

CHAPTER 10: SHOPPING AND THE ROLE OF CENTRES

G/S/1 (Part One Policy) – Hierarchy and the Role of Centres

Objections:	285/3	Sainsbury Supermarkets Ltd
	307/3	Tesco Stores Ltd
	307/201	Tesco Stores Ltd
	381/41	Government Office North West
	430/1	Somerfield Stores Ltd

Key Issues:

- **should criterion D) be deleted as it exceeds the requirements of Revised PPG6 ?**
- **how should the policy address the role of out-of-centre retail locations, in particular food superstores?**
- **is the second part of the policy overly-detailed?**
- **does the policy place edge-of-centre retail parks in an acceptable location, taking into account the sequential test?**

Inspector's Reasoning:

- 10.1 The first issue has been acceptably addressed by changes made at Revised Deposit Draft. This objection has been conditionally withdrawn.
- 10.2 As to objector concern on the role of out-of-centre retail locations in the sequential test and the retail hierarchy, those locations can only be described as centres if they have the attributes that would normally be found in town, district or local centres as set out in Table 1 to Annex A of PPS6. This is not the case in terms of the 4 centres that are classified by the Council as either retail parks or superstores. The Revised Deposit Draft version of the UDP deletes this reference to out-of-centre locations from the hierarchy of centres listed in the policy. In terms of 430/1, I accept that it is clear that out-of-centre retail parks are not favoured locations for retail development. PPS6 at paragraph 2.44 does recognize that out-of-centre locations are acceptable for further retail development, where there are no other sequentially acceptable sites, but does not differentiate between existing out-of-centre locations, for example retail parks, and other out-of-centre locations. Therefore, the UDP should not make this distinction, both in the policy and its reasoned justification in paragraphs 10.10 to 10.12. As to the objector's other concerns, and taking into account PPS6 at paragraphs 3.16 to 3.18, the policy's reasoned justification has been amended to include assessment of potential severability, suitability of format and the class of goods to be sold. I consider that this addresses the objector's concerns on these matters, and I note that this objection has been conditionally withdrawn.

- 10.3 In terms of the Tesco concern on out-of-centre food retail locations (and their relationship to local centres), Annex A to PPS6 indicates those facilities usually to be found in a local centre. While, large, food retail stores may meet some of these functions, their primary role - clarified in Table 3 to Annex A of the PPS - is different from that of local centres. Therefore, in most cases, it would not be reasonable to include such stores in local designations. Furthermore, the policy's reasoned justification should not contain any additional guidance on the role of food superstores in out-of-centre locations - regardless of their relationship to local centres. Given the strong focus in PPS6 on town centres as the most appropriate location for retail development, to provide additional clarification of the role of out-of-centre development - beyond defining their very limited role in the sequential test - would be inappropriate. Turning specifically to the objector's concerns about its Silk Street store, for the reasons I set out under objections to Policy S/6 below, the nearby local centre designation should not be extended to include this site.
- 10.4 The Government Office is concerned that the inclusion of the sequential test is inappropriate for a Part One policy and duplicates Policy S/8. Following changes at Revised Deposit Draft, the policy now acceptably sets out the broad principles of the sequential test. They are a proper consideration for a Part One policy that should not be concerned with the detailed application of this test - this adequately addressed under Policy S/8.

Recommendation:

10.5 I recommend that the plan be modified along the following lines:

- **The reference to Existing Out-of-Centre Retail Developments (G/S/1 5.) should be deleted. Paragraphs 10.10 to 10.12 should, therefore, be rewritten to reflect PPS6.**

**G/S/1 (Part One Policy) – Hierarchy and the Role of Centres (Omission)
(Heywood Automated Telephone Exchange, Heywood)**

Objection: 297/7 BT Group PLC

Key Issue:

- **should the site be included within the Town Centre boundary?**

Inspector's Reasoning:

- 10.6 The Telephone Exchange is to the east of the Heywood Town Centre boundary. Although the site is within the town centre boundary defined in the adopted plan, that was reduced at Deposit Draft - excluding the site. I concur with the

Council's view that if town centre boundaries were to be drawn too widely there is an increased possibility of new retail development being poorly related to the town's main retail core. Furthermore, as retail development in town centres does not need to demonstrate need, the possibility of an over-provision of retail floor space may occur if the centre boundary is drawn too widely. Given the somewhat high vacancy rates and lack of vitality at parts of Heywood Town Centre, the Council's redesignation of this boundary is acceptable.

- 10.7 The revised town centre boundary established in the UDP is at Hartley Street, to the east of Heywood Market. The area to the east comprises a mix of uses - including the site - as well as residential, industrial and some retail uses. The area to the west of the Market, that remains within the town centre, has a higher proportion of retail uses together with others that would usually be associated with town centres - such as banks and estate agents. Hartley Street forms, therefore, a logical boundary for the eastern extent of the town centre. While I recognize that the redevelopment of the site may have some regeneration benefits, this would not be a sufficient justification to include the site within the town centre boundary.

Recommendation:

10.8 I recommend that:

- **No modification be made to the plan in response to this objection.**

**G/S/1 (Part One Policy) – Hierarchy and the Role of Centres (Omission)
(BT Computer Centre, Town Head Rochdale)**

Objection: 297/9 BT Group PLC

Key Issue:

- **should the site be included within the Town Centre boundary?**

Inspector's Reasoning:

- 10.9 The BT Computer Centre is to the north-east of the town centre. While the site was included within the town centre as part of the adopted plan, the boundary has been reduced at Deposit Draft stage and excludes it. I agree with the Council's view that if town centre boundaries were to be drawn too widely, there would be an increased likelihood of new retail development being poorly related to the town's main retail core. Furthermore, as retail development in town centres does not need to demonstrate need, the possibility of an over-provision of retail floor space may occur if the centre boundary is drawn too widely. Given the relatively high level of vacancy, both within and adjacent to the town centre, the Council's

redesignation of this boundary is accepted. It has also removed the warehouse type retail developments, close to the site, from the town centre.

- 10.10 The revised town centre boundary proposed in the UDP, in the area adjacent to the site, now follows the routes of St John Street and St Mary's Gate. These are 2 heavily trafficked roads that are safely crossed by pedestrians through underpasses. They form a physical boundary between the site and the designated town centre. While the north-eastern part of the designated town centre does not have the character of the town's retail core - containing a mix of retail and other non-retail uses - these are distinctive enough to be considered as different from the mix of warehouse type development, residential buildings and industrial uses to the north of the town centre - including the site currently occupied by the Computer Centre. Further, the street pattern in the north-east of the designated town centre assists pedestrian movement to the town's primary retail frontage and shopping centre. The Computer Centre and its immediate surroundings are surrounded by heavily trafficked roads. While I recognize that the redevelopment of the site may have some regeneration benefits, given my earlier comments, this would not be sufficient justification to include the site within the town centre boundary.

Recommendation:

10.11 I recommend that:

- **No modification be made to the plan in response to this objection.**

**G/S/1 (Part One Policy) – Hierarchy and the Role of Centres (Omission)
(Heywood Moss County Primary School, Heywood**

Objection: 3961 W M Morrison Supermarkets PLC

Key Issue:

- **should the site be included within the defined town centre for Heywood?**

Inspector's Reasoning:

- 10.12 Moss Field County Primary School is to the north of Heywood Town centre, adjacent to a retail park. The site has been identified in the Heywood Town Centre Masterplan as a parking area to support the regeneration of Heywood Town Centre and its primary shopping area. The school has been scheduled for closure by September 2006. The objector argues that, given this, it would be logical to include it within the town centre.

- 10.13 As recorded above, I find that the Council's overall strategy of reducing the size of Heywood Town Centre is soundly based, as the centre defined in the adopted plan is over-extended and would not be likely to support the regeneration of the town's primary shopping areas. The recommendations of the Heywood Town Centre Masterplan represent, effectively, a preferred options report for both Heywood Township and the New Deal for Communities Board. It is currently being used as a basis for further work.
- 10.14 There is, therefore, some uncertainty about the site's future. While its conversion to a car park, or another use, may help to underpin the regeneration of Heywood Town Centre - to include the site within the town centre boundary would be premature. It would allow the site to be developed for retail or leisure uses under the provisions of Policy S/5. That policy does not require that either, the sequential test or, the test of need are met for town centre sites. The Council considers that the development of the land for retail purposes would undermine the town's primary shopping areas. That potential is real. If the site was to be developed for a car park, as indicated by the Heywood Town Centre Masterplan, there would be no necessity for it to be included within the town centre to allow this. Given that, I consider at this time, it would be prudent for the site to remain outside the town centre.

Recommendation:

10.15 I recommend that:

- **No modification be made to the plan in response to this objection.**

G/S/2 (Part One Policy) - Regeneration of Centres

Objection: 307/4 Tesco Stores Ltd

Key Issue:

- **are the policy's general aspirations reasonable, particularly in relation to the viability of retail developments?**

Inspector's Reasoning:

- 10.16 On the basis of my site visits, some of the town centres in the Borough have difficulty attracting, and retaining, retailers and other suitable town centre uses. The suggested environmental and transport improvements required by the policy would, however, contribute to the regeneration of these centres. What is essential is that the requirements of this policy do not provide a disincentive to retailers to locate in one of these town centres. The plan should seek to balance these matters.

This would be addressed by an addition to the reasoned justification that clarifies the circumstances in which levels of contribution would be sought.

10.17 Here, the Council's evidence suggests that the objector is concerned with the locations to which the policy should apply. This is not my interpretation of the objector's case. For reasons of clarity, I have assessed the role of out-of-centre developments through Policy G/S/1 above. For the reasons given there, these centres should not form part of the retail hierarchy and have only a limited role as part of the sequential test. No modification to the policy in respect of this part of the objection is, therefore, necessary.

Recommendation:

10.18 I recommend that the plan be modified along the following lines:

- **The reasoned justification should clarify the circumstances in which contributions to the regeneration of centres would be sought, taking into account paragraph 10.16 above.**

S/3 – Primary Shopping Areas (Omission) - (Fountain Street/Oldham Road Middleton)

Objection: 341/4 Tesco Stores Ltd

Key Issue:

- **should the Primary Shopping Area be extended to allow a large superstore centre on the site?**

Inspector's Reasoning:

10.19 At my visit, I saw that the Fountain Street/Oldham Road area comprises a number of uses - including a sports centre and civic facilities, together with a market, car parking and a small amount of retail provision. These uses cover an extensive area, notwithstanding changes made at Revised Deposit Draft. While it seems likely that this area will be redeveloped over the plan period, mainly for the inclusion of a large superstore, that has yet to take place. The Council indicates that the Civic and sports facilities on the site will need to be relocated first, making the early redevelopment of the site unlikely.

10.20 The superstore would form an integral part of the shopping offer for Middleton town centre. While it would appear logical to include the store as part of the town's Primary Shopping Area (PSA), it would - nonetheless - be premature to designate the whole area as a PSA as detailed information on the store's layout, for example, is not available - while the effect of the store on local shopping

patterns is by no means certain. Further, to designate the whole area defined at Deposit Draft as PSA may have an overly-restrictive effect on the remaining retail outlets in the area that would remain following the redevelopment.

Recommendation:

10.21 I recommend that:

- **No modification be made to the plan in response to this objection.**

**S/3 – Primary Shopping Areas (Omission)
(Market Place/York Street/Church Street/ Hartley Street, Heywood)**

Objection: 388/4 Shelia Hill

Key Issue:

- **should these streets be included within the Primary Shopping Area of Heywood?**

Inspector's Reasoning:

10.22 Following a Retail Expenditure Potential Study (CD 33), the Council has identified a somewhat reduced Primary Shopping Area (PSA) than in the adopted plan. The amended PSA extends along part of Market Street and includes the Dunnes store in Dawson Street. It has reduced the adopted PSA by a limited number of units to both east and west. In this area, Policy S/3 restricts changes of use of Class A1 retail uses. A small number of units to the west of Market Street - and a more significant number to the east around Market Place - are designated Secondary Shopping Area (SSA) where the more permissive requirements of Policy S/4 apply on changes of use. The objector suggests a significant extension to the PSA - generally to include all of Market Place, York Street, Church Street and Hartley Street. Most of that area is currently neither, in the SSA nor, the PSA. The Council tells me that much of this area has never been included within the PSA in past plans, these going back to 1986.

10.23 In my opinion, the general character of much of Heywood town centre is limited in its vitality and viability, with significant units vacant. On the basis of my visits, the area around Market Street, including Dunnes store has a higher concentration of A1 retail premises, has less vacant properties, as well as a higher level of pedestrian footfall compared with to the rest of the town centre. In comparison, the area suggested by the objector - while containing important town centre uses (the Civic Centre, the library and market) does not have the concentration of retail uses that would normally be associated with a PSA. Market Place has a relatively high pedestrian footfall and contains a wide variety of uses - including estate agents and banks, as well as retail. This is reflected by

its inclusion as part of the SSA. York Street has a relatively low pedestrian footfall and limited retail outlets. Church Street has more pedestrian movements, but there are no retail units present on its south side in what the Council describes as the Civic Area containing the library and Civic Centre. Hartley Street is a short road, connecting Church Street with York Street, but with the relatively busy market complex. That does not exclusively contain A1 units. Overall, there were a significant number of vacant units in this area - with residential uses to the east.

10.24 The designation of the Market Street area as a PSA under Policy S/3 is largely through a protective policy that would safeguard A1 uses within the core shopping area of Heywood. Similarly, Policy S/4 offers a limited degree of protection for more peripheral uses. Outside this relatively limited area, suitable retail development is permitted within the town centre - together with other acceptable uses. There is nothing in the policy to undermine existing retail uses either, within or, outside protected areas. Extending the PSA in the manner suggested by the objector would be likely to result in an increase in vacancies outside the core shopping area, finding new uses for retail premises being more unlikely. I do not consider, therefore, that the PSA should be extended.

Recommendation:

10.25 I recommend that:

- **No modification be made to the plan in response to this objection.**

S/5 – Development Elsewhere in Town Centres

Objections:	285/4	Sainsburys Supermarket
	307/5	Tesco Stores Ltd
	381/42	Government Office North West
	474/201	Joint Lancashire Structure Plan Group

Key Issues:

- **should the policy be clarified as it relates to development proposals over 1000 square metres?**
- **is the policy overly-complicated and its purpose unclear?**
- **should the policy set out the likely need for Town Centre retail use over the plan period?**
- **should the policy and its reasoned justification take into account the effect of development on other nearby town centers?**

Inspector's Reasoning:

- 10.26 285/4 has been met by changes made at Revised Deposit Draft. This objection has been conditionally withdrawn. Similarly, concerns over the complexity of the policy have been fairly met at Revised Deposit Draft stage by the deletion of criteria d) and f). Criterion b) remains and the intent of criterion e) has been moved to the final paragraph of the policy. These changes would result in a criteria-based policy that can be easily understood. The Government Office is concerned that the UDP should have one policy that establishes the sequential test and sets out criteria for the acceptability of retail development in all locations. I consider that the Council's approach of having one main policy (G/S/1) that reflects the sequential test and separate criteria-based policies for Town Centres (S/5), District, Local and Linear Commercial Centres (S/6) and other locations (S/8) is equally logical.
- 10.27 The Government Office's other concern relates to the identification of retail provision in the plan period. The Council points to the recent Retail Expenditure Potential Survey (CD 33) in its evidence and summarizes the findings. It has assisted the plan's retail strategy and policies. Effectively, it only identifies limited expansion in retail expenditure. The Council is seeking limited retail expansion in existing town centres - with the main exception of the redevelopment of the Fountain Street/Oldham Road site and a limited retail element for some regeneration sites. There is no necessity to identify further sites. Any additional, and unanticipated retail development, would be addressed by the sequential approach set out in Policy G/S/1 and the relevant locational policy. Whilst this approach is fundamentally sound, it would assist plan clarity if additional reference were made to the findings of CD 33 and its implications. This should be in paragraph 10.13.
- 10.28 The argued amendment to the policy's reasoned justification in 474/201 would require that development would not "harm any other existing town or other centres inside or outside the Borough". PPS6 (paragraph 2.48) refers to the necessity to assess the impact of development in a town centre location where there is the possibility of the attractiveness of that centre being substantially increased, rather than the more prohibitive requirement suggested by the objector. Therefore, there is no justification for amending the policy in the manner suggested, albeit I consider that the policy's reasoned justification should be amended to reflect PPS6.

Recommendation:

- 10.29 I recommend that the plan be modified along the following lines:**

- Paragraph 10.13 should refer, briefly, to the findings of the Retail Expenditure Potential Survey.
- The policy's reasoned justification should refer to the requirement in PPS 6 (paragraph 2.48) to assess the impact of development in an existing centre on other centres, where this would substantially increase the attraction of that existing centre.

**S/5 – Development Elsewhere in Town Centres (Omission)
(Hill Street, Fox Street and Taylor Street Heywood)**

Objection: 283/4 Heywood Economic Forum

Key Issue:

- should these streets be included within Heywood Town Centre?

Inspector's Reasoning:

10.30 The area around these 3 streets mainly consists of other than retail uses in a variety of architectural styles and condition. The site is to the south of the town centre and the PSA at Market Street, but has little of its retail character. The objector considers that the town centre boundary should be extended to include these streets, which have been identified as an area where the Market could be relocated and further civic development could take place in the Heywood Town Centre Masterplan.

10.31 The implementation of the recommendations of the Heywood Town Centre Masterplan remain uncertain as the document is, effectively, a preferred options report. It is a basis for further work. To extend the boundary of the town centre to include the site would potentially allow it to be developed for retail purposes through Policy S/5, instead of the more rigorous requirements of Policy S/8. Unsuitable development there may have a detrimental impact on the vitality and viability of the town centre, particularly the PSA. Although I recognize that the suggested uses for the site may well be suitable for a town centre, the site's future role is still uncertain. It would be unwise of me to recommend the inclusion of this land within the town centre.

Recommendation:

10.32 I recommend that:

- No modification be made to the plan in response to this objection.

**S/5 – Development Elsewhere in Town Centres (Omission)
(Heywood Automated Telephone Exchange, Heywood)**

Objection: 297/8 BT Group Plc

Key Issue:

- should the Town Centre boundary be extended to include the site?

Inspector's Reasoning:

10.33 At paragraph 10.6, I deal with a similar objection (Policy G/S/1). For the reasons given there, I do not consider that Heywood Town Centre should be extended to include this site.

Recommendation:

10.34 I recommend that:

- No modification be made to the plan in response to this objection.

**S/5 – Development Elsewhere in Town Centres (Omission)
(BT Computer Centre Town Head Rochdale)**

Objection: 297/10 BT Group Plc

Key Issue:

- should the town centre boundary be extended to include the site?

Inspector's Reasoning:

10.35 At paragraph 10.9 above, I deal with a similar objection (Policy G/S/1). For the reasons given there, I do not consider that Rochdale Town Centre should be extended to include this site.

Recommendation:

10.36 I recommend that:

- No modification be made to the plan in response to this objection.

S/6 – District Centre, Local Centres and Linear Commercial Areas

Objection 381/43 Government Office North West

Key Issues:

- does S/6 d) differentiate clearly between the sequential approach and tests of need?
- should the UDP have one criteria-based policy for all retail development?

Inspector's Reasoning:

10.37 The Government Office's concern on S/6 d) has been acceptably met by changes made at Revised Deposit Draft. No further modification is necessary. On its other concern, for the reasons set out in my consideration of objections to Policies G/S/1 and S/5, the approach taken by the Council in assessing the acceptability of retail development is reasonable.

Recommendation:

10.38 I recommend that:

- No modification be made to the plan in response to this objection.

S/6 – District Centre, Local Centres and Linear Commercial Areas

Objection 307/6 Tesco Stores Ltd

Key Issue:

- should the boundary of Sudden Local Centre be extended to include the Tesco store at Silk Street?

Inspector's Reasoning:

10.39 Sudden is to the west of Rochdale town, on the A58 Manchester Road. There is a Post Office and convenience store, together with residential and other service uses. Some of the 16 units identified by the Council as being in the centre were vacant at the time of my visit. Adjacent to the A58 is a superstore, with a petrol station and substantial car parking.

10.40 The functions of local centres and supermarkets/superstores vary. This is reflected in Tables 1 and 3 in Annex A to PPS6. The range of service provision at the Sudden Local Centre is consistent with the definition in Annex A. Although it is somewhat limited, the designation of this area as a local centre is

reasonable. While I do not dispute the objector's view that large food retail stores may meet some of the functions of a local centre, their primary role - clarified in Table 3 in Annex A of the PPS - is different to that of local centres. The existing store serves a considerably wider catchment than the local area - fairly indicated in my opinion by the substantial level of parking there, and fulfils a different function to the neighbouring local centre. Further, I doubt the objector's assertion that the store underpins the local centre - I find it more likely that it undermines the vitality of the centre. Therefore, the local centre boundary should not be amended to include the Tesco store.

Recommendation:

10.41 I recommend that:

- **No modification be made to the plan in response to this objection.**

S/7 – Local Shops and Services

Objection: 98/15 Countryside Agency North West

Key Issues:

- **should the policy be strengthened to support the protection of local services by the inclusion of a one-year marketing requirement?**
- **should public houses be added to the list of protected services?**

Inspector's Reasoning:

10.42 S/7 would allow a change of use if that current is no longer commercially viable. This would need to be supported by a range of evidence, which may include marketing information. To apply, however, a marketing requirement for a specified length of time to all premises would be an unduly onerous requirement. It may lead to the prolonged vacancy of premises, particularly in urban areas. I do not consider the policy needs strengthening, this through the inclusion of a requirement that properties are marketed for one year.

10.43 As to the inclusion of public houses in the list of protected uses, I recognize that - for both urban and rural communities - the local public house, together with the other uses listed in the final paragraph of Policy S/7, may represent highly valued services. However, regardless of where these services are provided, there is little that the planning system can do to restrict their loss beyond, for example, resisting a change of use for these premises. The Council's approach to changes of use for shops outside designated centres is set out in the policy's reasoned justification. I understand the Council and the Countryside Agency's intentions are well

intended, but come to the view that the final paragraph of Policy S/7 should be deleted.

Recommendation:

10.44 I recommend that the plan should be modified along the following lines:

- **Delete the final paragraph to Policy S/7**

S/8 – Retail Development outside Town, District and Local Centres

Objections:	307/7	Tesco Stores Ltd
	311/19	Highways Agency
	341/205	Tesco Stores Ltd
	381/44	Government Office North West
	430/2	Somerfield Stores Ltd

Key Issues:

- **should the policy recognize the regeneration value of out-of-centre developments, particularly in the case of food stores?**
- **should criterion d) of the policy be strengthened to require transport assessments for developments that impact on the highway network?**
- **does the policy, and its reasoned justification, reflect PPG6 on the test of need?**
- **does the reasoned justification need to be reworded, as it appears to support out-of-centre development?**
- **does the reasoned justification at Revised Deposit Draft exceed the requirements of PPG6 in terms of demonstrating a test of need?**
- **should the policy address sub-division as part of the sequential test?**

Inspector's Reasoning:

10.45 On 307/7, there would be likely to be cases where out-of-centre retail developments bring regeneration benefits. This would be a material consideration in the assessment of a development proposal. This is recognized in PPS6 at paragraph 2.51. However, PPS6 is still explicit in requiring the test of need and a sequential approach to site selection. While, the regeneration benefits of an out-of-centre development may be sufficient to outweigh these tests, they will vary between locations and are best assessed on an individual basis. To include a criterion in the policy that supported out-of-centre development where there were apparent, regeneration, benefits would weaken the application of national planning guidance. It would be likely to result in retail development in inappropriate locations.

- 10.46 As to objector's concern on the highway impact of development, this has been addressed at Revised Deposit Draft. I see that the objection (311/19) has been conditionally withdrawn.
- 10.47 The Government Office doubts whether the policy, and its reasoned justification, acceptably deals with need and the sequential test. The policy requires that - in out-of-centre locations - a test of need is shown and that a sequential approach is followed. For the reasons given at Policies G/S/1 and S/5, I consider it reasonable to set out this sequence as part of Policy G/S/1, a Part One Policy. The application of the test of need has also been clarified by the Council's change to the reasoned justification of Policy S/8 at Revised Deposit Draft. The addition of further wording there is unnecessary.
- 10.48 Next, to the way in which the reasoned justification deals with the test of need. Here, the Council brings forward Inquiry Change 47, this to paragraph 10.46. It reflects the emphasis placed on quantitative need in the Ministerial Statement [10 April 2003 (CD 15)], which has been reflected in PPS6 at paragraph 2.33. I consider that this Change meets this part of the Government Office's objection and reflects current government policy. As to its other concern, there is little - if anything - in the policy's reasoned justification that could be interpreted as supporting out-of-centre development.
- 10.49 341/205 is concerned that paragraph 10.46 exceeds the requirements of PPG6 on the test of need. For the reasons set out above, the alteration made to this paragraph by the Council through Inquiry Change 47 reflects new national planning guidance in PPS6 and does not represent an unduly onerous interpretation of the test of need.
- 10.50 I consider that 430/2 has been addressed by changes made at Revised Deposit Draft. The objection has been conditionally withdrawn.

Recommendation:

10.51 I recommend that the plan be modified along the following lines:

- **The plan be modified in accordance with Inquiry Change 47.**

S/9 – Shops in Industrial Premises

Objection: 371/1 Dixons Group Retail Properties

Key Issue:

- **is the policy overly-restrictive - in terms of the nature of the extension allowed, the location of such shops and the percentage of floorspace given over to retail?**

Inspector's Reasoning:

10.52 The Council has addressed the first part of the objector's concern, relating to the extension of industrial premises, by changing the policy at Revised Deposit Draft to allow limited extension to industrial premises to accommodate retail uses. The objector argues that the policy is overly-restrictive by not allowing this form of retail outlet in Primary Employment Zones (PEZs). In my view, land designated as PEZs forms, generally, major locations in the Borough for employment.. As such, it should be protected from encroachment by other uses such as retail. Further, the designation is only applied to a limited number of areas within Rochdale. Policy S/9 is relatively restrictive on the degree of retail use permitted. To allow excessive amounts of retail uses into PEZs would weaken the UDP approach to the protection of this important employment land. I accept that firms located in PEZs have the same commercial needs and pressures as those in other locations, but this is not sufficient justification to weaken the protection afforded to these areas.

10.53 The objector considers that the floorspace requirement should be modified to allow development in excess of 500 square metres. While that would not be likely to have an adverse impact on town or district centres, it would circumvent the tests of need and the sequential approach set out in PPS6. To allow the development of more than the limited retail floorspace set out in the policy would disadvantage town and district centres. Any development above this threshold in industrial areas would be appropriately addressed by Policy S/8. The Council has clarified this through Inquiry Change 43 to the policy's reasoned justification.

Recommendation:

10.54 I recommend that the plan be modified along the following lines:

- **Modify the plan in accordance in accordance with Inquiry Change 43.**

S/10 – Food and Drink Outlets

Objection: 311/20 Highways Agency

Key Issue:

- **should criterion d) include a reference to vehicle access?**

Inspector's Reasoning:

10.55 The objector's concern has been acceptably addressed at Revised Deposit Draft and the objection has been conditionally withdrawn.

Recommendation:

10.56 I recommend that:

- **No modification be made to the plan in response to this objection.**

S/12 – Retail Expansion, Fountain Street/Oldham Road, Middleton

Objections:	217/1	Mr A Vose
	279/1	Consignia PLC
	341/1	Tesco Stores Ltd
	341/2	Tesco Stores Ltd
	341/3	Tesco Stores Ltd
	381/2	Government Office North West
	430/204	Somerfield Stores Ltd

Key Issues:

- **does Middleton Town Centre require this development and is a better location for it at R/4(g)?**
- **should the policy take into account the location of the Middleton Delivery Office and Post Office?**
- **should the site boundary be amended?**
- **are the policy requirements overly restrictive and unreasonable?**
- **would the requirements of criterion f) (at Deposit Draft) be more appropriate as reasoned justification?**
- **do the requirements of the policy reflect PPG6 in that it favours an overriding single use for such a significant site?**

Inspector's Reasoning:

10.57 217/1 considers, generally, that the redevelopment of the site defined in the policy would: adversely affect existing retail premises in Middleton town centre; require that civic, leisure and office facilities would have to relocate; and that the redevelopment would not regenerate Middleton town centre. He questions the partner to the development and argues that a more acceptable location for such a retail development would be in the R/4(g) Area of Opportunity defined in Chapter 12.

10.58 The Council submitted convincing evidence [Retail Expenditure Potential Survey (CD 33)] that there is a need for a substantial food retail store in Middleton Town Centre - not significantly disputed by the objector. On my visits to the centre and the UDP site, the latter would be acceptably related to the town's Primary Shopping Area - close to Middleton Shopping Centre and the bus station - the

station in the process of redevelopment at the time of my visit. There is an existing store in the centre, which marginally qualifies as a “superstore” under the criteria set out in Table 3 of Annex A to PPS6 having 2600 square metres floor space (Supplementary Proof by the Council). Given this relatively limited floorspace, it appears to me that the store would be unlikely to provide the range of goods that these contemporary stores normally offer. Although I recognize that this redevelopment would be disruptive in the short term, that would not have a detrimental effect on shops in Middleton Shopping Centre and the rest of the town centre. Given its location and accessibility to public transport, the redevelopment of the Fountain Street/Oldham Road site for a superstore would help to underpin and regenerate the centre by attracting shoppers to this location and increasing the potential of linked trips. This would unlikely to be the case if the alternative location suggested by the objector, at Assheton Way, was to be developed. Apart from being outside the defined Town Centre, this site is separated from the town's main shopping area by a major road - thereby reducing the potential for linked trips. The preferred partner for the development is a matter for the Council and not a land-use issue I can address in this Report. Further, there is no substantive evidence before me that the land-use implications of the relocation of civic facilities would be unacceptable. Finally, the cost implications of the relocation proposed are a matter for the Council.

- 10.59 Next, to the concern over the potential effect of the proposal on the mail branch and delivery office at Manchester Road. At Revised Deposit Draft, the development site boundary was reduced, removing the premises. Any reasonable local planning authority would consult with adjoining landowners over a development proposal.
- 10.60 Turning to Tesco Stores Ltd, the site boundary was changed at Revised Deposit Draft to more accurately reflect the development site. This part of the objection has been withdrawn. Other changes made at that stage have addressed other concerns by simplifying the policy - removing the cross reference to Policy S/5 and limiting the restrictive nature of its criteria. The objector still remains concerned over the policy's requirement for a Travel Plan. It would be likely that the store would exceed 1000 square metres (gross). For retail developments above this size, PPG13 (paragraph 89 and Annex D) requires the submission of a Travel Plan. I recognize that the site has good public transport links but, given PPG13, the requirement for the submission of a Travel Plan is justified, although for the reason given at paragraph 10.62, I consider that requirement, together with the remaining requirements of the policy's second paragraph, are more appropriately located in the policy's reasoned justification. For the reasons I set out in Policy S/3, there is little justification for including the site as a Primary Shopping Frontage. Changes made to paragraph 10.65 at Revised Deposit Draft help to clarify the need for the development and its role in strengthening the centre.

10.61 The Government Office is concerned that the policy includes requirements that would be more appropriately located in the reasoned justification. As recorded elsewhere in my Report, I agree and consider that the intent of the final paragraph of the policy should be included in the reasoned justification.

10.62 430/204 considers that the development of a large store at a town centre site would dominate the centre in conflict with PPG6. The Revised Deposit Draft version of the plan has reduced the size of the site to be developed, but it would still remain a substantial part of the town centre. A wide range of uses would remain - in particular, the Middleton Shopping Centre. The store's role would be complementary, rather than dominating. It would acceptably reflect PPS6.

Recommendation:

10.63 I recommend that the plan be modified along the following lines:

- **Delete the second paragraph to Policy S/12. Its intent should be included within the reasoned justification.**

**Chapter 10 – Omission of Policy
(BT Computer Centre, Town Head, Rochdale)**

Objection: 297/5 BT Group Plc

Key Issue:

- **should the site be allocated for retail development?**

Inspector's Reasoning:

10.64 At paragraph 10.9, I have dealt with a similar objection (Policy G/S/1). For the reasons given there, I do not consider that Rochdale Town Centre should be extended to include this site. Similarly, it should not be allocated for retail development.

Recommendation:

10.65 I recommend that:

- **No modification be made to the plan in response to this objection.**

**Chapter 10 – Omission of Policy
(Redcross Mill and adjoining land at Redcross Street, Rochdale)**

Objection: 445/3 Mr J Murphy

Key Issue:

- **should the site be allocated for retail development?**

Inspector's Reasoning:

10.66 This site is to the north of Rochdale Town Centre and is separated from the centre boundary by a heavily trafficked dual-carriage way, St Mary's Gate. Reflecting previous conclusions in this chapter, the objector submits no convincing reason for me to recommend a modification to the town centre boundary. National planning guidance set out in PPS6 would require a need to be established, together with a sequential approach to site selection - this in order for the site to be allocated for retail use. Neither has been demonstrated. Given its separation from the town centre, it would be likely that the development of the site for retail purposes would have a detrimental effect on the vitality and viability of Rochdale Town Centre.

Recommendation:

10.67 I recommend that:

- **No modification be made to the plan in response to this objection.**

.....