

## TRAFFORD COUNCIL

**Report to:** Executive  
**Date:** 26 February 2018  
**Report for:** Decision  
**Report of:** Executive Member for Housing and Strategic Planning

### Report Title

**Proposed Compulsory Purchase Order, Charlton House**

### Summary

The report sets out proposals for the delivery of the first phase of student accommodation in Stretford to support the opening of University Academy 92 (UA92). The report seeks approval to the use of compulsory purchase powers to support the delivery of the proposals if required.

### Recommendation(s)

It is recommended that the Executive:

- 1.1 Provides in principle support for the making of a compulsory purchase order under section 226 of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to enable the redevelopment and regeneration of the site shown edged red on the plan in Appendix One.
- 1.2 Delegates authority to the Director of Growth and Regulatory Services in consultation with the Director of Legal and Democratic Services to take all steps necessary to enable a compulsory purchase order to be made including but not limited to:
  - (a) the carrying out of land referencing including without limitation the service of notices under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and/or section 5A of the Acquisition of Land Act 1981;
  - (b) the entry onto the Land and other land for the purpose of carrying out surveys pursuant to section 15 of the Local Government (Miscellaneous Provisions) Act 1976;
  - (c) the preparation of a draft statement of reasons;

- (d) the preparation of a draft Order and Order Schedule; and
- (e) the preparation of notices to owners, lessees and occupiers, site notices and any other notices required to be served and/or advertised in accordance with the Acquisition of Land Act 1981 should the Executive authorise the making of a compulsory purchase order.

1.3 Delegates authority to the Director of Growth and Regulatory Services to negotiate for the voluntary acquisition of land and rights over land needed to enable the Scheme to be delivered in advance of confirmation of a CPO, as if such CPO had been confirmed.

1.4 Delegates authority to the Director of Growth and Regulatory Services in consultation with the Director of Legal and Democratic Services to consider alternatives to the use of compulsory purchase powers.

1.5 Notes that before a compulsory purchase order is made a further detailed report will be drafted seeking authority for the making of an Order and that such a report will need to address a number of issues including:

- (a) that the compulsory acquisition is necessary to facilitate the carrying out of development, redevelopment or improvement on, or in relation to, the land being acquired;
- (b) that the Scheme complies with planning policy and the Refreshed Stretford Masterplan (2018);
- (c) that there is a compelling case in the public interest for the land to be acquired which outweighs the interference with the human rights of those with an interest in the land affected;
- (d) that the Scheme will contribute to the promotion or improvement of the economic and/or social and/or environmental well-being of the local area;
- (e) that the Scheme is viable and that there is a reasonable prospect that the Scheme can be implemented within a reasonable timescale;
- (f) that agreements have been entered into with a private sector partner that provides for the delivery of the Scheme and indemnifies the Council in respect of its costs of making the order, seeking its confirmation and compensation payments to affected owners, lessees, occupiers and any other potential claimants;
- (g) that there are no physical or legal impediments to the Scheme proceeding;
- (h) that all reasonable steps have been taken to acquire land and rights

over land needed to deliver the Scheme by negotiation and voluntary agreement;

- (i) that alternatives to the use of compulsory purchase powers have been considered; and
- (j) that the compulsory acquisition would not infringe the Council's equality duty.

Contact person for access to background papers and further information:

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Appendix One: Charlton House, Site Plan

Background Papers:  
None

*Implications:*

Relationship to Policy Framework/Corporate Priorities	The delivery of UA92 will contribute to the Council's vision for "no one held back, no one left behind" and the Corporate priorities for economic growth and development, excellence in education and low Council Tax and value for money.
Financial	<p>The cost of land acquisition, stamp duty land tax and associated fees will be incorporated into the developing business plan for the delivery of student accommodation which will be the subject of a further report to the Executive.</p> <p>Any voluntary acquisitions will be financed from the Investment Fund budget within the existing capital programme and subject to an appropriate business case to be agreed with the Chief Finance Officer.</p>
Legal Implications:	It will be necessary to complete the various documents referred to within the body of the report.
Equality/Diversity Implications	None as a consequence of this report.
Sustainability Implications	The Council has completed an independent Economic Impact assessment of the UA92 proposals which set out the outcomes that will be achieved. The Refreshed Stretford Masterplan contains a series of sustainability principles that new development should be in accordance with.
Resource Implications e.g. Staffing / ICT / Assets	Existing resources have been identified to support the delivery of the project and related activity across all the partners.
Risk Management Implications	The delivery of the project is supported by a risk plan setting out the key risks to delivery and proposed mitigation measures.
Health & Wellbeing Implications	None as a consequence of this report.
Health and Safety Implications	None as a consequence of this report.

## **1.0 Background**

- 1.1 The Council's Refreshed Stretford Masterplan was approved by the Executive in January 2018 following a ten week public consultation. It sets a bold vision for the future of Stretford:

*'To transform Stretford Town Centre and the wider Stretford area into a prosperous and vibrant place with attractive communities and a wide range of facilities throughout the day and evening that realises the full potential of existing assets'.*

- 1.2 The establishment of a new University (UA92) in Stretford will provide a catalyst for significant further investment and deliver a high profile iconic higher education facility. The UA92 Campus Quarter will be established on the site of the former Kellogg's office on Brian Statham Way and support the delivery of significant economic benefits to the Stretford area, creating new jobs and attracting a diverse mix of students from across the UK and internationally. This will provide a step change in the regeneration of the Stretford area.
- 1.3 Integral to the vision for UA92 and regeneration of Stretford is the development of new, high quality, purpose built student accommodation. It is critical to the success of UA92, as it forms an essential part of the student offer, and will also play an important role in minimising any potential implications for the local housing market.
- 1.4 The redevelopment of Stretford to deliver UA92 requires comprehensive large scale development and land assembly to regenerate the area and deliver the step change required to ensure it becomes a successful new higher education facility. The regeneration of Stretford will also enable the delivery of other development opportunities, identified in the Stretford Masterplan, creating further economic and housing growth. The significant economic, social and community benefits that will be delivered through these regeneration proposals are set out in the Refreshed Stretford Masterplan.
- 1.5 In October 2017 the Executive approved in principle the use of CPO powers to enable the development of student accommodation associated with UA92. This identified nine plots of land in Stretford Town Centre for the delivery of circa 1,700 beds of student accommodation to be brought forward in phases from September 2019. Following public consultation feedback on the draft Refreshed Stretford Masterplan the proposals for student accommodation in the Town Centre are being revised to deliver a lower density scheme of a scale more appropriate to its surroundings. Therefore an alternative site is required to deliver a first phase of student accommodation in September 2019 to support the opening of UA92 and house the year one intake.
- 1.6 This report sets out the proposals for the first phase of student accommodation, how this will be delivered, and seeks approval for the potential use of compulsory purchase powers if land cannot be acquired through agreement.

## **2.0 Student Accommodation Phase 1 Scheme**

- 2.1 The projected number of students attending UA92 is predicted to be 650 at year one (September 2019), increasing to a maximum roll of 6,500 by 2028. The Council is committed to ensuring that a minimum of a third of students are accommodated in new, purpose built accommodation.

- 2.2 It is proposed to develop the first phase of student accommodation at the Charlton House site, situated 300 metres from the new UA92 Campus Quarter on the former Kellogg's office site. Development at this location will bring a prominent gateway site and vacant office block back into an active use and support a positive contribution to the A56 streetscape. The development will not only generate jobs during the construction period, but will also support local employment directly in the new facilities and generate additional spend in the local area.
- 2.3 The proposed phase 1 scheme subject to this report will deliver circa 140 beds of student accommodation to support UA92 in year one. An indicative layout is attached as Appendix 2. The Council is actively pursuing alternative options to provide the additional 160 beds required for 2019. Further masterplanning work will be undertaken on the Lacy Street site to take account of consultation feedback received to date and identify a proposed scheme for future phases of student accommodation alongside key worker housing in Stretford Town Centre, opening in phases from September 2020.

### **3.0 Existing Uses and Negotiations to Date**

- 3.1 The phase one student accommodation development site encompasses the vacant Charlton House eight storey office block and associated surface car parking. The property also includes an empty plot with the potential for redevelopment for student accommodation for phase two in 2020.
- 3.2 The Council has previously engaged directly with the land owners of the Charlton House site to seek to acquire it by agreement. JLL have now been appointed to open formal negotiations for acquisition by agreement in advance of any potential CPO. At the point of publication of this report an offer has been made for Charlton House, which is being considered by the owners.

### **4.0 Development Programme**

- 4.1 The Council has entered into discussions with a potential preferred delivery partner to bring forward the development of student accommodation. A full business case in relation to the proposed arrangements is being developed which will be independently reviewed for the Council by CBRE, our investment advisers. The Council is also securing legal advice in relation to the procurement position in relation to the proposed arrangements.
- 4.2 It is proposed to bring forward a full planning application for the Charlton House site to convert the existing building into the first phase of student accommodation.

### **5.0 Relevant Planning Policy**

- 5.1 The Executive approved the Refreshed Stretford Masterplan, which identified the Charlton House site for new residential or commercial development, in January 2018. The Refreshed Stretford Masterplan is a non-statutory planning guidance document to inform the development of planning policy, guide investment and development, and provide clear advice to people wanting to develop in the area. It will be used by the Council as a material consideration when determining applications for planning permission and other related matters.
- 5.2 The Charlton House site is identified as important gateway (E8) along the Gorse Hill/Old Trafford section of the A56 in the adopted A56 Supplementary Planning

Document (SPD) (March 2007). The A56 SPD sets out how the Council will enable improvements on this important sub-regional route that runs the full length of the Borough, and passes immediately in front of the Charlton House site. The SPD states that new development on such sites should consider:

- Views and vistas: development should seek to protect and frame existing views and landmark features should be created on corner sites along the A56.
- Gateways: development at identified 'gateways' should provide higher quality and more distinctive architecture. Higher density and taller buildings may be appropriate.
- Scale and massing: within town centre boundaries and at identified gateway sites buildings of a larger scale and mass may be appropriate.

5.3 In December 2017 the Council made an Article 4 Direction to enable it to limit residential properties in Trafford being turned into Houses of Multiple Occupation (HMO's) and protect existing residential properties. An associated Supplementary Planning Document (SPD) is currently being prepared which, if adopted, would be a material consideration when determining planning applications for changes of use to HMOs and to provide the policy basis on which applications may be refused.

## 6.0 CPO Indemnity Agreement

6.1 The Council is intending to develop the student accommodation with a development partner. Where the Council is pursuing a CPO on behalf of a developer, the Council would seek an Indemnity Agreement to cover any costs incurred in securing the CPO. In this case it is proposed that the Council will be jointly developing and will be self-indemnifying, alongside the proposed partner.

6.2 The projected land acquisition costs are set out in the associated Part II report.

## 7.0 Indicative timeline for the CPO process

7.1 The table below provides indicative timescales in relation to the CPO process:

Report to Executive	26 February 2017
Commence land referencing	February 2018
Prepare drafting Statement of Reasons (SoR)	February 2018
Questionnaire to be sent out	February 2018
Report to Executive seeking formal authority to promote a CPO	March 2018
Submit Order, advertise and send out formal notices to interested parties within Order lands	May 2018

7.2 It is considered that Section 226 (1) of the Town and Country Planning Act 1990 would be the most appropriate power to be used to compulsorily acquire the site.

**8.0 Conclusion**

- 8.1 The Refreshed Stretford Masterplan provides the framework for regeneration and UA92 is the catalyst that provides a step change in its delivery.
- 8.2 The full regeneration benefits of the development of UA92 for Stretford can only be achieved if there is certainty about the delivery of a comprehensive, well designed scheme that provides the appropriate level of high quality and dedicated student accommodation. Therefore a first phase of student accommodation is required by September 2019. The proposed development must be of the highest quality in order to match the aspirations of the Council, its partners and the community of Stretford, and be a catalyst for change.

**9.0 Other Options**

- 9.1 The Council could choose not to use CPO powers to deliver the regeneration of this site, requiring land to be assembled through agreement. This could significantly delay the development if agreement cannot be reached, preventing the delivery of student accommodation and impacting on the timescales to open UA92 and deliver its associated regeneration benefits.

**10.0 Consultation**

- 10.1 The Council undertook a formal ten week public consultation on the draft Refreshed Stretford Masterplan from 10 October 2017. The Refreshed Stretford Masterplan was updated to reflect the feedback received and approved by the Council Executive in January 2018. Development proposals, as set out in this report, will be subject to planning permission, and will be consulted on in the usual way.

**Reasons for Recommendation**

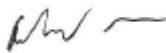
The Executive is asked to approve in principle the use of CPO powers to enable the development of the first phase of student accommodation associated with UA92 at the Charlton House site and to deliver regeneration in Stretford.

**Key Decision** Yes

**If Key Decision, has 28-day notice been given?** No.

Finance Officer Clearance NB.....  
 Legal Officer Clearance JLF.....

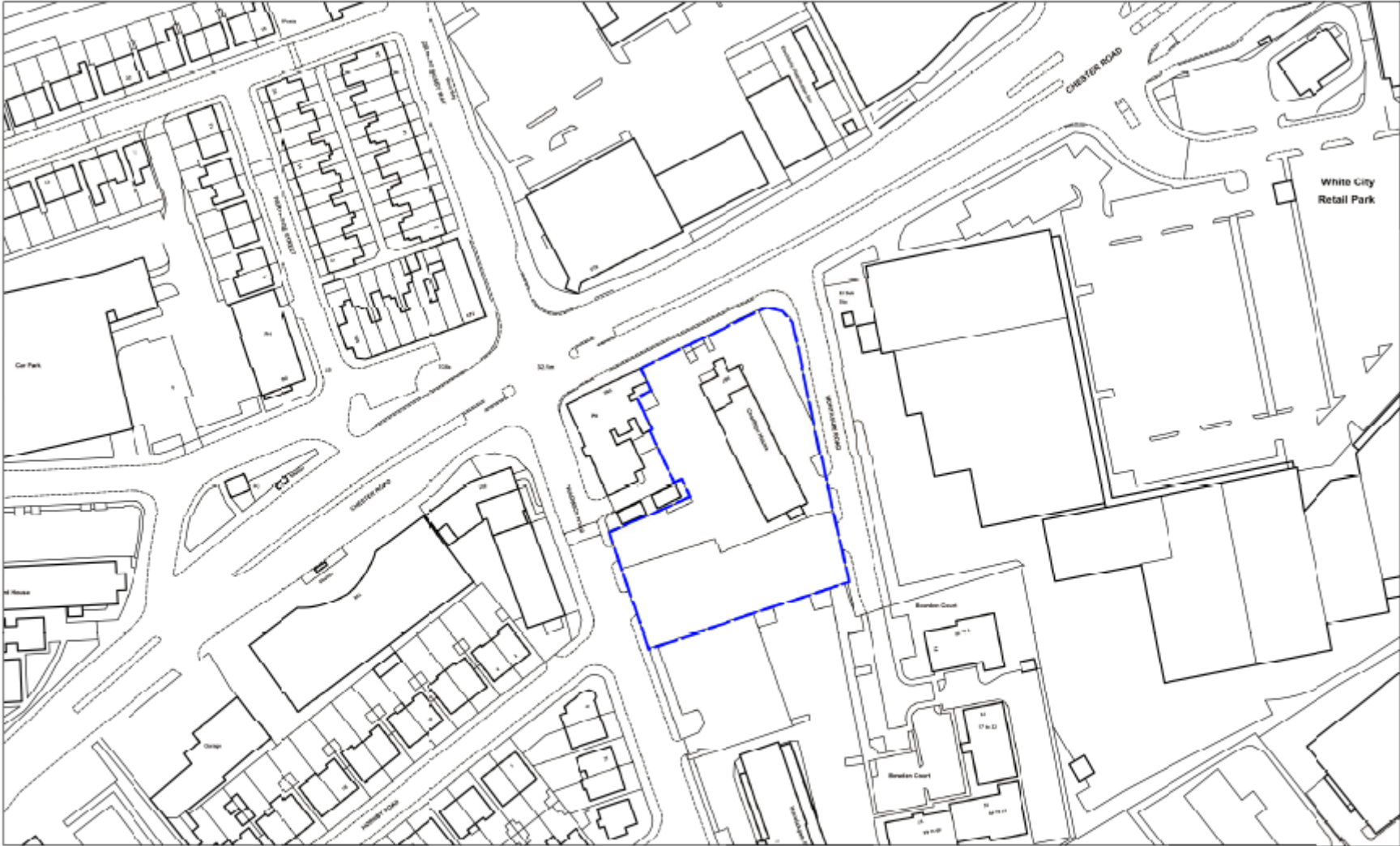
**DIRECTOR’S SIGNATURE**



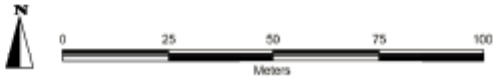
To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.



Appendix A: Site Plan



**Key**  
 Charlan House + Adjoining land

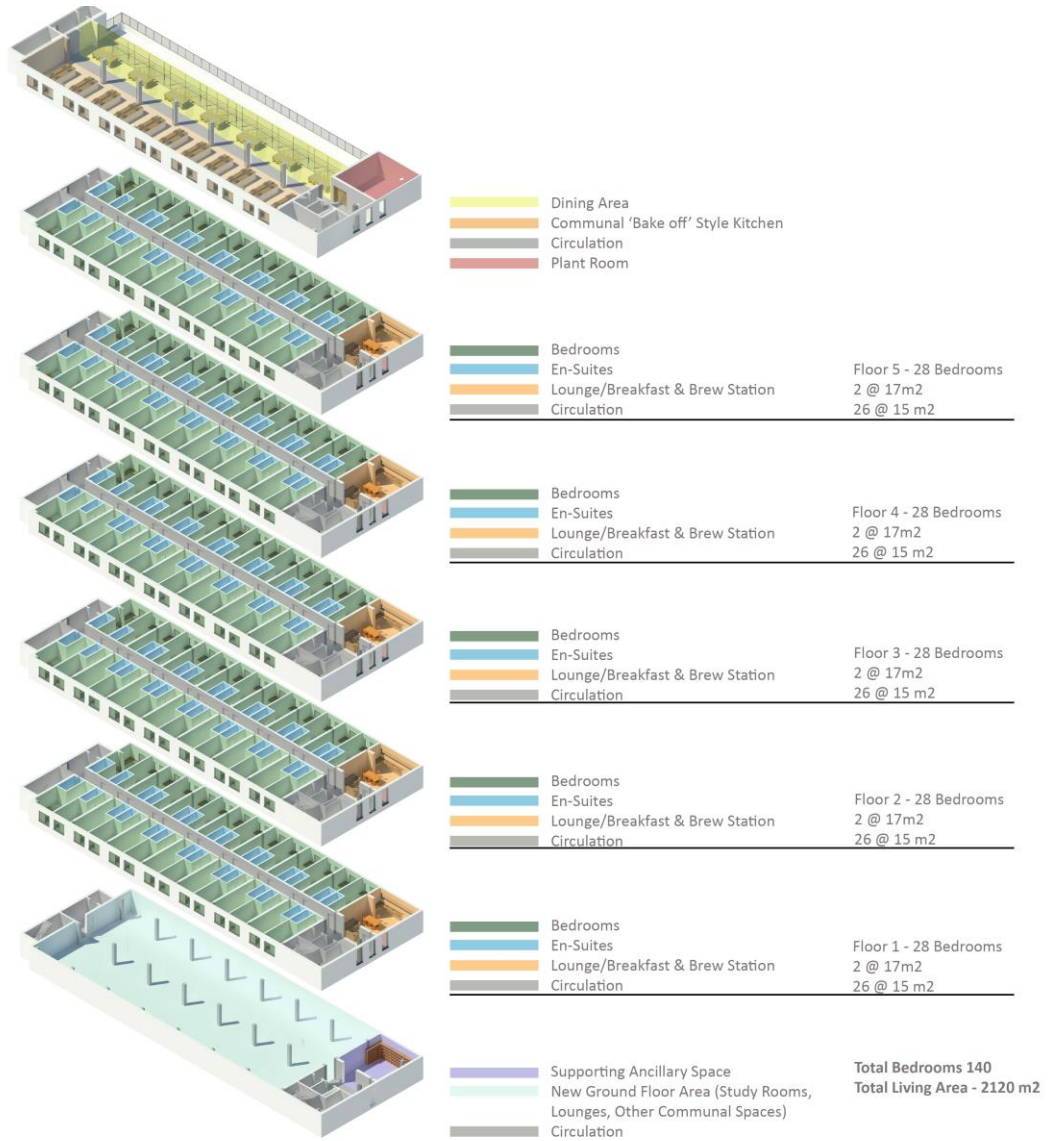


Scale: 1:1,000

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 Scale: 1:1000 @ A3  
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 Ordnance Survey 100023172.



# Appendix B: Indicative Layout



## University Academy 92 | Stretford, Greater Manchester

