RAPLEYS

Steven McCoombe
Planning Department
Manchester City Council
PO Box 532
Manchester
M60 2LA

Our ref: JCS/24-00930
Your ref: 24/1541
Date: 29 July 2025

Dear Steven,

Re: Planning Application Ref. 142670/FO/2025 – 440 Hollinwood Avenue, Moston, M40 0AE – Response to Planning Policy Consultation Response

We are writing to you on behalf of our client, Lidl Great Britain Limited (Lidl) in regard planning application ref. 142670/FO/2025 which was validated by Manchester City Council on 30 April 2025.

The planning application seeks permission for:

"Erection of food store (Use Class E) with associated car parking and landscaping."

A late objection to the application has been received from Tesco on 28 July 2025, prior to the application being presented for determination at the Council's Planning Committee meeting on 31 July 2025.

The objection raises a number of issues with the development proposed by Lidl. These are summarised as follows:

- Inappropriate classification of the application site as being edge-of-centre;
- Limiting sequential site search to the application's catchment area instead of looking at defined centres;
- Significantly adverse impact on independent stores in Hollinwood Avenue/Greengate (Moston) Local Centre;
- Breach of the Core Strategy's requirement to retain and enhance existing employment sites;
- The application's unacceptable contribution to potentially unsafe traffic conditions; and
- Substantial ecological harm arising from the loss of biodiversity.

This response will address each of the abovementioned points in turn.

Inappropriate classification of the application site as being edge-of-centre

The objection states that the site should be considered 'out-of-centre' as 'edge-of-centre' cannot apply to Local Centres, based on the definitions within the NPPF, and therefore, the sequential test has not been carried out correctly as out-of-centre sites have not been considered.

Within the Glossary of the NPPF, 'edge-of-centre' is defined as "*for retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area*". The definition further goes on to say "*in determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances*".

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The NPPF Glossary defines a Primary Shopping Area as *"defined area where retail development is concentrated".*

The site is located opposite the Hollinwood Avenue/Greengate Local Centre. Manchester Core Strategy Policy C1 states that *"Local centres meet local needs for small scale retail and services to meet day-day needs".* 'Primary Shopping Area' boundaries are not defined for any District or Local Centres within Manchester City Council's development plan. In the absence of defined Primary Shopping Area within the adopted development plan, given that the Hollinwood Avenue/Greengate Local Centre contains a concentration of retail services, it is considered as a Primary Shopping Area for the purposes of the sequential assessment.

Consideration should also be given to the NPPF's definition of 'out-of-centre', which is defined as *"a location which is not in or on the edge of a centre".* This definition clearly does not apply to the application site, which is located opposite Hollinwood Avenue/Greengate Local Centre. Therefore, 'edge-of-centre' is the most appropriate classification for this site.

The definition of a Town Centre in which the objection discusses is therefore not relevant in this case.

From the discussion set out above, it is considered that the site is clearly located in an 'edge-of-centre' location, and the sequential assessment has been carried out correctly, in accordance with Core Strategy Policy C1 and the NPPF.

Limiting sequential site search to applicant's catchment area instead of looking at defined centre

The objection states that the Newton Heath District Centre should be included within the sequential assessment. The objection further states that Manchester City Centre should be assessed as it is the Primary Shopping Centre in the Manchester Retail Hierarchy.

As set out in the submitted Planning and Retail Statement, Lidl's locational strategy in urban areas is based on serving a catchment typically equating to a 0-5 minute drivetime from the chosen site. The tool used to generate the drivetime catchment map is Experian Location Analyst, which is widely regarded as the industry standard for this process.

Whilst Newton Heath District Centre is located close to the boundary of the catchment, importantly, it is not located within the 5-minute drivetime catchment area; the objection notes that Newton Heath District Centre is located within a larger 5-minute drivetime area from the application site.

In the High Court Decision of Tesco Stores Limited v Stockport Metropolitan Borough Council (11th December 2023), the Judgement confirmed that sites should not be assessed through the sequential test if they are not located within the proposed development's catchment area.

Newton Heath District Centre is not located within the defined catchment area of the proposed development. As such, based on the abovementioned caselaw, any potentially sequentially preferrable sites do not need to be assessed.

The application is therefore in accordance with Core Strategy Policy C1 and the NPPF.

Significantly adverse impact on independent stores in Hollinwood Avenue/Greengate (Moston) Local Centre

The objection states that the proposed development would have a significant adverse impact on the Londis located within the Hollinwood Avenue/Greengate (Moston) Local Centre, and the estimated 0.25% trade diversion is unreasonably low.

As the objection acknowledges, the PPG states "*As a guiding principle impact should be assessed on a like for like basis in respect of that particular sector".* This is therefore the starting point for the stores assessed within the Retail Impact Assessment, which includes the supermarkets mentioned within the objection.

The objection fails to reference the remainder of the paragraph from the PPG, which goes on to state *"e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly. Retail uses tend to compete with their most comparable competitive facilities".*

The Londis convenience store would not directly compete with the proposed Lidl foodstore. Whilst they both offer a convenience shopping facility, they serve different purposes. Small convenience stores provide more of a 'top-up' shopping service, where people usually only buy a small number of items, and where people are very unlikely to do a weekly food shop. These stores typically also have wider opening times, which means they provide a different service to the proposed Lidl foodstore.

The abovementioned convenience offering differs from a Lidl foodstore, where the majority of shoppers will be carrying out their weekly food shop, which is something they are very unlikely to do in a small convenience store, such as Londis.

It is acknowledged that the Londis is located in close proximity to the proposed Lidl foodstore, however the stores will not directly compete with each other for the reasons set out above.

It is therefore considered that the submitted Retail Impact Assessment is sufficiently robust and is in accordance with Core Strategy Policy C9 and the NPPF.

Breach of the Core Strategy's requirement to retain and enhance existing employment sites

The objection states that the proposal is contrary to Core Strategy Policy EC2, which states *"The Council will seek to retain and enhance existing employment space and sites"* and that alternative uses will only be supported if certain criteria are met. The objection also states that it is their opinion that the certain criteria are not met, however no explanation or reasoning for this is given.

The criteria listed within Policy EC2 are as follows:

- The existing use is un-viable in terms of business operations, building age and format;
- The existing use is incompatible with adjacent uses;
- The existing use is unsuitable for employment having had regard to the Manchester Salford - Trafford SFRA; or
- On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

Both the submitted Planning and Retail Statement and Committee Report have outlined that the site and previous use are both unviable based on the site's location, building age, format, constraints, and is incompatible with adjacent uses (residential). There are also a number of greater material benefits in which the proposed development will provide.

Therefore, the redevelopment of the site to an alternative should be clearly supported and the proposal is in accordance with Policy EC2.

The application's unacceptable contribution to potentially unsafe traffic conditions

The objection states that the proposal has the potential to make the adjacent road crossing unsafe, and that the B8 use fallback position set out within the Committee Report is unjustified.

The impacts upon the highway network from the proposed development have been assessed by the applicant's highways consultant, Manchester City Council, and Transport for Greater Manchester. A Stage 1 Road Safety Audit has also been carried out.

The findings from all of the assessments set out above conclude that the proposal will not have an unacceptable impact on highway safety.

The fallback position outlined within the Committee Report is more of a consideration as to whether or not the proposal would give rise to adverse impacts. However, this is not the case. Therefore, whether the fallback position can be relied upon or not is not relevant in this case.

As such, the proposal is in accordance with Core Strategy Policy CC5 and the NPPF.

Substantial ecological harm arising from the loss of biodiversity

The objection states that it is unclear where the -51.33% BNG loss figure has come from, and that the loss of biodiversity caused by the proposal indicates that that the development is one whose scale and character are not suitable for this site.

The -51.33% BNG loss figure is taken from the updated BNG metric, which was amended following the retention of more trees along the site boundary, and additional tree planting included within the car park.

Whilst the proposal results in a net loss in BNG, the majority of the existing site is hardstanding, with a number of trees located around the site boundary. The proposed landscaping scheme will provide a much more attractive appearance for the site, with landscaping and trees provided throughout the site.

Additionally, the loss in BNG will be mitigated through the applicant purchasing the required number of off-site biodiversity units to ensure the achievement of 10% BNG.

Conclusion

The objection from Tesco has been submitted at a late stage, prior to the application going to Committee, in an attempt to delay the application's consideration.

This letter has addressed each point contained within the objection, outlining that the Council's assessment of the application is correct and should be supported.

The application is also in accordance with the relevant policies set out within this letter.

We trust that this assists the Council in progressing the planning application towards positive determination. If any further information is required in this context, please advise.

Yours faithfully,

Rapleys LLP

Rapleys LLP (Jul 29, 2025 11:00:14 GMT+1)

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