

TRAFFORD COUNCIL

Report to: Executive
Date: 24th June 2019
Report for: Decision
Report of: Executive Member for Housing and Regeneration

Report Title

Trafford Civic Quarter Update

Summary

This report provides an update on the consultation carried out to date on the Civic Quarter Masterplan and the reasons for the proposed changes to its status from a Supplementary Planning Document to becoming an Area Action Plan; and seeks approval for its preparation on that basis. The report also proposes a revision to the boundary of the Civic Quarter area and seeks in principle approval for the use of the Council's compulsory purchase powers to support delivery of the Area Action Plan proposals if required.

Recommendation(s)

It is recommended that the Executive:

- 1) Notes the consultation feedback on the draft Civic Quarter Masterplan Supplementary Planning Document.
- 2) Notes the legal advice that the Council should not proceed with adopting the Civic Quarter Masterplan as a Supplementary Planning Document.
- 3) Approves the preparation of an Area Action Plan (The Civic Quarter Plan) as a Development Plan Document and its inclusion in a revised Trafford Local Development Scheme.
- 4) Approves the extension to the boundary of the Area Action Plan area.
- 5) Approves the in principle support for the making of a compulsory purchase order under section 226 of the Town and Country Planning Act 1990 to enable the redevelopment and regeneration of the Area Action Plan area.
- 6) Delegates authority to the Corporate Director of Place 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 compulsory purchase order, as if such compulsory purchase order had been confirmed.
- 7) Delegates authority to the Corporate Director of Place, in consultation with the Corporate Director of Governance and Community Strategy, to consider alternatives to the use of compulsory purchase powers.

Contact person for access to background papers and further information:

Name: Rebecca Coley (Head of Planning and Development)
 Stephen James (Head of Strategic Growth)
 Mike Reed (Strategic Growth Manager)

Extension: x4788
 x4330
 x 4924

Background Papers: None

Appendices:

Appendix 1: Draft Civic Quarter Area SPD

Appendix 2: Proposed boundary of Civic Quarter Plan area

Implications:

Relationship to Policy Framework/Corporate Priorities	The Civic Quarter Plan will support the delivery of the Council’s Corporate Plan (2019), including the priorities Building Quality, Affordable and Social Housing, Health and Wellbeing, and Successful and Thriving Places. The final Area Action Plan will be an adopted Development Plan Document which will sit alongside the Trafford Local Plan. Furthermore the Area Action Plan will form an important component in the delivery of the Refreshed Stretford Masterplan vision.
Relationship to GM Policy or Strategy Framework	At a GM level the Civic Quarter Plan will support the growth ambitions articulated within the emerging Greater Manchester Spatial Framework and the GM Strategy. Specific proposals within the Area Action Plan will be developed in the context of the GM 2040 Transport Strategy, GM Congestion Plan, and Made to Move walking and cycling plan to identify improvements tackling traffic congestion, promote sustainable modes of travel and better integrate transport and new developments.
Financial	The costs associated with the production of the Civic Quarter Plan, including associated consultations, are expected to be funded from the Joint Venture between the Council and Bruntwood.
Legal Implications:	The Council will need to undertake all the steps as set out in the report. Legal will support both the production of the Area Action Plan and the progression of any CPO.
Equality/Diversity Implications	The Council has completed an independent Economic Impact Assessment as part of the Refreshed Stretford Masterplan which set out the outcomes that could be achieved. An Equalities Impact Assessment has been carried out. This has concluded that there would be a neutral

	impact on protected groups from these proposals. Further assessments will be completed as part of the process to prepare the Area Action Plan.
Sustainability Implications	The Civic Quarter Plan will contain policies with relevance to sustainability principles that new development would be in accordance with.
Resource Implications e.g. Staffing / ICT / Assets	Existing resources have been identified to support the delivery of the Civic Quarter Plan and related activity across all the partners.
Risk Management Implications	The delivery of the Civic Quarter Plan will be 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, in partnership with Bruntwood and Lancashire Cricket Club (LCC), appointed Feilden Clegg Bradley, Planit-ie and How Planning in February 2018 to produce a Civic Quarter Masterplan for the revitalisation of the Civic Quarter area.
- 1.2 Securing the successful regeneration of Stretford/Old Trafford has been a long-standing priority for the Council. The Civic Quarter area occupies a strategic position in the borough being in close proximity to both Manchester City Centre and MediaCityUK with excellent transport links. Building on the existing major assets of the area, it provides an opportunity to act as a catalyst for the regeneration and renewal of Trafford's northern area.
- 1.3 With circa 2.5 million visitors per year to Manchester United Football Club and 500,000 to LCC, the Civic Quarter and surrounding area is the most visited place in the borough. It also contains several important civic functions and community facilities such as Trafford Town Hall, Trafford College and Stretford Leisure Centre. However, the area is fragmented by a number of large footprint single uses with little pedestrian permeability and a significant opportunity exists to improve the visitor experience for its sporting attractions, and to create a vibrant neighbourhood for existing and new residents.
- 1.4 The Refreshed Stretford Masterplan was approved by the Council in January 2018 as its strategy for securing the transformation of Stretford Town Centre and the surrounding area. It set out the opportunities for further development of the Civic Quarter area to take full advantage of the proposals to establish University Academy 92 (UA92), providing a new higher education facility in the Stretford area, and maximise the potential of existing assets. The work progressed to date on the Civic Quarter Masterplan further develops the specific aspirations for the Civic Quarter area in accordance with the principles of the Refreshed Masterplan.
- 1.5 In order to provide additional expertise and to mitigate potential risk the UA92 building and campus is being delivered through a joint venture arrangement (JV) between the Council and Bruntwood. The JV has been established on a 50:50 basis on commercial terms and is currently delivering the refurbishment of the UA92 building. The JV arrangements will also provide the basis of a delivery mechanism for development across the wider Civic Quarter area.

2.0 Draft Civic Quarter Masterplan Supplementary Planning Document Consultation Update

- 2.1 The draft Civic Quarter Masterplan Supplementary Planning Document (SPD) – see Appendix 1 – and its accompanying Strategic Environmental Assessment - were subject to public consultation for a period of seven and a half weeks from 30th October to 21st December 2018.
- 2.2 On commencement of the public consultation a letter was delivered to over 19,000 residents in the Clifford, Stretford, Longford and Gorse Hill wards. Consultation material was made available online in addition to information at Old Trafford and Stretford Libraries, Trafford Town Hall and Sale Waterside. A questionnaire was created to capture feedback on the Masterplan and available online and in hard copy at the locations listed above and consultation events.

- 2.3 Two public consultation events were held on 6th November 2018 and 11th December 2018 between 6.00pm and 8.00pm, one at Trafford Town Hall and one at LCC. The events comprised a 'round table' format to encourage discussion and increase understanding of proposals. Attendees had the opportunity to ask questions at the public consultation event and were directed to submit any comments via the online survey, by post to Trafford Town Hall or by email to the Civic Quarter Masterplan inbox.
- 2.4 In total there were 106 attendees across the two public consultation events with 297 responses received to the questionnaire, and a further 49 separate responses received via email or post.
- 2.5 A summary of the key themes and feedback received during the consultation is set out in Table 1 below:

Table 1: Summary of Feedback

Theme	Feedback Received
Scope and contents of the Draft Civic Quarter Masterplan SPD	<p>There was broad support for the potential for the SPD to support increased investment to the area and help create a greater sense of identity.</p> <p>There were some concerns that the proposals within the SPD would impact negatively on the potential for regeneration in Stretford Town Centre and that the proposals need to demonstrate how they would benefit local residents.</p> <p>It was suggested that the boundary of the SPD could be extended to include surrounding areas and there is a need to ensure proposals support development and improvements in the wider area.</p> <p>Some respondents raised concerns in relation to proposed building heights, massing and the scale of development proposed across the Civic Quarter area.</p> <p>There were some queries as to the validity of an SPD for the scope of change sought and whether given the proposed policies and allocations within the SPD it should form a Development Plan Document.</p>
<i>Public Realm and Movement</i>	<p>There was general support for public realm improvements and better cycling and pedestrian accessibility.</p> <p>It was noted that public realm proposals need to be well designed and well maintained to ensure existing issues of littering and anti-social behaviour are managed effectively.</p> <p>There are some concerns in respect of the proposed traffic impacts on Talbot Road and the surrounding highway network. The impact of the proposed pedestrianised processional route on access to existing properties was also questioned.</p>

	<p>The potential impact on air quality due to increased traffic congestion and possible conflict between vehicles and pedestrians/ cyclists with proposed shared surface along Talbot Road was raised as a concern.</p> <p>There were some queries in relation to the potential negative impacts on traffic flows if a multi-storey car park were provided within the Civic Quarter area.</p>
<i>Town Hall Quarter</i>	<p>It was suggested that further consideration should be given to the impact on the setting of the listed Town Hall and specific policy to ensure its protection.</p> <p>There were comments in relation to the need for a maintenance plan to deal with existing issues such as litter and anti-social behaviour.</p>
<i>Leisure Quarter</i>	<p>Some concerns were raised in relation to the need to ensure public access is retained for local residents and therefore provide an enhanced facility to cater for increased use by students.</p> <p>Any new leisure centre should be accessible to all end users, including people with disabilities, maintain existing prices and ensure better connections to the Metrolink stop and public transport.</p> <p>There were some suggestions that any new leisure centre should be relocated to Stretford Town Centre.</p>
<i>Campus Quarter</i>	<p>A number of responses expressed concern about the potential risk associated with UA92 and its long term viability.</p> <p>There were some concerns about increased noise levels, impact to residential amenity and the need to ensure benefit to local residents.</p> <p>It was suggested that the campus, supporting facilities and associated open spaces should be accessible to the general public.</p>
<i>Commercial Quarter</i>	<p>There were some comments that the proposed building heights in this area are too high.</p> <p>Some concerns were expressed around the potential for negative impacts on the performance of Stretford Town Centre and existing heritage assets at White City as a consequence of the development proposed.</p> <p>A number of respondents requested that the proposals should look to resolve the existing access and parking issues at White City Retail Park.</p>

Scale and Massing	Respondents raised concerns in relation to proposed building heights, massing and the scale of development proposed across the Civic Quarter area.
Local Services and Infrastructure	A number of comments were received in respect of capacity issues for existing infrastructure and services and the specific requirements for development of the scale proposed in the area.

2.6 During the SPD consultation process, there were a number of serious concerns raised by local residents with regards to problems being faced in terms of car parking and access, litter, anti-social behaviour and the general state of the local area. The Council and One Trafford Partnership, working closely with local Members other key stakeholders, aims to address these issues through the production of a comprehensive Neighbourhood Management Plan for the local area.

3.0 Proposed Civic Quarter Plan

3.1 Following the consultation exercise on the draft Civic Quarter Masterplan SPD, the Council received legal advice which identified that if the Masterplan was to include development management policies and parameters plans, any adopted SPD would be at risk of successful legal challenge which would lead to a decision to adopt the document being quashed. In light of the legal advice and to enable the Council to achieve its objectives and ambitions for the Civic Quarter area, it is therefore proposed that the most appropriate and robust route, in planning terms, would be to produce a document for adoption as a Development Plan Document as part of the Local Plan, rather than an SPD. This would be in the form of an Area Action Plan, herein referred to as the Civic Quarter Plan (CQP). The Council's legal advice has confirmed an Area Action Plan would be a lawful and appropriate way of adopting the document whilst broadly retaining its current scope.

3.2 An Area Action Plan can be produced to set out area-specific vision and planning policy for areas within a wider Local Plan area where it is anticipated that significant change is likely to take place. Its status as a Development Plan Document falls under the legislative framework established by the Planning and Compulsory Purchase Act 2004 and the Regulations made under that Act, namely the Town and Country Planning (Local Planning) (England) Regulations 2012. As part of the Local Plan, once adopted, the CQP will be the starting point for the determination of relevant planning applications.

3.3 The first stage in the adoption process for the CQP is to give notice of intent to prepare a Development Plan Document in accordance with Regulation 18 of the above Regulations. It is therefore proposed to give notice that the Council is proposing to prepare an Area Action Plan for the Civic Quarter area which will form part of Trafford's Local Plan.

3.4 The process for preparing the CQP will need to be supported by a full Strategic Environmental Assessment and Integrated Assessment, including a thorough assessment of all the realistic options for the distribution of land uses in the CQP area. It will also need to consider viability matters as per any other Development Plan Document. The production and adoption of the CQP will be required to follow the stages below (indicative timeframes are identified):

Stage of adoption process	Indicative Timescale
Approval of Consultation Draft CQP (Regulation 18) by Executive	October 2019
Public Consultation	November / December 2019
Consideration of consultation responses and review of document	January – July 2020
Approval of Publication Draft CQP (Regulation 19) by Full Council	July 2020
Public consultation	September / October 2020
Consideration of consultation responses and review of document	November- December 2020
Submission to Planning Inspectorate (PINS) for Examination	January 2021
Examination in Public (EIP)	March 2021*
Adoption of CQP by Full Council	July 2021*

[Note: these dates depend on the capacity of the Planning Inspectorate to timetable an Examination in Public in a timely manner which is outside the Council's control.]

- 3.5 The draft Civic Quarter Masterplan SPD and work completed to date will provide the basis for the preparation of a Consultation Draft CQP for consultation in late 2019. All consultation feedback received to date will also be taken into account. The costs of producing the CQP will be covered by the Joint Venture between the Council and Bruntwood.
- 3.6 The Council's Local Development Scheme sets out the programme for the preparation of new planning policy documents and must specify which Local Development Documents are to be Development Plan Documents; the subject matter and geographical area to which they relate; and the timetable for preparation and revision of the Documents .and other matters. The scope and broad timetable for production of the CQP will therefore be included in a revised Local Development Scheme and published on the Council's website.

Proposed Boundary

- 3.7 It is proposed that the boundary for the CQP is extended from the boundary used for the Civic Quarter Masterplan SPD to include, on the north side of Talbot Road, the current Greater Manchester Police (GMP) data centre site, the Audi storage facility and the bingo hall, as well as land to the south of Talbot Road in this area, including the cleared site at 39 Talbot Road and the Trafford Hall Hotel (see Appendix 2). The boundary would therefore extend to the junctions of Talbot Road with Chester Road and Seymour Grove. The Metrolink line would remain as the southern boundary of the CQP area.

- 3.8 The extension to the boundary will ensure that the CQP is better future-proofed to include a site with significant development potential in terms of the GMP site (to which consultants have recently been appointed to assess), would assist with viability testing, and would extend and consolidate the area of heritage protection to include further non-designated heritage assets such as the Trafford Hall Hotel. It also provides for a more natural boundary to the area around Trafford Bar Metrolink stop.
- 3.9 It is intended to commission a masterplan for the Wharfside area, in partnership with key public and private sector stakeholders; therefore this area is not included in the CQP boundary but will link to it. In the longer term the aim is to produce a wider overarching strategic regeneration framework to include the CQP, Wharfside and the Trafford Bar to Cornbrook area; the exact boundary of which is to be determined.

4.0 Compulsory Purchase Order

- 4.1 The CQP will identify sites for development, some of which are in private ownership. The full socio-economic benefits of the AAP can only be achieved if there is certainty about the delivery of a comprehensive regeneration scheme that provides the appropriate development of the right type in the right place.
- 4.2 The Council will act proactively to work with the private sector to deliver new development. Where required, the Council will also seek to assemble land to ensure the delivery of the identified opportunities and use its compulsory purchase order (CPO) powers where necessary. This report therefore seeks approval for the in principle use of CPO powers if land cannot be acquired through agreement, subject to further approval(s).
- 4.3 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. On sites in the Civic Quarter where it is proposed that the Council will be jointly developing, it will self-indemnify as part of the Joint Venture or alongside any other proposed partner.
- 4.4 At this stage 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 potential sites.
- 4.5 The next step will be to identify sites through the preparation of the CQP. The plan attached at Appendix Two identifies the proposed CQP area but it is worth noting that the boundary could be subject to change through the development of the Area Action Plan.
- 4.6 Once a site(s) is identified, then a report will be drafted seeking delegated authority to take all steps necessary to enable a compulsory purchase order to be made including but not limited to:
- 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;
 - the entry onto land for the purpose of carrying out surveys pursuant to section 172 of the Housing and Planning Act 2016;
 - the preparation of a draft statement of reasons;
 - the preparation of a draft Order and Order Schedule; and

- 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.

4.7 Before any CPO is made, a further detailed report will be drafted seeking authority for the making of an order which will address a number of issues including:

- 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;
- that the Scheme(s) complies with planning policy and the CQP;
- 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;
- that the Scheme(s) will contribute to the promotion or improvement of the economic and/or social and/or environmental well-being of the local area;
- that the Scheme(s) are viable and that there is a reasonable prospect that the Scheme can be implemented within a reasonable timescale;
- that agreements have been entered into with a private sector partner that provides for the delivery of the Scheme(s) 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;
- that there are no physical or legal impediments to the Scheme(s) proceeding;
- that all reasonable steps have been taken to acquire land and rights over land needed to deliver the Scheme(s) by negotiation and voluntary agreement;
- that alternatives to the use of compulsory purchase powers have been considered; and
- that the compulsory acquisition would not infringe the Council's equality duty.

5.0 Wider Corporate Links

5.1 The CQP will be consistent with the Council's Corporate Plan (2019) and the Trafford Economic and Housing Growth Framework (2018). The CQP will sit alongside the Trafford Local Plan and, within its boundary only, will supersede the policies of the current adopted Core Strategy.

5.2 At a GM level, it will support the growth ambitions articulated within the emerging Greater Manchester Spatial Framework and the GM Strategy. Specific proposals within the AAP will be developed in the context of the GM 2040 Transport Strategy, GM Congestion Plan, and Made to Move walking and cycling plan to identify improvements tackling traffic congestion, promote sustainable modes of travel and better integrate transport and new developments.

6.0 Other Options

6.1 The Council could continue to progress the proposals for the Civic Quarter area as an SPD. However legal advice received has outlined that that this would be open to challenge and the scope and content proposed for the area is more appropriate as an Area Action Plan.

- 6.2 Other options are not to prepare the CQP or to prepare a different strategy. The continued absence of an overarching framework for the delivery of development in the Civic Quarter area will not provide the Council with a strategic context within which to make decisions on future development in support of its priorities for economic growth and development. The adoption of the CQP will enable the Local Planning Authority to give it significant weight in the determination of planning applications and any potential CPO process, which will mean the document can meaningfully influence and shape development activity in the area.
- 6.3 The CQP will become part of the existing Trafford Local Plan. To incorporate it into the emerging Local Plan would have too much risk of delay as this document is reliant on the production of the Greater Manchester Spatial Framework.

7.0 Consultation

- 7.1 It is recognised that regular engagement and consultation feedback is essential to identify what is important to partners and the community and to inform the delivery of the proposals for the Civic Quarter area.
- 7.2 The preparation of the CQP will take into account all feedback received to date on the draft Civic Quarter Masterplan SPD. Once prepared, the Council will undertake a formal public consultation on the Consultation Draft CQP in line with the Council’s published Statement of Community Involvement and the Local Plan Regulations (2012). The consultation process will provide an opportunity to further involve all interested parties, including local people, businesses and key stakeholders in the development of the proposals and establish the views of the community and other key stakeholders. The Strategic Environmental Assessment will also be consulted on alongside the AAP.
- 7.3 A specific consultation strategy will be prepared for the CQP consultation process which conforms with the Council’s Statement of Community Involvement. The Council will consider all comments and representations made and use them to inform necessary changes to the draft CQP and accompanying documents prior to preparation of the Publication Draft CQP. Following the publication of the Draft Plan, it will be submitted to the Secretary of State for Independent Examination. Statutory consultation and adoption statements will be produced as and when required by Regulations.

Reasons for Recommendation

The Executive is asked to approve the preparation of a Civic Quarter Plan, as an Area Action Plan and the in principle use of compulsory purchase powers, to enable delivery of the comprehensive regeneration of the Civic Quarter Area to benefit residents, businesses and visitors.

Key Decision Yes

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

Finance Officer Clearance PC.....
 Legal Officer Clearance TR.....

DIRECTOR'S SIGNATURE

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