact on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment. It has also been demonstrated that there are also no sequentially preferable sites to the application site. The proposal therefore complies with the requirements of policy EG5 of the CELPS.

No significant highway safety, flood risk, air quality or residential amenity issues are raised by the proposal. Whilst the application has been submitted in outline with all matters reserved except for access, indicative plans have been provided that show that the development can be accommodated without undue impact upon then character of the area. However, the scale, layout, appearance and landscaping will be determined as part of a later reserved matters submission.

Accordingly, the application is recommended for approval subject to the following conditions:

## **RECOMMENDATION: Outline Approval**

1. Submission of reserved matters
2. Time limit for submission of reserved matters

3. Commencement of development
4. Development in accord with approved plans
5. No subdivision of retail unit (as extended) - only to be occupied by one retailer
6. Floorspace shall not exceed 2450sqm, and shall be used for the sale of comparison goods only
7. Footway/cycleway improvements to be carried out
8. Detailed strategy / design and associated management / maintenance plan of surface water drainage to be submitted
9. Development to be carried out in accordance with submitted FRA
10. Electric vehicle infrastructure to be provided
11. Phase II ground investigation and risk assessment to be submitted
12. Verification Report prepared in accordance with the approved Remediation Strategy to be submitted
13. Imported soil tested for contamination
14. Procedures in event of unidentified contamination
15. At least 10% of predicted energy requirements from decentralised and renewable or low carbon sources

