

TRAFFORD COUNCIL

Report to: Executive
Date: 04 March 2013
Report for: Decision
Report of: Executive Member for Economic Growth and Prosperity

Report Title

DESIGNATION OF TRAFFORD PARK BUSINESS NEIGHBOURHOOD AREA

Summary

This report relates to the application by the Trafford Park Business Neighbourhood Management Board for the designation of Trafford Park as a Business Neighbourhood Area in line with the Localism Act 2011.

It details the consultation that has been undertaken, a summary of the representations received together with the implications of making the designation and provides.

Recommendation(s)

That the Executive:

1. Note the consultation process undertaken, the representations received and the Council's response to them.
2. Approve the application for designation of the Trafford Park Business Neighbourhood Area.

Contact person for access to background papers and further information:

Name: Rob Haslam (Interim Strategic Planning Manager) Ext: 4788.

Background Papers:

- None.

1.0 Background

1.1 In July 2011, Trafford Park was identified by the Department for Communities and Local Government (CLG) as a frontrunner for a new Business Neighbourhood Plan process. A Shadow Management Board (hereby known as The Board) comprising key landowners, developers and businesses, alongside the Greater Manchester Chamber of Commerce and Trafford Council was established to lead the creation of a Business Neighbourhood in Trafford Park.

1.2 The Board identified a series of **Success Criteria** that includes:

- Consolidating current growth and realising potential increase in estimated 10,000 new jobs in the area

- reduction in the void rates of empty units
- an increase in economically productive floor space
- ensuring companies' skills needs are met working with the LEP and the initiatives announced through the Deal for Cities to have an employer-led focus on skills
- increased apprenticeships to companies in the Park
- the establishment of at least one simplified planning zone
- the delivery of the Trafford Park Metrolink extension
- Improvements to the speed of determining planning applications
- Creation of a voice for Trafford Park

1.3 In its submission, the Board suggests that the designation of the Business Neighbourhood Area will help to meet these objectives by raising the profile of the area which could lead to the formal designation of a Trafford Park Business Neighbourhood Forum

2.0 The Proposed Trafford Park Business Neighbourhood Area

2.1 On 10th December 2012, Trafford Council received an application from the Trafford Park Business Neighbourhood Shadow Management Board for the designation of Trafford Park as a Business Neighbourhood Area (see Appendix B).

2.2 The proposed area lies wholly within the Borough of Trafford, although it borders the Cities of Salford and Manchester to the north and east. Appendix A details the proposed extent of the Trafford Park Business Neighbourhood area. The boundary runs along the Manchester Ship Canal to the north, the M60 to the west, the edge of Stretford to the south and the main railway line to the east.

2.3 The Board states that the boundary has been carefully drawn to include all businesses within Trafford Park and exclude any fringe residential areas or sites in non-business use (e.g. Barton Clough Primary School and Lostock Park). This is to ensure that the primary purpose of the Business Neighbourhood Area is preserved.

2.4 If designated, this boundary will represent the geographical extent of any Neighbourhood Development Plans or Neighbourhood Development Orders which may be produced for Trafford Park.

3.0 Business Neighbourhood Area Designation

3.1 The formal process of designation is set out in the Neighbourhood Planning (General) Regulations 2012. The regulations detail that first, an application is made to the Local Planning Authority to formally designate a Business Neighbourhood Area (BNA). The application must consist of a map of the BNA, a statement as to why the area is appropriate and a statement that the submitting organisation is 'a relevant body'.

3.2 The Council is then required to publicise the application and put it out for consultation for 6 weeks. This must be done on the Council website and "*...in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area...*" Once the consultation period has ended, and depending on the representations received, the Council can then formally designate the Neighbourhood Area.

3.3 Advice from the Department for Communities and Local Government (DCLG) was that a formal public notice was not required, that it was sufficient to publicise the application on the Council's website and make it available at a venue within the proposed area. This is consistent with the approach that other applicants for neighbourhood area designation have made. However, it was decided that this

application should be advertised by way of a public notice as this would bring it to the wider attention as suggested in the regulations and was a cost effective way of doing so. This is consistent with the way the Council has historically consulted upon statutory planning proposals.

- 3.4 In addition, the proposal was publicised on the Council's website and was available to view at Quay West and Sale Waterside Council offices. A press release was issued to further publicise the application.
- 3.5 The 6 week consultation period on the application for the designation of the Trafford Park Business Neighbourhood Area ran from 17th December 2012 to 28th January 2013.

4.0 Implications of designating a Business Neighbourhood Area

- 4.1 The application that the Council must consider is solely for the designation of a Business Neighbourhood Area in Trafford Park. It is not an application for the designation of a formally constituted Neighbourhood Forum or for a statutory Neighbourhood Plan or Neighbourhood Development Order.
- 4.2 Should the area application be approved, it would allow the Board to submit a subsequent application to the Council for designation as a Neighbourhood Forum and, in turn, they would then have the power to develop a Neighbourhood Plan or Neighbourhood Development Order. This would give the businesses in Trafford Park a measure of control over the development plan process and a mechanism to simplify the development management system within the Business Neighbourhood Area, respectively.
- 4.3 The Trafford Park Business Neighbourhood Shadow Management Board currently has no plans to become a Neighbourhood Forum or to develop a Neighbourhood Plan or Neighbourhood Development Order for Trafford Park. The formal designation of the Business Neighbourhood Forum requires the formalisation of the Board membership to include residents, employees/businesses of the Neighbourhood Area and elected members from the wards which cover the BNA (currently Clifford, Gorse Hill and Davyhulme East).
- 4.4 The designation of the Trafford Park Business Neighbourhood Area is not a commitment to either formally designate a Business Neighbourhood Forum or produce a Business Neighbourhood Plan for Trafford Park, both of which have more significant implications in political and resource terms. If the area application is approved, this will enable the Council to submit a bid for £5000 from the CLG New Burden Fund in March 2013, to cover the costs of designation.

5.0 Consultation Responses

- 5.1 Following the consultation period, there have been two responses to the consultation. Firstly a representation was received from Councillor Mike Cordingley (Gorse Hill ward) which makes a number of points, as set out below:
 - There should be a 'buffer zone' of around 200m between the industrial and residential areas;
 - The boundary should not include the existing Trafford College site on Moss Road as this has a recent planning permission for housing;
 - The Board's success criteria should see greater reference to public transport and improving access to Trafford Park, particularly from surrounding residential areas;
 - there should be specific reference that elected members should include representation from the wards covered by the BNA; and

- That the consultation has not been sufficiently publicised, in particular local community groups should have been consulted directly and households bordering the scheme should have been written to directly.
- 5.2 In response, it is considered that the Neighbourhood Area boundary must be drawn precisely to include business uses and exclude non-business uses. It is considered that the proposal for a buffer zone is reasonable although it would be best incorporated into any Neighbourhood Plan, Neighbourhood Development Order or Simplified Planning Zone that may be produced for the area and which would be subject to further consideration/consultation.
- 5.3 The suggestion that the existing Trafford College site should be excluded from the area is considered in more detail in paragraph 6.8 below.
- 5.4 The request that greater reference be made to Public Transport in the Board's Success Criteria is not a matter for this consultation. However, Officers will pass on this suggestion to the Board for further consideration.
- 5.5 Similarly, the suggestion that Board representation should be extended to include the wards covered by the BNA will be passed on to the Board. It is also considered in some detail in paragraphs 6.4 to 6.6 below.
- 5.6 In response to the request for additional publicity, an additional press release was issued by Trafford Council on the 11 January 2013. It was considered that letters to all residential addresses around the proposed boundary would not have been a cost effective use of Council resources. Further details of the publicity undertaken are set out in paragraphs 3.3 to 3.6 above.
- 5.7 Secondly, a response was received from Tameside Council. They made no formal comments on the proposed boundary, although they welcomed the proposal to extend Metrolink through Trafford Park.

6.0 Assessment of the Proposed Trafford Park Business Neighbourhood Area

- 6.1 To determine whether it is appropriate to designate a Business Neighbourhood Area, the Council must be satisfied:
- i. That the correct material has been submitted in support of the application;
 - ii. That the organisation that has submitted the application is a 'relevant body' for the purposes of section 61G of the 1990 Town and Country Planning Act (as amended);
 - iii. That some or all of the specified area has not already been designated as a neighbourhood area or is within the boundaries of a parish council;
 - iv. That the proposed area is wholly or predominantly business in nature;
 - v. That the proposed boundary for the Business Neighbourhood Area is based on sound planning reasons, including:
 - Whether there are emerging development opportunities (such as major sites, strategic applications) within the proposed neighbourhood area;
 - Local plan and other DPD coverage;
 - consideration of the proposed Neighbourhood Area in spatial planning terms and ensuring that the boundary is logical;
- 6.2 In relation to criterion i., the application included a clear map of Trafford Park showing the proposed boundary and a detailed statement arguing that the designation was appropriate in that it would help to provide a much needed identity to Trafford Park and would enable a unified approach to the growth and development of the area. The

application also included a statement as to why the Board should be considered a 'relevant body' – this is considered in more detail in paragraph 6.4 below.

- 6.3 It is therefore considered that the application was submitted with the correct supporting material as required in Section 5(1) of The Neighbourhood Planning (General) Regulations 2012.
- 6.4 In relation to criterion II., the Board, in its application, argued that they can be considered as a 'relevant body' on the basis that, whilst it is not yet designated as a Business Neighbourhood Forum, it is capable of being designated as such in line with the conditions contained in section 61F(5) of the Town and Country Planning Act 1990 as amended, as follows:
- It seeks to promote and improve the social, economic and environmental well-being of the Trafford Park area (including the promotion of the carrying on of trades, professions or other businesses);
 - It is actively considering opening up membership to individuals who live and work in the proposed Neighbourhood Area, and elected members of Trafford Borough Council (TBC) whose area falls within the proposed Neighbourhood Area.
 - By opening up membership, it is confident it would be able to achieve the required membership threshold of 21 individuals each of whom fulfils at least one of the above conditions;
 - The Board has a draft written constitution which evidences the above requirements and will consider formally adopting the constitution at a future Board meeting.
 - In addition, a Trafford Park Growth Strategy has been approved by the Board which further demonstrates how it can improve social, economic and environmental well-being (particularly in terms of supporting businesses).
- 6.5 There is no requirement for a body which submits a Neighbourhood Area application to already be formally constituted but there is a requirement for it to demonstrate that it is capable of being designated as such. Since its inception in November 2011, the Board has shown a commitment to gaining membership from a wide range of businesses across Trafford Park beyond the core industrial/manufacturing concerns to encompass distribution, media, retail and leisure businesses including SMEs. Through the production of the Trafford Park Growth Strategy, the Board has also shown a commitment to the sustainable development and growth of the Park.
- 6.6 On this basis, it is considered that the Trafford Park Business Neighbourhood Shadow Management Board has demonstrated that it is capable of being designated as a Neighbourhood Forum and as such it satisfies the requirements in sections 61F(5) and 61G(1) and 61G(2)(b) of the Town and Country Planning Act 1990 as amended.
- 6.7 In relation to criterion iii., it is clear that none of the proposed area is already designated as a neighbourhood area or is within the boundaries of a parish council.
- 6.8 In relation to criterion iv. it is accepted that the boundary has been carefully drawn to exclude any residential or non-business uses. The only concern (as raised by Councillor Cordingley) relates to the inclusion of the existing Trafford College site on Moss Road as this has a recent planning permission for housing. However, as this permission has not yet been implemented and the test is that the area is 'predominantly' (i.e. not necessarily 'wholly') in business use it is considered that there is no reason to amend the boundary to exclude this site. It is therefore considered that the proposed boundary does define an area that is business in nature consistent with a Business Neighbourhood status.

6.9 In relation to criterion v., it is considered that there are sound planning reasons for the proposed boundary in that the Pomona, Trafford Wharfside and Trafford Centre Rectangle sub-areas are identified as Strategic Locations in the adopted Trafford Core Strategy where major change and development is proposed and the Trafford Park Core is identified in Core Strategy Policy W1 as key employment location in the Borough. The proposed boundary is also consistent with the employment allocations in the Revised Adopted Trafford UDP which, whilst these are being currently being reviewed in the Council's emerging Land Allocations DPD, does indicate a historical concentration of employment uses.

6.10 In conclusion, it is considered that the proposed boundary is reasonable and logical and therefore would, if a Neighbourhood Plan or Neighbourhood Development Area were to be developed for this area, be appropriate for spatial planning purposes. The submission has demonstrated that the proposed Trafford Park Business Neighbourhood Area satisfies the tests in paragraph 6.1 of this report and the requirements of the 1990 Act as amended and therefore the application should be approved.

7.0 Next Steps

7.1 Following approval of the application for the Trafford Park Business Neighbourhood Area, the Council will publicise the designation on its website and by way of a press release. Once the Business Neighbourhood Area is designated, the Council can submit a bid for £5000 from the CLG New Burden Fund in March 2013, to cover the costs of designation.

7.2 The Council will continue to support the Trafford Park Business Neighbourhood Board to develop its status with the aim of promoting growth and sustainable development in Trafford Park.

Other Options

Refusal of the application for the designation of Trafford Park Business Neighbourhood risks greater uncertainty and delay in delivering sustainable growth in this part of Trafford, as it will undermine a key element of improving the identity and supporting businesses in the Borough's main employment area.

Consultation

The details of the consultation on the proposed Trafford Park Business Neighbourhood Area are set out in the main body of the report.

Reasons for Recommendation

To formally recognise Trafford Park as a Business Neighbourhood Area to support the Board's aspirations to deliver sustainable growth in the area.

Key Decision

This is a key decision currently on the Forward Plan: Yes

Finance Officer ClearancePC.....

Legal Officer ClearanceMJ.....

John Jones

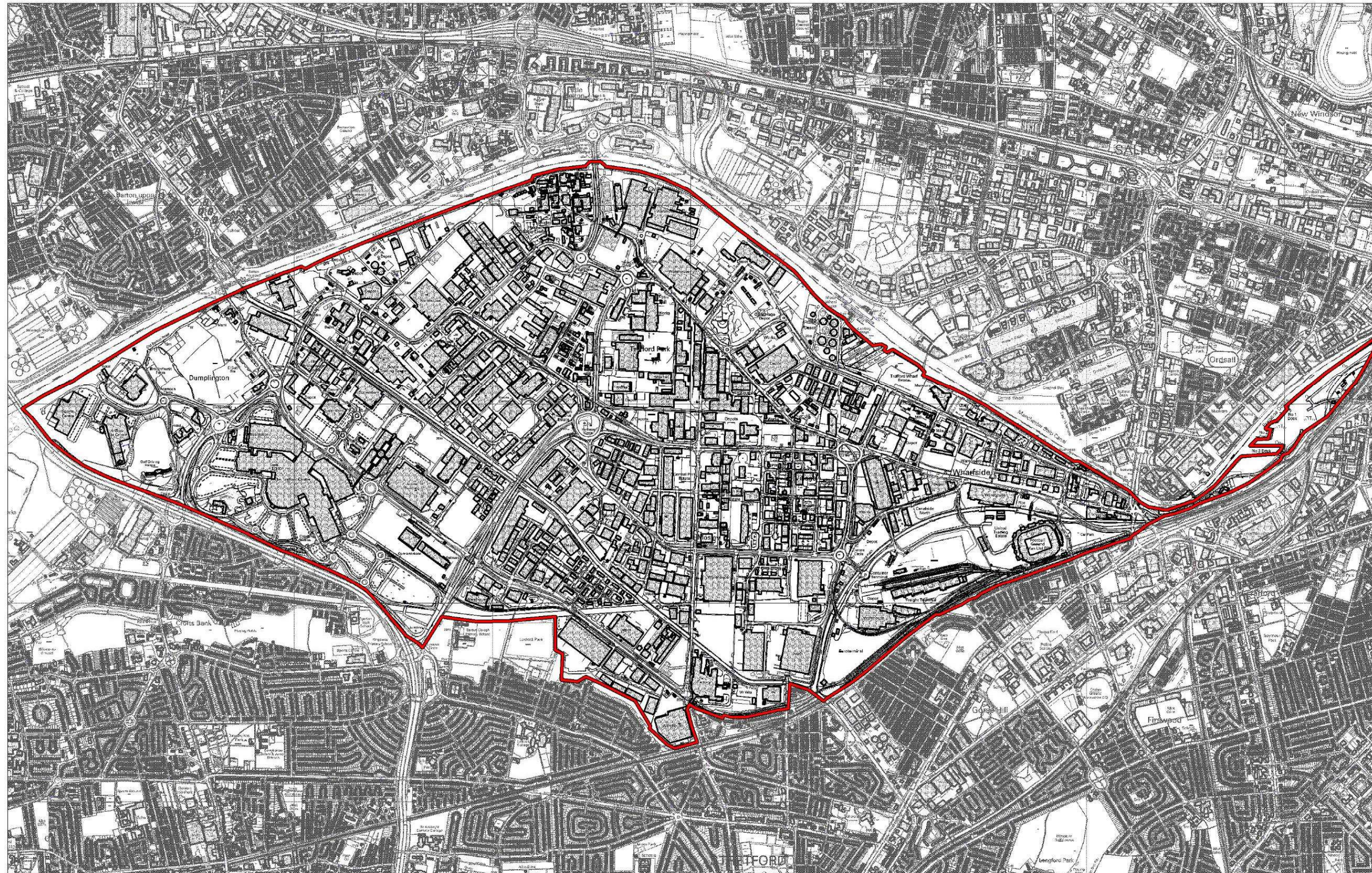
CORPORATE DIRECTOR'S SIGNATURE



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

Implications:

Relationship to Policy Framework/Corporate Priorities	The designation of the Trafford Park Business Neighbourhood could contribute to a number of Corporate Priorities, in particular: Positive Environmental Impact; Better Homes; Strong Communities; Strong Economy and Health & Improved Quality of Life
Financial	The administration of the application for designation of the Trafford Park Business Neighbourhood is funded from the existing Strategic Planning & Developments budget within the EGP Directorate's overall budget. Approval of the application will enable the Council to apply for £5000 from the CLG New Burden Fund, to cover the costs of designation.
Legal Implications:	The application for designation of the Trafford Park Business Neighbourhood Area has been considered against the requirements of the Town and Country Planning Act 2004 as amended. The status of Trafford Park as a Business Neighbourhood Area raises potential for future designation as a Business Neighbourhood Forum and the production of Neighbourhood Plan or Neighbourhood Development Order.
Equality/Diversity Implications	None
Sustainability Implications	The purpose of the Business Neighbourhood is to promote and improve the social, economic and environmental well-being of the Trafford Park area (including the promotion of the carrying on of trades, professions or other businesses).
Staffing/E-Government/Asset Management Implications	None / None / Some land or property owned by the Council lies within the proposed Business Neighbourhood Area.
Risk Management Implications	The designation of the Business Neighbourhood Area could be subject to legal challenge.
Health and Safety Implications	None.

Appendix A – Proposed Trafford Park Business Neighbourhood Area



	 Trafford Park Business Neighbourhood Area	Trafford Park Business Neighbourhood Area Date: 19/11/2012 <small>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Trafford Borough Council. OS Licence No. LA076392.</small>	
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