

TRAFFORD COUNCIL

Report to: Executive
Date: 25th March 2015
Report for: Decision
Report of: Executive Member for Economic Growth and Planning

Report Title

**Greater Manchester Spatial Framework Joint Development Plan Document:
Decision Making Process**

Summary

The Greater Manchester Combined Authority (GMCA) agreed that the ten districts should bring forward a Spatial Framework focusing on identifying Greater Manchester's (GM) future housing and employment land requirements based on an analysis of forecasted economic activity.

GM leaders at the Association of Greater Manchester Authorities (AGMA) Executive Board meeting on the 29 August 2014 agreed to the production of a statutory joint Greater Manchester Spatial Framework Development Plan Document (GMSFDPD) for GM. This report considers the necessary resultant steps required in relation to the decision making process and the impact of the preparation of the Trafford Local Plan: Land Allocations document (LAP).

Recommendation(s)

That the Executive: -

1. Note the decision of the AGMA Executive Board (Joint Committee) to produce a Greater Manchester Spatial Framework (GMSF), covering housing and employment land requirements and associated infrastructure,
2. Recommends to the Council that it delegates responsibility for all stages in the production of the GMSFDPD, other than publication/submission and adoption (which will remain the responsibility of each individual GM Council), to the AGMA Executive Board (Joint Committee),
3. Agrees a delay in the production of the LAP until such time that the production of the GMSF is further advanced together with an amendment to the Trafford Local Development Scheme (LDS) indicating this; and
4. Agree the proposed amendment of the LDS to include reference to the production of the GMSFDPD (as set out in Appendix A).

Contact person for access to background papers and further information:

Name: Rob Haslam (Head of Planning Services)

Implications:

Relationship to Policy Framework/Corporate Priorities	The GMSF contributes to a number of corporate themes, particularly Corporate Priority: Economic Growth and Development.
Financial	Work is underway to identify the level of resource required to undertake the preparation of the GMSF. It is likely that there will be a call on district resources (through either financial and/or staff secondees) to support the small central resource within the AGMA core team, charged with preparing the plan. Additional resources will be required to procure external capacity for specific pieces of work together with costs associated with the consultation and examination stages. At present it is envisaged that these costs will be met through existing resources, but a review may be necessary should AGMA funding not be forthcoming.
Legal Implications:	The GM authorities procured legal advice that detailed the GMSF should be produced as a statutory development plan document. Although a non-statutory document would have some material weight, as a written agreement between the 10 authorities, it would not have been independently tested and would therefore be at risk of challenge. It was also considered that there would be a significant risk that the evidence base underpinning the GMSF would be subject to challenge and scrutiny at each individual district's local plan examination. Therefore, in order to manage the scale and distribution of development collectively, to maximise delivery, it is agreed that the most secure route to achieve this would be the preparation of a joint Development Plan Document. Not proceeding with the LAP could increase the risk of challenge in relation to the Council's ability to demonstrate a 5 year housing land supply and consequential pressure for development from landowners.
Equality/Diversity Implications	An Equality Impact Assessment will be applied to the preparation of the GMSF.
Sustainability Implications	In accordance with Government Guidance and individual district priorities, the underlying principle of the GMSF will be to ensure that development in the conurbation will be sustainable. It will ensure that sufficient land is allocated across Greater Manchester to allow the City Region to develop sustainably. GMSF will also be subjected to independent sustainability appraisal.
Resource Implications e.g. Staffing	Work is underway to identify the level of resource

/ ICT / Assets	<p>required to undertake the preparation of the GMSF. It is likely that there will be a call on district resources to support the small central resource capacity which may include secondment(s) from the Council's Strategic Planning Team.</p> <p>The GMSF will be available to view electronically via the AGMA website.</p> <p>The Plan will not include specific site allocations although may identify broad areas of search; therefore there will be minimal direct impact on land or property owned by the Council or the delivery of its Land Sales' Programme.</p>
Risk Management Implications	<p>The GMSF DPD will be a key document in the Trafford Local Plan, providing Greater Manchester's future housing and employment land requirements. If the DPD is not progressed collectively, and in a timely manner, it may impact on the scope and delivery of the Trafford Local Plan Review.</p>
Health & Wellbeing Implications	<p>The level of new growth to be proposed in the Plan will need to be supported by the provision of sufficient community infrastructure, including the provision, where necessary of new health and education facilities.</p>
Health and Safety Implications	<p>Not applicable</p>

1.0 Background

- 1.1 GM has a long history of collaboration through AGMA. This has been strengthened by the establishment of the Greater Manchester Combined Authority, Local Enterprise Partnership (LEP), and Transport for Greater Manchester (TfGM) and the GM Combined Authority Devolution Agreement. Policy making is underpinned by the shared ambition to increase the prosperity of the people of GM. Over time GM has become increasingly interconnected, including labour, housing and retail markets, transport networks, cultural attractions, education and training opportunities and the provision of public services. It is becoming increasingly clear from work connected with the Growth Deal and One North that the ability to manage GM's land supply in an effective way is a key lever to maximise growth potential, and in particular to drive housing supply across GM.
- 1.2 It is within this context that the GMCA agreed that a Spatial Framework should be prepared for GM, focusing on identifying future housing and employment land requirements based on an analysis of forecasted economic activity. There needs to be a clear spatial and sectoral understanding of current and emerging occupier demand to support a market facing strategy for housing and employment growth. The Spatial Framework would provide the basis for an informed and integrated approach to spatial planning across the city region, through a clear understanding of the role of our places and the relationships and connections between them.
- 1.3 The GMSF will ensure an appropriate supply of land to meet the market requirements of GM's growth sectors and will support the market to deliver, as well as providing the context districts need to progress their Local Plans. It is clear that there is a need to go

beyond establishing purely the overall housing and economic targets and identify the type of housing and jobs needed, and how, over time, the housing which is provided will retain and attract the skilled workforce needed for the businesses providing the future jobs.

- 1.4 Initially the GMSF was to be prepared as an informal, non-statutory document because of the relative ease of its initial production and future updates. However, legal advice has been received that whilst the evidence base would be appropriate as a framework for future Local Plan work at the district level, and would have “weight” as a written agreement between the 10 authorities, it would be subject to challenge and scrutiny at each district’s examination; this could undermine the GMSF over time. As such given that GM wants to manage the scale and distribution of development collectively, the advice is that the most secure route to achieve this would be the preparation of a joint Development Plan Document. Consequently the AGMA Executive Board has agreed to the production of a statutory joint Greater Manchester Spatial Framework Development Plan Document.
- 1.5 Although the document will be produced collaboratively across GM, with the approval of documentation for the initial consultation stages delegated to the AGMA Executive Board (Joint Committee), the responsibility for the Publication and Submission versions of the GMSF and its ultimate Adoption, will remain the responsibility of each individual Greater Manchester Council. This will ensure the timely production of the plan, but also importantly the ability of each individual Council to retain control over the contents of the GMSF.

2.0 Scope

- 1.1 The GMSF will express the long term spatial vision for GM and be a pro-active tool for managing growth, providing the ‘roadmap’ for the type of place(s) to be created.
- 1.2 There is a balance to be struck between what is needed at the GM strategic level to support growth and reform objectives and which matters are best addressed at the local level.
- 1.3 It is not possible or desirable to be entirely prescriptive about the scope at this stage. It may be necessary to expand, or reduce, the scope of the GMSF as work progresses, depending on the results of technical assessments, consultation and stakeholder engagement.
- 1.4 At this stage it is proposed that the following principles should underpin the production of the GMSF and as such it should:
 - Address strategic planning and infrastructure matters
 - Add value
 - Leave locally specific /detailed issues to individual district Local Plans
 - Make sense as a standalone document
 - Set out a coherent, understandable spatial strategy, providing clarity regarding GM’s future development
 - Support the delivery of agreed strategic priorities
- 1.5 In addressing matters of strategic importance the GMSF will provide Trafford with an overall structure within which to review its Local Plan; it will enable many of the complex issues, once dealt with at the regional level, to be resolved at the City Region level in collaboration with the other nine GM districts.

2.0 Resources

2.1 Work is underway to identify the level of resource required to undertake this work. It is likely that there will be a call on district resources to support the small central capacity but also there will be a requirement to procure external capacity for specific pieces of work, and there will be costs associated with the consultation and examination processes. Currently, it is envisaged that this resource will be met from the existing Strategic Planning budget (see section 5.0).

3.0 Timescale

3.1 The following timetable assumes that there are no significant delays.

Stage	Timetable
Initial consultation on the objectively assessed development need (stage completed)	September – November 2014
Consultation on SHMA/principles to underpin option development	July 2015
Consultation on full draft GMSF and period for representations	July 2016
Publication of the GMSF and period for representations	May 2017
Submission of the GMSF to the Secretary of State	September 2017
Examination in public	January 2018
Adoption of the GMSF by GMCA/AGMA	September/October 2018

4.0 Implications for the Trafford Local Plan: Land Allocations

4.1 Before the announcements around the GMSF, work was well advanced in Trafford on the LAP, and it had been anticipated that the second draft of the LAP would be published for public consultation in January/February 2015. Following the clarification of the scope and role of the GMSFDPD, legal advice was sought to understand the risks of proceeding with the LAP, given the production of the GMSFDPD.

4.2 It is considered that there is a possible procedural issue in the Council actively promoting two development plan documents that may be based on different levels of growth, particularly given that it is anticipated that the LAP is scheduled for Examination at a time that the GM DPD would be reaching its pre-submission stage. The advice is that any discrepancy between levels of growth is likely to bring into question the land targets set out in Policy L1 and W1 of the Core Strategy, which form the basis from which the LAP is derived and ultimately that there may be a risk of the LAP being found unsound by the Planning Inspector. This view has been reached in the context of recent decisions in Cheshire East and Doncaster council's.

4.3 Not proceeding with the LAP will mean that the Council will not have a complete and up to date development plan and that there would need to be a continued reliance on the Trafford Core Strategy (2012) and those remaining aspects of the Revised Trafford Unitary Development Plan (2006), until such time that the development plan is comprehensively reviewed. It should also be noted that advice suggests it would not be appropriate to publish a first consultation draft of a Revised Trafford Local Plan in advance of the GMSF being "published", prior to its submission for independent examination. The above timetable would suggest this would be around mid-2017.

- 4.4 Not proceeding with the LAP should not prevent development taking place in the Borough until such time that a Local Plan review can take place. The Trafford Local Plan: Core Strategy provides a strategic framework within which decisions can be determined in relation to the five strategic locations, (Pomona, Wharfside, Lancashire County Cricket Ground, Trafford Centre Rectangle (Trafford Quays) and Carrington); Trafford's town centres and its priority regeneration areas, together with other key policies such as affordable housing. Indeed, much of the work carried out to date, in relation to the LAP, particularly that relating to matters such as the Sustainability Appraisal (SA) and transport modelling will have value in determining planning applications in advance of a revised Trafford Local Plan being produced and will provide a good foundation for both the GMSF DPD and a revised Trafford Local Plan.
- 4.5 Not proceeding with the LAP at this stage would also enable Trafford to resource and play a much more active role in the preparation of the GMDPD, which is considered to be vital to ensure that that Plan meets all the Council's expectations and will therefore be deliverable at the local level. At present it is anticipated that the cost of producing the GMSF will be met from the existing Strategic Planning budget, however should additional work be required or funding identified then this position will need to be revisited.
- 4.6 Should Executive agree to the production of the GMSF, procedurally it will be necessary to amend the Trafford Local Development Scheme (LDS), as proposed in Appendix A of this report, detailing the proposed timetable for the production GMSF DPD. Similarly, the LDS will be revised to indicate the position in relation to the production of the LAP.

Other Options

The following alternative options have been considered:

- Continue work on the Trafford Local Plan: Land Allocations based on the targets established within the Trafford Local Plan: Core Strategy alongside the preparation of the GMSF. It is considered that there is possible procedural issue in the Council actively promoting two development plan documents that may be based on different levels of growth and as such there is a possible risk of the LAP being found unsound. This approach would see the LAP prepared following the housing requirement contained within the Core Strategy whereas the Greater Manchester DPD would represent an up-to-date assessment of the full, objective assessment of housing need in accordance with Paragraph 47 of NPPF.
- Carry out a review of the Trafford Local Plan outside, and separate to, the framework of the GMSF. It is considered that undertaking a unilateral review of the Trafford Local Plan would not demonstrate that the authority is meeting its requirements under the duty to cooperate and would also undermine the extensive joint working and collaboration to date across GM. Additionally it is considered that because Trafford has a number of housing market areas within it, crossing district boundaries, to identify the borough's objectively assessed in isolation would undermine the robustness of the LAP and therefore the consideration of its soundness at the examination.
- Support the preparation of the GMSF as an informal planning document. Although this would require fewer resources than the production of a statutory DPD, the legal advice was clear that it would be subject to challenge and scrutiny at each district's examination into their Local Plan DPDs.

Consultation

As detailed in section four of this report, an initial consultation has been held in relation to the objectively assessed development need (both economic and residential). There will be a number of additional periods of consultation prior to the consideration of the Plan by an independent examiner. Although these periods of public consultation will need to comply with regulations governing the production of DPDs, a GM wide statement of consultation on joint development plans is to be produced by the GM Planning and Housing Team. As appropriate/necessary elements of the GM wide consultation statement will be incorporated into Trafford's Statement of Community Involvement, to ensure a proportionate and consistent approach to consultation and engagement on the GMSF across GM.

Reasons for Recommendation

To enable the AGMA Executive Board (Joint Committee) to proceed with the preparation of the draft GMSF DPD up to the point of publication and submission to DCLG.

Key Decision Yes

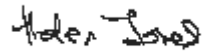
If Key Decision, has 28-day notice been given? Yes

Finance Officer Clearance ... PC.....

Legal Officer Clearance ... JL.....

CORPORATE DIRECTOR'S SIGNATURE.....

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.



Appendix A

GMSF - PROPOSED WORDING FOR TRAFFORD'S LOCAL DEVELOPMENT SCHEME

Role and subject	<p>The GMSF will:</p> <ul style="list-style-type: none"> • set out the long-term spatial vision for the sub region (up to 2035) and the overall strategy for delivering the vision; • identify the overall level of housing and employment development that is envisaged and the geographical distribution of that development; • define the sub region's hierarchy of regional, city and town centres; • identify the main improvements in infrastructure that are required to support that scale and distribution of development; • set out the strategic spatial policies for the sub region; • set out the main development management policies for the sub region, and • support the delivery of other key strategies and plans
Coverage	Greater Manchester wide
Status	DPD
Conformity	With NPPF and having regard to the Greater Manchester Strategy, Greater Manchester Growth and Reform Plan.

Stage	Timetable
Initial consultation on the objectively assessed development need	September – November 2014
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