

TRAFFORD COUNCIL

Report to: Planning and Development Management Committee
Date: 11 November 2021
Report for: Decision
Report of: Head of Planning and Development

Report Title

Civic Quarter Area Action Plan – Submission and Examination Stage

Summary

The Council completed consultation on the Publication draft of the Civic Quarter Area Action Plan, 'CQAAP' (Regulation 19) during January to March 2021. Following two earlier rounds of consultation on the Council's proposals for the Civic Quarter, this latest consultation was focussed on the 'soundness' of the CQAAP and its legal compliance.

The next stage in the process of adoption will be the submission of the CQAAP to the Secretary of State for independent Examination. In March 2021, and following a decision of Full Council, delegated authority was given to the Planning and Development Management Committee to approve and formally submit the CQAAP (together with associated submission documents) to the Secretary of State. These accompanying documents include a schedule of changes ('main' modifications) that officers consider are necessary to make the plan sound and/or legally compliant, and a further list of additional ('minor') modifications that are proposed at this stage.

All will be considered by the independent Inspector appointed to Examine the CQAAP, and further modifications to the CQAAP could arise as part of the Examination process. Adoption of the CQAAP will occur following, and dependent on, the outcome of the Examination.

This report summarises the modifications proposed. There are a number of appendices to this report, including: the Regulation 19 version of the CQAAP; a statement of the main issues raised following the Regulation 19 consultation; a schedule of the schedule of main modifications; and the list of additional (minor) modifications. The Planning and Development Management Committee is respectfully requested to approve the CQAAP and associated submission documents and to authorise formal submission to the Secretary of State.

Recommendation

That the Planning and Development Management Committee gives its approval to the formal submission of the CQAAP (together with associated submission documents, including the Schedule of Main Modifications) to the Secretary of State pursuant to

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Appendices:

Appendix 1: Civic Quarter Area Action Plan Publication Draft (Regulation 19 version)

Appendix 2: Schedule of Main Modifications

Appendix 3: Key plans to accompany Main Modifications

Appendix 4: List of additional (minor) modifications

Appendix 5: Integrated Assessment

Appendix 6: Regulation 18 consultation statement

Appendix 7: Main issues raised at Regulation 19 Stage (including Viability Consultation Responses Report and Schedule of the Council's responses to the main issues raised at Regulation 19 stage)

Appendix 8: Habitats Regulation Screening Assessment

1.0 Background

- 1.1 The Council is preparing the CQAAP to guide development and positive change in this key growth location. The AAP area comprises approximately 55 hectares at the heart of Trafford including the Trafford Town Hall, the international sporting venue of Lancashire Cricket Club, and a number of major redevelopment sites. The Council has identified the Civic Quarter as pivotal in the regeneration of the surrounding area, in particular Stretford and Old Trafford.
- 1.2 The CQAAP is intended to provide clarity and increased certainty about how opportunities for growth and investment can be realised. It establishes a vision, masterplan and strategy for the area's revitalisation over the next 15 (plus) years, to 2037, to create Trafford's newest, greenest and most vibrant neighbourhood for local residents, businesses and visitors.
- 1.3 Once adopted the CQAAP will form part of the Statutory Development Plan alongside the Trafford Core Strategy (adopted in January 2012) and the remaining 'saved' policies of the Revised Trafford Unitary Development Plan (adopted in June 2006). These existing Development Plan documents are becoming increasingly dated and will – in time – be superseded by the emerging Trafford Local Plan. On its adoption the new Greater Manchester 'Places for Everyone' document (formerly the Greater Manchester Spatial Framework and now a plan for nine GM districts) will also form part of the Trafford Development Plan.

2.0 Civic Quarter Area Action Plan, Publication Draft (Regulation 19)

- 2.1 Earlier this year the Council published the final draft of its CQAAP (known as the Publication or Regulation 19 version). It underwent a period of statutory consultation between 20 January and 5 March 2021 (and this followed two previous rounds of consultation on the proposals for the Civic Quarter). The document that was consulted upon is appended to this report (Appendix 1), along with the accompanying CQAAP Integrated Assessment (Appendix 5). Both documents were approved for consultation by the Council's Executive at its meeting of 14 December 2020.

- 2.2 As at previous stages, the latest consultation exercise sought to engage with local residents, local businesses, landowners, key stakeholders, interest groups and statutory and non-statutory consultees. The process was widely advertised including through a letter drop to some 1,700 addresses in the area.
- 2.3 At the time of the consultation's closure, 34 responses had been received (chiefly from local residents and businesses, statutory and non-statutory consultees, and from those representing the key landowners, stakeholders and developers within the Civic Quarter).
- 2.4 In addition to this statutory Regulation 19-stage consultation, the Council has also more recently undertaken targeted consultation on the specific topic of the viability of the CQAAP. This took the form of a virtual seminar which took place on 12 July 2021. There were four attendees at the event and two subsequent written responses.

3.0 Main Issues Raised at Regulation 19 Stage

- 3.1 Consultation by the time of the Regulation 19 stage of a development plan document is more focussed on procedural matters. It was explained in the consultation material ahead of the January 2021 publication that representations were invited chiefly on the 'soundness' of the CQAAP and also on its accordance with legal and procedural requirements. The soundness tests - as set out in the National Planning Policy Framework – are that the document is: positively prepared, justified, effective, and consistent with national policy. This differed from earlier rounds of consultation where more generalised comments on the scope, direction and content of the CQAAP were invited.
- 3.2 A document which identifies the main issues raised during the Regulation 19 consultation is appended to this report (Appendix 7). There is a separate document (appended to the Appendix 7 document) which deals with matters raised on the topic of viability following the dedicated event.

4.0 Civic Quarter Area Action Plan, Submission

- 4.1 The next stage in the process of adoption of the CQAAP will be its submission to the Secretary of State for independent examination. The examination procedure will be led by an appointed Inspector. The CQAAP should not be submitted unless and until the Council is satisfied that it is ready for examination.
- 4.2 It should be noted that the version of a development plan document that is published for consultation at Regulation 19 stage should be the plan that the relevant local planning authority intends to submit to the Secretary of State for independent examination. Proposed *substantive* changes, amounting to a significantly re-worked document and which go beyond *necessary* soundness/compliance adjustments, would need to be pursued via a re-running of Regulation 19 consultation ahead of submission.
- 4.3 Once a development plan document has been submitted for examination, some further changes to a plan can be made, however. This process allows for 'main' modifications to be proposed which are considered necessary to make a plan sound and/or legally compliant. These main modifications should be submitted alongside the Regulation 19 version of the plan and with a formal request by the

local planning authority that they should be considered by the Inspector as part of the examination. Those main modifications subsequently accepted by the Inspector as being necessary to make a plan sound and/or legally compliant would be subject to further public consultation prior to that plan's adoption.

- 4.4 The plan preparation process also allows for additional ('minor') modifications to a plan on its adoption, but only if they do not materially affect a plan's policies. These minor modifications are not subject to the formal examination process.
- 4.5 All representations received at Regulation 19 stage have been carefully reviewed when having regard to the test of soundness and the need for legal/procedural compliance. Whilst seeking to resolve as many outstanding issues as possible, officers have nonetheless been mindful of the implications of substantively altering the plan after Regulation 19 stage, and have also sought to utilise the main modification and minor modification practices where that would be beneficial. This review work has been overseen by Counsel, appointed to assist the Council throughout the submission and examination process. A schedule which summarises the Council's response to the main issues raised following the Regulation 19 consultation is included within Appendix 7 document).

5.0 Main Modification

- 5.1 When having regard to the responses received at Regulation 19 stage, officers have concluded that one main modification is required in order to make the plan sound. This main modification, for which there would then follow a number of knock-on changes, relates to Policy CQ1 (Civic Quarter Regeneration) and its supporting content. The purpose of this policy – the first in the document – is to set the basis for the preceding CQAAP vision and to establish expectations regarding appropriate forms of development. It is accompanied by three parameter plans which cover: land uses, building height parameters, and improved permeability and greenspace. The extent of the changes, in totality, materially affect Policy CQ1 - it is considered - and thus they are proposed as a main modification. They do not, however, exceed the scope of a main modification since they do not change the spirit of the policy (or the essence and vision of the CQAAP as a whole) and are intended to address 'soundness' concerns.
- 5.2 In summary, the changes proposed to Policy CQ1, in their entirety, are chiefly intended to ensure that this leading policy is as effective as possible in delivering the vision and aspirations of the CQAAP. The overriding purpose of the CQAAP – to achieve large scale redevelopment and to deliver a regenerated neighbourhood – is now proposed to be identified at the outset in the policy's supporting text. Furthermore, the adjustments are aimed at reinforcing the Civic Quarter's unique attributes and maximising their ability to drive wholesale change. In this respect, a key focus of the renewed Policy CQ1 is the opportunity afforded by the presence of Lancashire County Cricket Club (LCCC), as well as the adjacency of Manchester United Football Club, to secure a renewed tourism and visitor identity for the Civic Quarter. A number of the proposed changes to Policy CQ1, including to the policy itself, to the supporting text, and to the accompanying parameter plans, are intended to reinforce LCCC as a Civic Quarter asset and to protect its role and function in the development of adjacent sites. In addition, the changes are designed to afford greater flexibility in the future development of certain sites which could impact upon these objectives, including the vacant B&Q site to Great Stone Road and the existing Stretford Leisure Centre. This need for a degree of flexibility – in land use terms – has also been given to other key sites

within the Civic Quarter (including White City Retail Park and the vacant British Gas headquarters on Talbot Road). In proposing these particular changes (as a main modification), the Council has sought to respond to matters raised in representations made on behalf of LCCC, as well as Derwent Estates and Centrica. The changes are reproduced in full in the main modification schedule contained at Appendix 2 and supported by the key plans contained at Appendix 3.

6.0 Additional Modifications

- 6.1 A series of other additional or 'minor' modifications have been drafted, and these are shown in the list contained at Appendix 4. These have been identified in the interests of ensuring consistency within the rest of the CQAAP's contents, for the purposes of clarification or update (for example, where national policy has changed), or to respond to matters raised in representations which affect the content of the plan (including its policies) but in non-material terms.

7.0 Habitat Regulations Screening Assessment

- 7.1 The absence of a Habitats Regulations Screening Assessment (to determine whether the CQAAP is likely to have a significant effect on a European site or a European off-shore site (in ecological terms)) to support the preparation of the CQAAP was identified. However, the process has now been undertaken, via the Greater Manchester Ecology Unit (GMEU), and it has been concluded that no significant effect is anticipated. A copy of the GMEU response is appended to this report (Appendix 8).

8.0 Recommendation

- 8.1 It is recommended that the Planning and Development Management Committee gives its approval to the formal submission of the CQAAP (together with associated submission documents, including the Schedule of Main Modifications) to the Secretary of State pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.