



**CIVIC QUARTER AREA ACTION PLAN**

**STATEMENT OF COMMON GROUND  
WITH DERWENT DEVELOPMENT MANAGEMENT LTD  
ON PLANNING MATTERS**

**April 2022**

## **1.0 INTRODUCTION**

- 1.1 This Statement of Common Ground (SoCG) relates to the emerging Civic Quarter Area Action Plan (CQAAP). The SoCG has been prepared between Trafford Council and Derwent Development Management Ltd Group (DDML) which has landholdings within the Civic Quarter. The SoCG covers general planning matters. There is a separate SoCG prepared between the two parties which covers detailed viability matters.
- 1.2 This SoCG is structured around the representations to the Regulation 19 version of the CQAAP that were made on behalf of DDML by Aylward Town Planning Ltd on planning matters. At the point of the Regulation 19 submission, the landowner was the Derwent Group but owing to an internal restructure the relevant organisation is now DDML.
- 1.3 This representation was included within the material Submitted to the Secretary of State for Levelling Up, Housing and Communities under the terms of the Planning and Compulsory Purchase Act 2004 (as amended) on 26<sup>th</sup> November 2021 (see Document E01 in the Examination Library), and its contents are summarised within Document F03 of the Examination Library (with it split into a series of different sub-representations, 40 in total, although only 30 of these cover general planning matters). Document F03 also outlines the Council's response to each sub-representation (on planning matters) made by the Derwent Group, which may entail: clarification; further justification for its position; or a proposed modification to the CQAAP as a result (which could either be of a 'main' or 'minor' nature).
- 1.4 Where a main modification is proposed, the detail surrounding the modification is contained in Documents G01 to G05 in the Examination Library. The list of proposed minor modifications did not form part of the material Submitted to the Secretary of State but it has since been appended to the Council's hearing statements in response to the Matters, Issues and Questions (MIQs), submitted to the appointed Inspector on 11<sup>th</sup> March 2022. The list of proposed minor modifications is in two parts: 1. An initial list prepared by the Council at the same time as the proposed main modifications were approved by the Planning and Development Management Committee ahead of the CQAAP's Submission; and 2. A further list of proposed minor modifications to capture issues which have arisen since the CQAAP's Submission.
- 1.5 This SoCG has been prepared by both parties when working through each sub-representation on planning matters from DDML and the Council's response, and whether it has served to satisfy each individual concern.

- 1.6 The SoCG also makes reference to the Council's position as subsequently presented in its hearing statements in response to the MIQs. The SoCG process allowed DDML to reflect on this more recent content and whether it has served to address the sub-representations. As part of this process, some further and very recent changes have been suggested and agreed by the parties. These suggested changes feature only in this SoCG and have not yet been referenced either in the Council's original submission or within its hearing statements. This SoCG identifies where these new changes are suggested.
- 1.7 This SoCG should be read in conjunction with the separate Viability SoCG.

## 2.0 THE SUB-REPRESENTATIONS

### **Derwent Sub-rep 1 (on planning matters)**

- 2.1 *Derwent Group has numerous land interests in the AAP area, comprising of 39 Talbot Road, 17-19 Talbot Road (tyre depot), 601 Chester Road (Bingo 3000), White City Retail Park. Detail in the AAP on yield of specific plots is indicative and does not preclude landowners providing their own design response.*
- 2.2 Council Response Part 1: Noted. With the exception of the parameter plans contained within Policy CQ1, all other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this.
- 2.3 DDML Response Part 1: Concerns remain insofar that DDML does not support the proposed modifications to the parameter plans within Policy CQ1, principally relating to the suggested removal of the gateway location notations as they relate to building heights.
- 2.4 Council Response Part 2a: *The Council subsequently referred DDML to the housing trajectory contained in its Matter 4 hearing statement and asked whether this served to address sub-rep 1.*
- 2.5 DDML Response Part 2a: *No, it actually worsens the position because it infers that there would be no yield at all from the 17-19 Talbot Rd site.*
- 2.6 Council Response Part 2b: *The Council also subsequently highlighted to DDML that gateway locations remain on the Improved Permeability and Greenspace Parameter Plan (as explained in the Council's Matter 6 hearing statement).*
- 2.7 DDML Response Part 2b: *Noted.*
- 2.8 Council Response Part 3: The site of 17-19 Talbot Road is included in the housing trajectory contained in the Council's Matter 4 hearing statement. However, it has been incorporated into the site of Trafford Hall Hotel. When based on the masterplan supporting the Council's viability assessment, it is the Council's view that the site in full could accommodate 136 units, with 56 units on 17-19 Talbot Road in isolation (adjusted to account for site constraints).
- 2.9 DDML Response Part 3a: Noted with thanks re 17-19 Talbot Rd.

### **Derwent Sub-rep 2 (on planning matters)**

- 2.10 *It is understood weight was ascribed to the status of the document as a DPD to underpin a potential requirement to take forward land assembly of specific third party plots to drive forward schemes that are both acceptable in planning terms and meet the tests set out to justify the use of s226 powers. This may now be of less relevance to the Council in the context of the B&Q site but the Council could also utilise the s226 process to simplify title which will catalyse delivery and maximise yield on some parcels which are constrained (in part) by easements and covenants. This would represent a positive use of s226 powers to accelerate plan-led development that is acceptable in planning terms and would positively contribute to the objectives of the AAP.*
- 2.11 Council Response Part 1: The CQAAP refers to the possibility Compulsory Purchase Powers being used, where justified.
- 2.12 DDML Response Part 1: Concerns remain insofar that DDML would welcome a more positive expression of the potential to use Compulsory Purchase Powers being used (where justified) to include for all opportunities to accelerate and maximise the opportunity to realise the planning objectives of the AAP- specifically to include consideration of covenants that impede realisation of Plan-led objectives.
- 2.13 Council Response Part 2: The Council would accept the insertion of new text within the CQAAP to reflect this. This is a new suggested change, as referred to in paragraph 1.6.
- 2.14 DDML Response Part 2: Noted with thanks.

### **Derwent Sub-rep 3 (on planning matters)**

- 2.15 *Strongly support adjustment to extend AAP area along Talbot Road to Trafford Bar Metrolink. The inclusion of this area within the AAP boundary reduces the risk of this remaining as a poor quality zone and also secures an opportunity to deliver new development which can act positively as a gateway to the Trafford Civic Quarter.*
- 2.16 Council Response: Noted
- 2.17 DDML Response: No further action needed.

### **Derwent Sub-rep 4 (on planning matters)**

- 2.18 *The AAP area is considerable both in physical scale and its potential contribution to economic performance and housing delivery. It should be*

*relevant in regard to the emerging Local Plan and the GMSF, as well as this AAP and any other emerging evidence base material for the Local Plan or development management processes.*

- 2.19 Council Response Part 1: The Civic Quarter and its significant development potential is referred to in the emerging Local Plan (as one of a small number of 'Areas of Focus' where new development will be directed)
- 2.20 DDML Response Part 1: Concerns remain insofar that DDML would welcome clear text within the AAP that sets out the extent to which weight would be given to policies within the emerging Local Plan within the AAP area.
- 2.21 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 3 and 4 which seek to explain the relationship between the CQAAP and the emerging Trafford Local Plan, and asked whether these served to address sub-rep 4.*
- 2.22 DDML Response Part 2: *No. It needs to be in the AAP itself, presumably in the supporting text.*
- 2.23 Council Response Part 3: The CQAAP could include a schedule of existing development plan policies that have been superseded on its adoption (this is a new suggested change, as referred to in paragraph 1.6), but it is not considered that the CQAAP should go further than this. It is the Council's view that it would be inappropriate for one development plan document to comment on the weight to be ascribed to other policies in another development plan document. Weight is a matter for the decision-taker and the status of policies could change over time.
- 2.24 DDML Response Part 3: Noted. DDML is of the view that (as a minimum) the AAP should clarify whether it is likely that the emerging Local Plan will be given weight in the context of policy matters that are already addressed by the AAP.
- 2.25 Council Response Part 4: This is a matter to be debated at the relevant hearing session.

#### **Derwent Sub-rep 5 (on planning matters)**

- 2.26 *Due to the significance and strategic nature of the Civic Quarter scheme, the AAP should be directly referenced within the GMSF. This would provide a further layer of policy support for these objectives and ensure that Trafford's ambitions will be endorsed at a sub-regional level.*

2.27 Council Response: The Civic Quarter is not individually referenced in the GMSF (now called Places for Everyone)

2.28 DDML Response: No further action needed.

**Derwent Sub-rep 6 (on planning matters)**

2.29 *The Civic Quarter ambitions will be fundamental to delivering Local Plan objectives including a strong contribution to housing land supply. There is some inconsistency between the anticipated yields for certain plots within the AAP area when comparing the trajectory schedules for the Local Plan and some of the yield assumptions which underpin this AAP. Inconsistencies should be addressed and rectified prior to any future Examination into either/both of the AAP or the Local Plan itself.*

2.30 Council Response Part 1: The emerging Local Plan is concerned with development quantum in the plan period to 2037. The CQAAP is a capacity-led document which envisages that up to 4,000 new homes could be accommodated in time. There is no inconsistency and the two emerging development plan documents are complementary. Following the Regulation 19 consultation, it is proposed to amend Policy CQ2 to refer to 2,500 of the 4,000 homes being delivered in the plan period and the remainder after 2037. This proposed change is intended as a minor modification (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

2.31 DDML Response Part 1: DDML notes the proposed change that clarifies trajectory over the Plan period. Concerns remain insofar that DDML would welcome clear text within the AAP that sets out the extent to which weight would be given to policies and housing trajectories identified within the emerging Local Plan, as compared to advice from the AAP.

2.32 Council Response Part 2: *The Council subsequently referred DDML to the housing trajectory contained in its Matter 4 hearing statement and asked whether this served to address sub-rep 6.*

2.33 DDML Response Part 2: *The housing trajectory information worsens the position from our perspective because it infers that there would be no yield at all from the 17-19 Talbot Rd site. As above, the AAP requires express text that sets out how DM decisions will give weight to requirements and objectives of the two competing DPDs.*

2.34 Council Response Part 3: The CQAAP could include a schedule of existing development plan policies that have been superseded on its adoption (this is a new suggested change, as referred to in paragraph 1.6), but it is not considered appropriate for the CQAAP to go further than this. It is the Council's view that it would be inappropriate for one development plan document to comment on the weight to be ascribed to other policies in another development plan document. Weight is a matter for the decision-taker and the status of policies could change over time. The position regarding the yield at 17-19 Talbot Road has been addressed under sub-rep 1.

2.35 DDML Response Part 3: Noted with thanks re 17-19 Talbot Rd.

**Derwent Sub-rep 7 (on planning matters)**

2.36 *In general terms, support ambition for cohesive development in urbanised areas such as the AAP. Pragmatic decisions in these less sensitive locations provides opportunity to minimise Green Belt release. That approach is consistent with NPPF requirements, especially in regard to highly accessible locations with proximity to shops and services, employment and high-frequency public transport. Crucial to ensure delivery of development and infrastructure is achievable and viable. Opportunities to secure early development that would contribute towards housing requirements in years 1-5 of the plan period should be afforded considerable positive weight.*

2.37 Council Response Part 1: Noted

2.38 DDML Response Part 1: DDML would welcome a clear housing trajectory set out over the Plan period on a site-by-site basis, to give clarity in terms of how the AAP will contribute to wider supply in the early part of the Plan period. DDML would also support express policy text that afforded positive weight to proposals that could deliver early contribution to housing land supply.

2.39 Council Response Part 2: *The Council subsequently referred DDML to the housing trajectory contained in its Matter 4 hearing statement and asked whether this served to address sub-rep 7.*

2.40 DDML Response Part 2: *No. There appears to be no express support for early contribution to housing land supply. Whilst the trajectory provides clarity, it regrettably suggests suppression of yield for several sites, raising doubt as to the realism of the delivery of either of the 2500 or 4000 unit targets.*

2.41 Council Response Part 3: The Council would agree to the insertion of a statement in the CQAAP which would make it clear that the Council would



support the early delivery of sites within the plan period and also that a phased approach in the development of large sites would be accepted where appropriate. This is a new suggested change, as referred to in paragraph 1.6 However, it is unreasonable to expect sites that have not yet been subject to engagement with the Council to be specifically identified as coming forward within years 1-5 of the plan period and also, in the absence of any evidence, to be subject to a higher yield (unless DDML can demonstrate otherwise).

- 2.42 DDML Response Part 3: Noted with thanks, re the points on phased delivery and positive weight being afforded to early delivery.

**Derwent Sub-rep 8 (on planning matters)**

- 2.43 *The policy (Policy CQ11) should ideally be rewritten to ensure that it allows for viability testing and would not prevent otherwise acceptable and positive development from being approved and implemented.*
- 2.44 Council Response Part 1: The CQAAP is underpinned by a detailed viability assessment (evidence base) which has informed Policy CQ11. Every effort has been made to engage with landowners, developers and other key stakeholders on this viability assessment as prepared at plan-making stage. Discussions surrounding the viability of development proposals at planning application stage are not generally envisaged.
- 2.45 DDML Response Part 1: DDML have significant concerns in terms of the viability evidence base and this will be addressed through the Matter 11 statements and subsequent discussion at the Examination.
- 2.46 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 11 and asked whether this served to address sub-rep 8.*
- 2.47 DDML Response Part 2: *Has been covered by CBRE, but in practice our concerns re viability have not been addressed.*
- 2.48 Council Response Part 3: This is a matter to be covered by the specific viability SoCG and via hearing sessions.
- 2.49 DDML Response Part 3: Noted.

**Derwent Sub-rep 9 (on planning matters)**

- 2.50 *A fundamental component of the Council's approach is that the extent of surface parking across the AAP area is excessive and provides an opportunity to free up development plots. This thesis has been underpinned in part by a car park usage survey. The survey date is a Tuesday afternoon and this does not represent a peak usage period for a retail park. Given that this is designed to accommodate peak requirements, caution against review of midweek results as being a "worst case" analysis of requirement.*
- 2.51 Council Response Part 1: The highways implications of the proposals for the Civic Quarter as a whole have been reviewed at various stages by the local highway authority, Transport for Greater Manchester, and Highways England. No fundamental concerns have been raised by these parties, and the traffic impacts of each development (including regarding the loss of and/or provision of car parking) would be scrutinised as part of the development management process.
- 2.52 DDML Response Part 1: DDML would object to the argument that issues around traffic and parking impacts will be left to the development management process. The Plan process should ensure that the principle of the proposed uses is acceptable in planning terms and to have been evidenced accordingly. DDML would expect that if the principle of given uses is adopted in the AAP then there would be no reasonable basis to resist those uses (assuming that the development was broadly consistent with that envisaged at AAP stage) when it moves through the development management process.
- 2.53 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1 and 10 regarding the approach to car parking, and asked whether this served to address sub-rep 9.*
- 2.54 DDML Response Part 2: *No. The AAP needs to identify whether the use of land for given end purposes are sound and by doing so, matters of principle should not be left to DM stage. This is even more relevant when the AAP is seeking to secure an AAP-wide parking and movement strategy so it needs to be clear what provision will be needed to make those developments acceptable.*
- 2.55 Council Response Part 3: Parking standards are not matters of principle and it is the Council's position that parking requirements should be dealt with via the development management process when having regard to site specific considerations.
- 2.56 DDML Response Part 3: The AAP should establish what would be an acceptable approach for planned development at least at a high level. If parking and access matters are left entirely until the DM stage, this runs the risk of

jeopardising the residential yield that can be achieved and the completion of movement corridors.

- 2.57 Council Response Part 4: This is a matter to be debated at the relevant hearing session.

**Derwent Sub-rep 10 (on planning matters)**

- 2.58 *Previously expresses concern with the AAP Heritage Assessment in relation to undesignated assets with specific regard to the former Old Trafford Bowling Club. For a withdrawn application for apartment development at 39 Talbot Rd, the applicant's adviser considered the significance of that parcel and concludes that the heritage significance of that parcel is much less considerable than would be envisaged through reference to the AAP Heritage Assessment.*

- 2.59 Council Response Part 1: The status of this building as a non-designated heritage asset is maintained and new development within its setting would be expected to be respectful. An application has been made by a third party which promotes the listing of this building. The decision is outstanding. The building heights parameter plan shows that building heights should be a maximum of six storeys in this location, and this is maintained.

- 2.60 DDML Response Part 1: DDML maintains that the heritage significance of the Bowling Club site and the value placed on its setting needs to be reconsidered (and that formal designation would be unwarranted).

- 2.61 Council Response Part 2: SAVE submitted an application for the listing of Trafford bowling club in 2021. It is understood that Historic England will undertake its formal notification exercise in April 2022 and that a site visit will be made in May 2022. The Council's views on the appropriateness of building heights on sites surrounding the bowling club is not predicated on the outstanding listing decision but rather is underpinned by the existing character of the area including that of the bowling club. Nonetheless, the Council is supportive of the listing application.

- 2.62 DDML Response Part 2: This is noted. DDML would seek that the Council confirm that the yield anticipated by the building heights parameter plan remain acceptable in principle regardless of the outstanding listing decision.

- 2.63 Council Response Part 3: The position adopted by the Council in the CQAAP is not predicated on the listing application being successful, and the position of the CQAAP would equally apply if the listing application was successful, in the Council's view. The Council is, however, supportive of the listing application.

**Derwent Sub-rep 11 (on planning matters)**

- 2.64 *Given the AAP suggests reduced building heights by reference to heritage harm, a more pragmatic analysis would suggest that it can accommodate (some) greater height prior to resulting in material adverse impact upon that significance. Would welcome the omission of the following from the AAP Heritage Assessment: 'The Old Trafford Bowling Club is a vital connection to the leisure and sporting history of the area, as well as a site of considerable architectural and aesthetic interest. Its contribution to the heritage significance and historic character of the area is correspondingly high. The bowling green is a fundamental part of the site and makes a similarly high positive contribution. This site forms group value with the collection of other heritage assets noted on this eastern stretch of Talbot Rd within the plan area'.*
- 2.65 Council Response Part 1: The status of this building as a non-designated heritage asset is maintained and new development within its setting would be expected to be respectful. An application has been made by a third party which promotes the listing of this building. The decision is outstanding. The building heights parameter plan shows that building heights should be a maximum of six storeys in this location, and this is maintained.
- 2.66 DDML Response Part 1: DDML maintains that the heritage significance of the Bowling Club site and the value placed on its setting needs to be reconsidered (and that formal designation would be unwarranted). DDML also challenges the mooted positive contribution to character of other existing buildings, and by extension rejects the assertion that the built form in this area should have height suppressed accordingly.
- 2.67 Council Response Part 2: SAVE submitted an application for the listing of Trafford bowling club in 2021. It is understood that Historic England will undertake its formal notification exercise in April 2022 and that a site visit will be made in May 2022. The Council's views on the appropriateness of building heights on sites surrounding the bowling club is not predicated on the outstanding listing decision but rather is underpinned by the existing character of the area including that of the bowling club. Nonetheless, the Council is supportive of the listing application.
- 2.68 DDML Response Part 2: Please see our response to sub-rep 10.
- 2.69 Council Response Part 3: The position adopted by the Council in the CQAAP is not predicated on the listing application being successful, and the position of the CQAAP would equally apply if the listing application was successful, in the Council's view. The Council is, however, supportive of the listing application.

**Derwent Sub-rep 12 (on planning matters)**

- 2.70 *Strongly reject the proposed Talbot Road North Conservation Area. It would not be genuinely necessary and it would fail to reflect that considerable elements*

*of built form within that area are neither “historic“ nor would genuinely be argued to provide positive contribution to local streetscene. AAP is recommending considerable redevelopment within this area it does not appear to be suggesting that a Conservation Area should be progressed in this area.*

- 2.71 Council Response Part 1: The CQAAP does not refer to this potential conservation area.
- 2.72 DDML Response Part 1: DDML would welcome the Council’s confirmation that it would not intend to designate a Talbot Road Conservation Area, whether as part of the AAP process or otherwise.
- 2.73 Council Response Part 2: *The Council subsequently referred DDML to the Council’s hearing statement covering Matter 6, and asked whether this served to address sub-rep 12.*
- 2.74 DDML Response Part 2: *No. We want to see an express statement on this matter as it has the potential to be material at DM stage (especially given the current third party activity re the Bowling Green).*
- 2.75 Council Response Part 3: The Council does not intend to pursue the designation of this conservation area but it is not considered appropriate for this statement to be elevated to policy within the CQAAP.
- 2.76 DDML Response Part 3: Noted with thanks.

#### **Derwent Sub-rep 13 (on planning matters)**

- 2.77 *The listed entrance portal at White City Retail Park has been impacted through commercial development. Agree that there is an opportunity to deliver new development at White City which can provide an appropriate setting to the asset subject to well-considered new development.*
- 2.78 Council Response: Noted
- 2.79 DDML Response: No further action needed.

#### **Derwent Sub-rep 14 (on planning matters)**

- 2.80 *The Neighbourhoods plan includes boundaries to the proposed Northern Neighbourhood which includes a small part of the Bingo 3000 plot so would therefore bisect the plot which we presume is an unintended error. It would be much preferable if the Bingo 3000 plot was entirely located within either parcel, but not to straddle both. This plan should be amended to ensure that its*

*boundaries have regard for property interests to avoid confusion through both the Examination and later in regard to development management processes.*

- 2.81 Council Response Part 1: The site of the existing Bingo 3000 building is intentionally split between the Northern and Eastern Neighbourhoods, and with the line of division representing the location of part of the route of the Exhibition Walk (as shown on the improved permeability and greenspace parameter plan referred to in Policy CQ1). It is not intended to alter neighbourhood boundaries to reflect land ownerships.
- 2.82 DDML Response Part 1: DDML notes that the neighbourhood plans are deemed as illustrative and therefore the delineation of walking routes might be accordingly fluid. DDML would welcome clarity that this comment is noted and accepted.
- 2.83 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 10 and the Exhibition Walk, and asked whether this served to address sub-rep 14.*
- 2.84 DDML Response Part 2: *We remain concerned that the proposed movement route would (if mandated) create an unnecessary constraint to design flair and opportunity to maximise yield and design quality.*
- 2.85 Council Response Part 3: The Council is committed to the delivery of the Exhibition Walk in full, as shown on the illustrative neighbourhood plans and also the parameter plan forming part of Policy CQ1. It is accepted that there could be some minor deviation in its alignment, although its general location is as indicated.
- 2.86 DDML Response Part 3: Noted

#### **Derwent Sub-rep 15 (on planning matters)**

- 2.87 *The 2020 Land Uses Parameters Plan included a frontage of retail development adjacent to Chester Road but was opaque how the layout might work. Welcome that Policy CQ1 recognises that this is one possible way forward. There are reservations as to whether it is achievable or desirable. There will inevitably be design solutions through which White City can support residential redevelopment and town centre uses. As drawn, cannot support this as it would result in layouts (re servicing requirements) that would be unacceptable to end occupiers and impede the gateways given to Talbot Rd or Chester Rd in due course.*
- 2.88 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. With the exception of the plans supporting Policy CQ1, other plans and illustrations within the CQAAP are

illustrative only and Policy CQ1 is clear on this. Following the Regulation 19 consultation, it is proposed to make a change to the land use parameter plan to show a combination of retail and residential uses across the retail park. It is also intended to amend the document (within the vision for the Central Neighbourhood) to refer more explicitly to the prospect of some retail park remaining. The changes to the parameter plan referred to above form part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

- 2.89 DDML Response Part 1: DDML welcomes the proposed change in principle. However, DDML would request that the Council prepare a spatial plan that identifies how this might occur in principle and identify any consequential changes to housing yield.

DDML strongly objects to the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.

- 2.90 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 4, 5 and 6, and asked whether these served to address sub-rep 15.*

- 2.91 DDML Response Part 2: *It is helpful that it sets out that the redevelopment of the retail park could come later, but we would not want to prejudice the opportunity for it to be developed within the AAP Plan period if market conditions supported that. The AAP does need an indicative plan that shows how 1500 homes might be achieved whilst retaining adequate retail facilities and the intended MSCP and consideration of the setting of the listed arches. It would otherwise be a considerable risk at DM stage.*

- 2.92 Council Response Part 3: When having regard to the housing trajectory contained in the Council's Matter 4 housing statement, the Council's position based on the masterplan supporting the Council's viability assessment is that the capacity of White City is 1,100 residential units on the basis of complete redevelopment. It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy. The Council would agree to the insertion of a statement in the CQAAP which would make it clear that the Council would support the early delivery of sites within the plan period and also that a phased approach in the development of large sites would be accepted where appropriate. This is a new suggested change, as referred to in paragraph 1.6. The Council's position regarding gateway locations has been explained.

- 2.93 DDML Response Part 3: DDML understood that the identified yield was 1500 homes for White City. We have not undertaken any detailed massing proposals.

- 2.94 Council Response Part 4: The yield for White City as contained in the housing trajectory in the Council's matter 4 hearing statement is 1,100. The Council does not know where the 1,500 figure has come from. If DDML is not accepting of the 1,100 figure, it would be up them to demonstrate capacity for more than this. This is a matter to be debated at the relevant hearing session.
- 2.95 DDML Response Part 4: DDML had understood that the identified yield was 1500 homes for White City but note that this may have been an error. Our review of the Viability report in the evidence base suggests that the notional yield for the White City area based upon the FCB masterplan would have been 1246 units and we assume that this could be deliverable. We have not undertaken any detailed massing proposals.
- 2.96 Council Response Part 5: The Council's considers that the incorrect figure of 1500 arrived at by DDML may be because it has not made the necessary gross to net adjustment. This could be clarified in the relevant hearing session.

#### **Derwent Sub-rep 16 (on planning matters)**

- 2.97 *Clear Building Height Parameters. This is a somewhat historic plan that does not appear to align with more recent developed drawings and schedules in terms of building heights and notional yields which can be achieved. There appears to be considerable inconsistency in terms of what might be recommended or potentially modelled heights and yields for these development parcels. It will clearly be much preferable if these approaches were internally consistent. If there is a premise why the Masterplan should suggest different heights for the same parcel of land in the prism of a specific analysis, this should be expressly addressed and the overall recommendation should be clear. In its current form and without proper context, suggest that this parameters plan is either deleted or is highlighted as being simply a representation of one possible way forward.*
- 2.98 Council Response Part 1: Since Regulation 19 stage some amendments are proposed to the building heights parameter plan, including to better align height boundaries with development plots. There have also been some adjustments to proposed building heights in some locations. Policy CQ1 is clear that development proposals should accord with the parameter plans. Other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. The changes to the parameter plan referred to above form part of the Council's proposed main modification.
- 2.99 DDML Response Part 1: DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.



- 2.100 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 6 regarding gateway locations, and asked whether this served to address sub-rep 16.*
- 2.101 DDML Response Part 2: *Not effectively. With this and the housing trajectory information it becomes clear that yield will be suppressed on numerous sites, where we feel that there are opportunities to go further and deliver a greater yield including sites within the early part of the Plan period.*
- 2.102 Council Response Part 3: The Council's position regarding gateway locations has been explained.
- 2.103 DDML Response Part 3: Noted but DDML maintains its concerns.

Council Response Part 4: This is a matter to be debated at the relevant hearing session.

#### **Derwent Sub-rep 17 (on planning matters)**

- 2.104 *Derwent is supportive of the principle of this wider redevelopment but any substantive remodelling of the retail park area can only come forward following detailed design and viability analysis. As drawn, the permeability analysis for the wider scheme does appear to assume key routes through the retail park and it has to be anticipated that the White City redevelopment might well be undertaken on a phased basis so it may be necessary and advisable to have the capacity for an interim approach. White City (following investment) is a successful retail park which has to have regard for the safe servicing requirements of its tenants. This must be integral to the consideration of how phased redevelopment is implemented in practice.*
- 2.105 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. With the exception of the plans supporting Policy CQ1, other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. Following the Regulation 19 consultation, it is proposed to make a change to the land use parameter plan to show a combination of retail and residential uses across the retail park. It is also intended to amend the document (within the vision for the Central Neighbourhood) to refer more explicitly to the prospect of some retail park remaining. The detail of any redevelopment would be confirmed at development management stage, subject to the principles of the document being adhered to. The changes to the parameter plan referred to above form part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

2.106 Response Part 1: DDML has raised concerns in terms of viability matters and these will be addressed through the Matter 11 statements and discussion at the Examination in due course. There is an intent to explore the opportunity for a Viability Statement of Common Ground to be entered into before the Examination commences on 5<sup>th</sup> April. DDML broadly supports the changes to the Land Use Parameters Plan, albeit that a more detailed analysis that shows any resultant impacts on yields will be important. DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.

2.107 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 4, 5 and 6, and asked whether these served to address sub-rep 17.*

2.108 DDML Response Part 2 *It is helpful that it sets out that the redevelopment of the retail park could come later, but we would not want to prejudice the opportunity for it to be developed within the AAP Plan period if market conditions supported that. The AAP does need an indicative plan that shows how 1500 homes might be achieved whilst retaining adequate retail facilities and the intended MSCP and consideration of the setting of the listed arches. It is otherwise a significant risk at DM stage.*

*The AAP needs to identify whether the use of land for given end purposes are sound and by doing so, matters of principle should not be left to DM stage. This is even more relevant when the AAP is seeking to secure an AAP-wide parking and movement strategy so it needs to be clear what provision will be needed to make those developments acceptable.*

2.109 Council Response Part 3: When having regard to the housing trajectory contained in the Council's Matter 4 housing statement (and when based on the masterplan supporting the Council's viability assessment), the Council's position is that the capacity of White City is 1,100 residential units on the basis of complete redevelopment. It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy. The Council would agree to the insertion of a statement in the CQAAP which would make it clear that the Council would support the early delivery of sites within the plan period and also that a phased approach in the development of large sites would be accepted where appropriate. This is a new suggested change, as referred to in paragraph 1.6.

2.110 DDML Response Part 3: DDML understood that the identified yield was 1500 homes for White City. We have not undertaken any detailed massing proposals. The point re phasing and early delivery is welcomed.

- 2.111 Council Response Part 4: The yield for White City as contained in the housing trajectory in the Council's matter 4 hearing statement is 1,100. The Council does not know where the 1,500 figure has come from. If DDML is not accepting of the 1,100 figure, it would be up them to demonstrate capacity for more than this. This is a matter to be debated at the relevant hearing session.
- 2.112 DDML Response Part 4: DDML had understood that the identified yield was 1500 homes for White City but note that this may have been an error. Our review of the Viability report in the evidence base suggests that the notional yield for the White City area based upon the FCB masterplan would have been 1246 units and we assume that this could be deliverable. We have not undertaken any detailed massing proposals.
- 2.113 Council Response Part 5: The Council's considers that the incorrect figure of 1500 arrived at by DDML may be because it has not made the necessary gross to net adjustment. This could be clarified in the relevant hearing session.

#### **Derwent Sub-rep 18 (on planning matters)**

- 2.114 *Policy CQ1 advises the parameter plans are illustrative. Given that they are illustrative and there are deliverability challenges, parameter plans should be omitted. If they were given weight in decision making, the policy could prejudice the implementation of developments that would otherwise be acceptable prior to any demonstration that the redevelopment anticipated by the AAP is genuinely deliverable. This is important given that the policy puts the onus on the applicant to demonstrate their proposals would not materially impact upon the AAP objectives. In the context of White City Retail Park, Derwent supports the ambition but any redevelopment decision requires considerable market testing and that there is potential that may such redevelopment would be phased. Rectify that AAP does not consider phasing or interim uses. Amend policy to expressly recognise need for pragmatism in terms of phasing and therefore support 'meanwhile uses'.*
- 2.115 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. With the exception of the plans supporting Policy CQ1, other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. Following the Regulation 19 consultation, it is proposed to make a change to the land use parameter plan to show a combination of retail and residential uses across the retail park. It is also intended to amend the document (within the vision for the Central Neighbourhood) to refer more explicitly to the prospect of some retail park remaining. The detail of any redevelopment would be confirmed at development management stage, subject to the principles of the document

being adhered to. The changes to the parameter plan referred to above form part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

- 2.116: DDML Response Part 1: DDML broadly supports the changes to the Land Use Parameters Plan, albeit that a more detailed analysis that shows any resultant impacts on yields will be important. DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making. DDML seeks clarification within the AAP that it is anticipated that a phased approach to the redevelopment of major sites (such as White City Retail Park) could occur and can be supported subject to justification.
- 2.117 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 4, 5 and 6, and asked whether these served to address sub-rep 18.*
- 2.118 DDML Response Part 2: *It is helpful that it sets out that the redevelopment of the retail park could come later, but we would not want to prejudice the opportunity for it to be developed within the AAP Plan period if market conditions supported that. The AAP also needs to expressly recognise that there could be phased delivery that should be supportable in principle. As above, the absence of any indicative plan (that shows how 1500 homes might be achieved whilst retaining adequate retail facilities and the intended MSCP and consideration of the setting of the listed arches) is a key omission and it falls to the LPA to produce this. It is otherwise a significant risk at DM stage.*
- 2.119 Council Response Part 3: When having regard to the housing trajectory contained in the Council's Matter 4 housing statement (based on the masterplan supporting the Council's viability assessment), the Council's position is that the capacity of White City is 1,100 residential units on the basis of complete redevelopment. It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy. The Council would agree to the insertion of a statement in the CQAAP which would make it clear that the Council would support the early delivery of sites within the plan period and also that a phased approach in the development of large sites would be accepted where appropriate. This is a new suggested change, as referred to in paragraph 1.6. The Council's position regarding gateway locations has been explained.

- 2.120 DDML Response Part 3: DDML understood that the identified yield was 1500 homes for White City. We have not undertaken any detailed massing proposals. The point re phasing and early delivery is welcomed.
- 2.121 Council Response Part 4: The yield for White City as contained in the housing trajectory in the Council's matter 4 hearing statement is 1,100. The Council does not know where the 1,500 figure has come from. If DDML is not accepting of the 1,100 figure, it would be up them to demonstrate capacity for more than this. This is a matter to be debated at the relevant hearing session.
- 2.122 DDML Response Part 4: DDML had understood that the identified yield was 1500 homes for White City but note that this may have been an error. Our review of the Viability report in the evidence base suggests that the notional yield for the White City area based upon the FCB masterplan would have been 1246 units and we assume that this could be deliverable. We have not undertaken any detailed massing proposals.
- 2.123 Council Response Part 5: The Council's considers that the incorrect figure of 1500 arrived at by DDML may be because it has not made the necessary gross to net adjustment. This could be clarified in the relevant hearing session.

#### **Derwent Sub-rep 19 (on planning matters)**

- 2.124 Policy CQ3. *The site includes a major retail park serving range of local needs and not reasonably described as 'small scale'. Revise policy to refer to localised needs or F2 Use Class. If White City Retail Park was redeveloped and any retail would fall within Use Class F2, that would not allow a store akin to Tesco Express which would fail to meet shopping needs and push residents to drive further afield. It would likely create pressure for further out-of-centre retail development to replace existing facilities that provide fresh food. Replacement stores might be located further away from housing, economic activity and public transport. Not feasible that a local needs store can cater for 4000 homes, so they will be compelled to use private car. This element of CQ3 needs to be fundamentally reconsidered, also because it will cause conflict with the ambitions and intent of Policy CQ4.*
- 2.125 Council Response Part 1: White City Retail Park is an out-of-centre location and, presently, any proposals for new/expanded main town centre uses within it are subject to the standard government tests (other than in situations where some form of fall back could be relied upon when utilising existing floorspace). The Civic Quarter is envisaged as a location for a variety of uses to support a new and significantly expanded community. Major new retail development is not anticipated, although it is acknowledged that planning proposals may come forward in time. A revised Policy CQ3 is proposed which would clarify that proposals for main town centre uses would still be subject to compliance with

tests relating to such uses in out of centre locations. This change is intended as a minor modification (and which featured on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

- 2.126 DDML Response Part 1: DDML notes the above clarification. DDML would also seek agreement that the delivery of AAP objectives in terms of considerable new housing and employment development would considerably increase the sustainability and accessibility of White City Retail Park as a location to meet local needs, which should be material to consideration of any future DM applications promoting main town centre uses.
- 2.127 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 5, and asked whether this served to address sub-rep 19.*
- 2.128 DDML Response Part 2: *Not enough. The revised policy suggests reference to fallback positions which would ostensibly allow existing floorspace to be re-provided but it would not necessarily deal with other main town centre uses, or indeed the needs of new residents.*
- 2.129 Council Response Part 3: Planning policy (including government policy and wording within Policy CQ3) would enable development to come forward for new main town centre uses subject to compliance with the sequential approach and (where relevant) the retail impact test. The Council does not consider it appropriate to elevate White City to local centre status especially when there is a desire for redevelopment, either in full or in part.
- 2.130 DDML Response Part 3: DDML notes the clarification re wider main town centre uses and the comment re the retail hierarchy. Notwithstanding this, the local need that will be generated by the AAP proposals should be acknowledged.
- 2.131 Council Response Part 4: The Council is of the view that it has acknowledged the local needs that will be generated and has done this via Policy CQ3. This is a matter to be debated at the relevant hearing session.

#### **Derwent Sub-rep 20 (on planning matters)**

- 2.132 *Broadly supportive of aspirations stated by Policy CQ5. Conclusions in Heritage Assessment on significance of existing buildings and structures to the east of AAP area are poorly judged. Heritage Assessment suggests a Conservation Area that is not expressed in CQ5, the AAP should confirm that it does not seek to take forward any such approach. If those proposals were not amended, Derwent would strongly object.*
- 2.133 Council Response Part 1: The CQAAP does not refer to this potential conservation area.

2.134 DDML Response Part 1: DDML would welcome the Council's confirmation that it would not intend to designate a Talbot Road Conservation Area, whether as part of the AAP process or otherwise.

DDML maintains that the heritage significance of the Bowling Club site and other existing older buildings in the eastern part of the AAP area needs to be reconsidered. DDML also challenges the mooted positive contribution to character, and by extension rejects the assertion that the built form in this area should have height suppressed accordingly.

2.135 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 6, and asked whether this served to address sub-rep 20.*

2.136 DDML Response Part 2: *No. We want to see an express statement on this matter as it has the potential to be material at DM stage (especially given the current third party activity re the Bowling Green).*

2.137 Council's Response Part 3: The Council does not intend to pursue the designation of this conservation area but it is not considered appropriate for this statement to be elevated to policy within the CQAAP. The Council is supportive of the listing application of the bowling club, although the position adopted by the Council in the CQAAP is not predicated on this application being successful.

2.138 DDML Response Part 3: This is noted with thanks. We would welcome acknowledgement that the outcome of the listing decision will not impact the position adopted by the Council within the CQAAP and the Reg 18 Local Plan.

2.139 Council Response Part 3: The position adopted by the Council in the CQAAP is not predicated on the listing application being successful, and the position of the CQAAP would equally apply if the listing application was successful, in the Council's view. The Council is, however, supportive of the listing application.

#### **Derwent Sub-rep 21 (on planning matters)**

2.140 *Policy CQ10 refers to ambition for concentration of parking upon White City Retail Park, infer that this would be a multi-storey car park. Whilst achievable in principle, it would need to be subject of detailed design and viability analysis considered in detail. If the viability was below a reasonable level, the Council should consider how redevelopment of White City might need to be reviewed in the light of any planning benefits of a multi-storey car park as compared to other planning objectives in AAP or as part of a broader equalisation approach. This requires further consideration and needs to be inputted into to viability framework.*

2.141 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. The consolidation of car parking remains an aspiration of the CQAAP. Indicative locations for new multi-storey car parks have been identified, and Policy CQ10 refers to focussing such provision at the periphery of the Civic Quarter (in order to draw traffic away from the heart of the Civic Quarter). Therefore, there is flexibility in their location and the suitability of particular sites would be confirmed at application stage.

2.142 DDML Response Part 1: DDML does not object to the principle of a strategic assessment of parking requirements and taking opportunity to rationalise the extent of land given over to that purpose. However, the viability implications of such does need to be determined and it will not be appropriate to leave this to the development management process.

DDML has raised concerns in terms of viability matters and these will be addressed through the Matter 11 statements and discussion at the Examination in due course. There is an intent to explore the opportunity for a Viability Statement of Common Ground to be entered into before the Examination commences on 5<sup>th</sup> April.

2.143 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 10 and 11, and asked whether these served to address sub-rep 21.*

2.144 DDML Response Part 2: *No. It is entirely unclear that the viability work has properly considered the impacts of an MSCP at a site-specific level. How will this otherwise be resolved when a DM application is submitted for a scheme reliant on other land for its parking provision, or for a scheme that is providing for others. How would any equalisation be achieved if it is not resolved through the AAP.*

2.145 Council Response Part 3: The viability position that has been adopted by the Council as it relates to MSCP will be covered within the Viability Statement of Common Ground where possible, and also at the relevant hearing session.

2.146 DDML Response Part 3: Noted.

### **Derwent Sub-rep 22 (on planning matters)**

2.147 *Central Neighbourhood. Supportive in principle of proposed redevelopment of White City Retail Park. Welcome bringing forward substantive mixed-use development in eastern part of retail park. This includes a range of blocks of varying height including the tallest element on the north-eastern boundary to act as a landmark and gatepost to the CQ area. The intensification of the Talbot Road corridor would provide an opportunity for linked trips to the Retail Park but that these will be mitigated by the current layout which makes north/south*



*pedestrian movements difficult. Any full redevelopment decision requires considerable market testing and that there is potential that may such redevelopment would need to be phased. The AAP should be amended to expressly recognise that phased delivery is likely and that there would be a need for a pragmatic approach to support 'meanwhile uses'.*

2.148 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. With the exception of the plans supporting Policy CQ1, other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. Following the Regulation 19 consultation, it is proposed to make a change to the land use parameter plan to show a combination of retail and residential uses across the retail park. It is also intended to amend the document (within the vision for the Central Neighbourhood) to refer more explicitly to the prospect of some retail park remaining. The detail of any redevelopment would be confirmed at development management stage, subject to the principles of the document being adhered to. In addition, it is proposed to change the building heights parameter plan to remove the reference to all 'gateway opportunities' (including the one in this location) and to include a new location where only building heights of up to 6 storeys would be permitted within the setting of the historic White City entrance portal. The different height categories would also now more closely correspond with development sites. 'Proposed landmark buildings' are also proposed to be removed from the Neighbourhood guidance (including the one in this location). The changes to the parameter plans referred to above form part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

2.149 DDML Response Part 1: DDML broadly supports the changes to the Land Use Parameters Plan, albeit that a more detailed analysis that shows any resultant impacts on yields will be important.

DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.

2.150 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 6 and 12, and asked whether these served to address sub-rep 22.*

2.151 DDML Response Part 2: *The AAP needs to expressly recognise that there could be phased delivery that should be supportable in principle. As above, the*

*absence of any indicative plan (that shows how 1500 homes might be achieved whilst retaining adequate retail facilities and the intended MSCP and consideration of the setting of the listed arches) is a key omission and it falls to the LPA to produce this. It is otherwise a significant risk at DM stage.*

*The AAP needs to identify whether the use of land for given end purposes are sound and by doing so, matters of principle should not be left to DM stage. This is even more relevant when the AAP is seeking to secure an AAP-wide parking and movement strategy so it needs to be clear what provision will be needed to make those developments acceptable. Also to be clear how any AAP wide infrastructure (such as MSCP facilities) are dealt with from a viability prism.*

- 2.152 Council Response Part 3: When having regard to the housing trajectory contained in the Council's Matter 4 housing statement (based on the masterplan supporting the Council's viability assessment), the Council's position is that the capacity of White City is 1,100 residential units on the basis of complete redevelopment. It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy. The Council's position regarding gateway locations has been explained.
- 2.153 DDML Response Part 3: DDML understood that the identified yield was 1500 homes for White City. We have not undertaken any detailed massing proposals. The point re phasing and early delivery is welcomed.
- 2.154 Council Response Part 4: The yield for White City as contained in the housing trajectory in the Council's matter 4 hearing statement is 1,100. The Council does not know where the 1,500 figure has come from. If DDML is not accepting of the 1,100 figure, it would be up them to demonstrate capacity for more than this. This is a matter to be debated at the relevant hearing session.
- 2.155 DDML Response Part 4: DDML had understood that the identified yield was 1500 homes for White City but note that this may have been an error. Our review of the Viability report in the evidence base suggests that the notional yield for the White City area based upon the FCB masterplan would have been 1246 units and we assume that this could be deliverable. We have not undertaken any detailed massing proposals.
- 2.156 Council Response Part 5: The Council's considers that the incorrect figure of 1500 arrived at by DDML may be because it has not made the necessary gross to net adjustment. This could be clarified in the relevant hearing session.

### **Derwent Sub-rep 23 (on planning matters)**

- 2.157 *Derwent is keen to engage with the Council and encourages iterative dialogue so that we can contribute to the Masterplan's key objectives and to optimise the*

*opportunity for their realisation. This should include for the opportunity for a substantive landmark residential-led development within the eastern quadrant of the retail park, which could enhance pedestrian linkage to and through the site from the Talbot Road corridor.*

- 2.158 Council Response Part 1: Following the Regulation 19 consultation, it is proposed to change the building heights parameter plan to remove the reference to all 'gateway opportunities' (including the one in this location) and to include a new location where only building heights of up to 6 storeys would be permitted within the setting of the historic White City entrance portal. The different height categories would also now more closely correspond with development sites. 'Proposed landmark buildings' are also proposed to be removed from the Neighbourhood guidance (including the one in this location). The changes to the parameter plan referred to above forms part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).
- 2.159 DDML Response Part 1: DDML broadly supports the changes to the Land Use Parameters Plan, albeit that a more detailed analysis that shows any resultant impacts on yields will be important.
- DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.
- 2.160 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 6 and 12, and asked whether these served to address sub-rep 23.*
- 2.161 DDML Response Part 2: *The AAP needs to expressly recognise that there could be phased delivery that should be supportable in principle. As above, the absence of any indicative plan (that shows how 1500 homes might be achieved whilst retaining adequate retail facilities and the intended MSCP and consideration of the setting of the listed arches) is a key omission and it falls to the LPA to produce this. It is otherwise a significant risk at DM stage.*
- 2.162 Council Response Part 3: When having regard to the housing trajectory contained in the Council's Matter 4 housing statement (based on the masterplan supporting the Council's viability assessment), the Council's position is that the capacity of White City is 1,100 residential units on the basis of complete redevelopment. It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy. The Council would agree to the insertion of a statement in the CQAAP which would make it clear that the Council would support the early delivery of sites within the plan period

and also that a phased approach in the development of large sites would be accepted where appropriate. This is a new suggested change, as referred to in paragraph 1.6. The Council's position regarding gateway locations has been explained.

- 2.163 DDML Response Part 3: DDML understood that the identified yield was 1500 homes for White City. We have not undertaken any detailed massing proposals. The point re phasing and early delivery is welcomed.
- 2.164 Council Response Part 4: The yield for White City as contained in the housing trajectory in the Council's matter 4 hearing statement is 1,100. The Council does not know where the 1,500 figure has come from. If DDML is not accepting of the 1,100 figure, it would be up them to demonstrate capacity for more than this. This is a matter to be debated at the relevant hearing session.
- 2.165 DDML Response Part 4: DDML had understood that the identified yield was 1500 homes for White City but note that this may have been an error. Our review of the Viability report in the evidence base suggests that the notional yield for the White City area based upon the FCB masterplan would have been 1246 units and we assume that this could be deliverable. We have not undertaken any detailed massing proposals.
- 2.166 Council Response Part 5: The Council's considers that the incorrect figure of 1500 arrived at by DDML may be because it has not made the necessary gross to net adjustment. This could be clarified in the relevant hearing session.

#### **Derwent Sub-rep 24 (on planning matters)**

- 2.167 *Concerns with the proposed layout and maximum heights in north-eastern part of the site. It is one design solution and would be unduly prescriptive if applied in blanket fashion. The economics of this type of accommodation vary very widely, so it will be important to accommodate some design development or risk impact upon the ability of the development to deliver social infrastructure including affordable housing.*
- 2.168 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. With the exception of the plans supporting Policy CQ1, other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. Following the Regulation 19 consultation, it is proposed to make a change to the land uses parameter plan to show a combination of retail and residential uses across the retail park. It is also intended to amend the document (within the vision for the Central Neighbourhood) to refer more explicitly to the prospect of some retail park remaining. The detail of any redevelopment would be confirmed at development management stage, subject to the principles of the document

being adhered to. In addition, it is proposed to change the building heights parameter plan to include a new location where only building heights of up to 6 storeys would be permitted within the setting of the historic White City entrance portal. The different height categories would also now more closely correspond with development sites. 'Proposed landmark buildings' are also proposed to be removed from the Neighbourhood guidance (including the one in this location). The changes to the parameter plans referred to above form part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

- 2.169 DDML Response Part 1: DDML broadly supports the changes to the Land Use Parameters Plan, albeit that a more detailed analysis that shows any resultant impacts on yields will be important.

DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.

- 2.170 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 6 and 12, and asked whether these served to address sub-rep 24.*

- 2.171 DDML Response Part 2 *It is helpful that it sets out that the redevelopment of the retail park could come later, but we would not want to prejudice the opportunity for it to be developed within the AAP Plan period if market conditions supported that. The AAP also needs to expressly recognise that there could be phased delivery that should be supportable in principle. As above, the absence of any indicative plan (that shows how 1500 homes might be achieved whilst retaining adequate retail facilities and the intended MSCP and consideration of the setting of the listed arches) is a key omission and it falls to the LPA to produce this. It is otherwise a significant risk at DM stage.*

- 2.172 Council Response Part 3: When having regard to the housing trajectory contained in the Council's Matter 4 housing statement (based on the masterplan supporting the Council's viability assessment), the Council's position is that the capacity of White City is 1,100 residential units on the basis of complete redevelopment. It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy. The Council would agree to the insertion of a statement in the CQAAP which would make it clear that the Council would support the early delivery of sites within the plan period and also that a phased approach in the development of large sites would be accepted where appropriate. This is a new suggested change, as referred to in paragraph 1.6.

- 2.173 DDML Response Part 3: DDML understood that the identified yield was 1500 homes for White City. We have not undertaken any detailed massing proposals. The point re phasing and early delivery is welcomed.
- 2.174 Council Response Part 4: The yield for White City as contained in the housing trajectory in the Council's matter 4 hearing statement is 1,100. The Council does not know where the 1,500 figure has come from. If DDML is not accepting of the 1,100 figure, it would be up them to demonstrate capacity for more than this. This is a matter to be debated at the relevant hearing session.
- 2.175 DDML Response Part 4: DDML had understood that the identified yield was 1500 homes for White City but note that this may have been an error. Our review of the Viability report in the evidence base suggests that the notional yield for the White City area based upon the FCB masterplan would have been 1246 units and we assume that this could be deliverable. We have not undertaken any detailed massing proposals.
- 2.176 Council Response Part 5: The Council's considers that the incorrect figure of 1500 arrived at by DDML may be because it has not made the necessary gross to net adjustment. This could be clarified in the relevant hearing session.

#### **Derwent Sub-rep 25 (on planning matters)**

- 2.177 *Concerns with multi storey car park solutions from a viability perspective. In addition, the development would be on a phased basis. This is unlikely to be described as "small scale" so there will be a need to understand that the layout will need to accommodate that and those servicing requirements.*
- 2.178 Council Response Part 1: The CQAAP provides the basis for the redevelopment of White City Retail Park (either in full or in part) should the landowner wish to pursue this option. With the exception of the plans supporting Policy CQ1, other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. Following the Regulation 19 consultation, it is proposed to make a change to the land uses parameter plan to show a combination of retail and residential uses across the retail park. It is also intended to amend the document (within the vision for the Central Neighbourhood) to refer more explicitly to the prospect of some retail park remaining. The detail of any redevelopment would be confirmed at development management stage, subject to the principles of the document being adhered to. The changes to the parameter plan referred to above forms part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

2.179 DDML Response Part 1: DDML broadly supports the changes to the Land Use Parameters Plan, albeit that a more detailed analysis that shows any resultant impacts on yields will be important.

DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.

DDML does not object to the principle of a strategic assessment of parking requirements and taking opportunity to rationalise the extent of land given over to that purpose. However, the viability implications of such does need to be determined and it will not be appropriate to leave this to the development management process. DDML will maintain its objection if the financial implications of the AAP parking strategy is not properly resolved.

2.180 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 1, 10 and 11, and asked whether these served to address sub-rep 25.*

2.181 DDML Response Part 2: *Not effectively. It is entirely unclear that the viability work has properly considered the impacts of an MSCP at a site-specific level. How will this otherwise be resolved when a DM application is submitted for a scheme reliant on other land for its parking provision, or for a scheme that is providing for others. How would any equalisation be achieved if it is not resolved through the AAP.*

2.182 Council Response Part 3: The viability position that has been adopted by the Council as it relates to MSCP will be covered within the Viability Statement of Common Ground where possible, and also at the relevant hearing session.

2.183 DDML Response Part 3: Noted.

### **Derwent Sub-rep 26 (on planning matters)**

2.184 *The Bingo 3000 site provides an opportunity for a landmark building (or buildings) delivering considerable yield and significant redevelopment in a key location prominent to two primary axes. This is readily available for development in the early part of the Plan period.*

2.185 Council Response Part 1: At Regulation 19 stage, land slightly to the east of the site is shown as a location for a proposed landmark building (within the Neighbourhood guidance). The same location was identified as a 'gateway opportunity' on the building heights parameter plan. A different approach is now proposed in which 'gateway opportunities' are removed from the building

heights parameter plan and 'gateway locations' are added to the improved permeability and greenspace parameter plan. This location is proposed to be shown as a 'gateway location' in accessibility terms. This does not automatically translate into a tall building. The detail would be confirmed at planning application stage. The building heights parameter plan confirms building heights of up to 6 storeys in this location. All references to 'proposed landmark buildings' within the Neighbourhood guidance are intended to be removed. The changes to the parameter plan referred to above forms part of the Council's proposed main modification. The remaining proposed changes are intended as minor modifications (and which feature on the list of proposed minor modifications that was prepared at the time of the CQAAP's Submission).

2.186 DDML Response Part 1: DDML objects to the changes in the Building Heights Parameters Plan and more particularly the proposed removal of the Gateway Locations notations which could have the effect of reducing development potential and will prejudice investment decision making.

DDML understands that the Bingo 3000 land holding falls across two Neighbourhood Areas and the northern part has a deemed capacity for buildings of up to 12 storeys height. DDML is not aware of any credible basis why such a height could not be supported across the entirety of the Bingo 3000 site which is one of the most accessible in the AAP area and can act as a gateway into the area from the Metro station at Trafford Bar.

2.187 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statements covering Matters 10 and 11, and asked whether these served to address sub-rep 26.*

2.188 DDML Response Part 2: *No. There remains no credible evidence to demonstrate why the southern part of the Bingo 3000 plot could not accommodate greater development acting as a gateway from Trafford Bar metro stop.*

2.189 Council's Response Part 3: The Council has used the masterplan which underpins the viability assessment to establish plot yields in the absence of evidence put forward by developers or landowners (for example pre-application approaches). . In the absence of any other evidence it would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy.

2.190 DDML Response Part 3: Noted. We therefore interpret that the trajectory and site-based yields are provided for guidance and to inform the evidence base.

2.191 Council Response Part 4: The Council confirms that the trajectory and site-based yields are provided for guidance and to inform the evidence base.

2.192 DDML Response Part 4: Noted with thanks.



### **Derwent Sub-rep 27 (on planning matters)**

- 2.193 *Eastern Neighbourhood. Derwent is supportive in principle of the inclusion of this area within the AAP, recognising that it can provide a real contribution to AAP objectives and support positive development on this key gateway.*
- 2.194 Council Response: Noted
- 2.195 DDML Response: No further action needed.

### **Derwent Sub-rep 28 (on planning matters)**

- 2.196 *Non-designated buildings have been given excessive significance and the Heritage Assessment suggests a Conservation Area which is not justified. Welcome the AAP does not take forward this suggestion but it does suggest a lower height for the plot adjacent to the Bowling Club which we suggest could straightforwardly accommodate 6-8 storeys which would also align with the indicative yield which is mooted through the Regulation 18 Local Plan.*
- 2.197 Council Response Part 1: The status of this building as a non-designated heritage asset is maintained and new development within its setting would be expected to be respectful. An application has been made by a third party which promotes the listing of this building. The decision is outstanding. The building heights parameter plan shows that building heights should be a maximum of six storeys in this location, and this is maintained.
- 2.198 DDML Response Part 1: DDML would welcome the Council's confirmation that it would not intend to designate a Talbot Road Conservation Area, whether as part of the AAP process or otherwise.
- DDML maintains that the heritage significance of the Bowling Club site and other existing older buildings in the eastern part of the AAP area needs to be reconsidered. DDML also challenges the mooted positive contribution to character, and by extension rejects the assertion that the built form in this area should have height suppressed accordingly.
- 2.199 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 6, and asked whether this served to address sub-rep 28.*
- 2.200 DDML Response Part 2: *We want to see an express statement on the Conservation Area matter as it has the potential to be material at DM stage*

*(especially given third party activity re the Bowling Green). Re the Bowling Green, can Trafford advise of the status of this decision re listing and also to confirm whether it will agree that the building does not warrant statutory designation.*

- 2.201 Council's Response Part 3: The Council does not intend to pursue the designation of this conservation area but it is not considered appropriate for this statement to be elevated to policy within the CQAAP. The Council is supportive of the listing application of the bowling club, although the position adopted by the Council in the CQAAP is not predicated on this application being successful.
- 2.202 DDML Response Part 3: This is noted with thanks. We would welcome acknowledgement that the outcome of the listing decision will not impact the position adopted by the Council within the CQAAP and the Reg 18 Local Plan.
- 2.203 Council Response Part 3: The position adopted by the Council in the CQAAP is not predicated on the listing application being successful, and the position of the CQAAP would equally apply if the listing application was successful, in the Council's view. The Council is, however, supportive of the listing application.

#### **Derwent Sub-rep 29 (on planning matters)**

- 2.204 *Support approach that site to the east of Trafford Public Hall used as a tyre depot can support residential apartments of up to 10 storeys. This can come forward quickly and contribute to housing land supply in years 1-5 of the Plan period, subject to viability testing and ensuring that the CQ11 framework is realistic and will not impede development coming forward.*
- 2.205 Council Response Part 1: The building heights parameter plan which forms part of Policy CQ1 identifies the locations where the tallest buildings may be appropriate when having regard to the findings of the Townscape and Visual Impact Assessment (evidence base). This plan in fact identifies this as a location where a developments should be limited to six storeys in height, and this position is maintained. Policy CQ1 is clear that development proposals should accord with the parameter plans. Other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this.
- 2.206 DDML Response Part 1: DDML had interpreted the earlier heights parameters plan to mean that the Tyre Depot site could support a building of greater than 6 storeys height. This now being clarified, DDML objects to that restraint and feels that the site is not unduly sensitive and can support more intensive development.

Restraint to yield will impact upon the delivery of affordable housing and infrastructure, and the positive weight to be afforded to those matters should be considered relative to any deemed sensitivity of location and townscape harm.

- 2.207 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 11, and asked whether this served to address sub-rep 29.*
- 2.208 DDML Response Part 2: *The housing trajectory information worsens the position from our perspective because it infers that there would be no yield at all from the 17-19 Talbot Rd site. Is that the intent or should the trajectory be updated to show a notional yield?*
- 2.209 Council Response Part 3: The site of 17-19 Talbot Road is included in the housing trajectory contained in the Council's Matter 4 hearing statement. However, it has been incorporated into the site of Trafford Hall Hotel. When based on the masterplan supporting the Council's viability assessment, it is the Council's view that the site in full could accommodate 136 units, with 56 units on 17-19 Talbot Road in isolation (adjusted to account for site constraints).
- 2.210 DDML Response Part 3: Noted with thanks. Can the Council consider amending the trajectory appended to their Matter 4 statement accordingly to show the intended yield for the 17-19 Talbot Road site.
- 2.211 Council Response Part 4: The Council can confirm that it will update the housing trajectory in accordance with this request and also to reflect matters arising in the relevant hearing session covering Matter 4: Housing.

### **Derwent Sub-rep 30 (on planning matters)**

- 2.212 *Hope that the proposed maximum heights for block developments (such as 39 Talbot Road and White City Retail Park) will be utilized as broad guidance rather than a set of absolute standards. The block layout and form does not necessarily align with market signals, and this could impact upon deliverability and the opportunity to secure social infrastructure such as much needed affordable housing.*
- 2.213 Council Response Part 1: The building heights parameter plan which forms part of Policy CQ1 identifies the locations where the tallest buildings may be appropriate when having regard to the findings of the Townscape and Visual Impact Assessment (evidence base). Policy CQ1 is clear that development proposals should accord with the parameter plans. Other plans and illustrations within the CQAAP are illustrative only and Policy CQ1 is clear on this. The detail

surrounding any new development would be confirmed at development management stage subject to the principles of the CQAAP being adhered to.

- 2.214 DDML Response Part 1: DDML had interpreted the earlier heights parameters plan to mean that the Tyre Depot site could support a building of greater than 6 storeys height. This now being clarified, DDML objects to the potential restraint to height on these sites, and feels that in the case of 39 Talbot Rd it is not unduly sensitive and can support more intensive development. In the context of White City, this has previously been identified as a gateway location and a major focus for the AAP so any restraint needs to be carefully considered.

DDML has previously understood that these parameter plans are illustrative, so this being the case then they should not provide an absolute bar. If it is intended that they will be definitive, then considerably greater work will be needed to ensure that they are robust and provide the best framework to deliver planning objectives of the AAP which will be anchored upon the delivery of a new neighbourhood that provides places to live and work.

Restraint to yield will impact upon the delivery of affordable housing and infrastructure, and the positive weight to be afforded to those matters should be considered relative to any deemed sensitivity of location and townscape harm.

- 2.215 Council Response Part 2: *The Council subsequently referred DDML to the Council's hearing statement covering Matter 11, and asked whether this served to address sub-rep 30.*

- 2.216 *DDML Response Part 2: The housing trajectory information worsens the position from our perspective because it infers that there would be no yield at all from the 17-19 Talbot Rd site. **Is that the intent** or should the trajectory be updated to show a notional yield? As set out earlier, we feel that an indicative plan for White City to show 1500 units should be developed by the LPA.*

- 2.217 Council Response Part 3: The site of 17-19 Talbot Road is included in the housing trajectory contained in the Council's Matter 4 hearing statement. However, it has been incorporated into the site of Trafford Hall Hotel. When based on the masterplan supporting the Council's viability assessment, it is the Council's view that the site in full could accommodate 136 units, with 56 units on 17-19 Talbot Road in isolation (adjusted to account for site constraints). For 39 Talbot Road, 68 units has been assumed (subject to site constraints). It would be up to DDML to demonstrate capacity for more than this or to put forward an alternative strategy.

- 2.218 DDML Response Part 3: This is noted with thanks. Can the Council consider amending the trajectory appended to their Matter 4 statement accordingly to show the intended yield for the 17-19 Talbot Road site.

2.219 Council Response Part 4: The Council can confirm that it will update the housing trajectory in accordance with this request and also to reflect matters arising in the relevant hearing session covering Matter 4: Housing.

### 3.0 CONCLUSIONS

3.1 When having regard to the Council's response to the 30 sub-representations made by DDML to the Regulation 19 consultation (on planning matters), it is agreed that the number of matters in dispute is reduced. This is when having regard to the Council's further justification for its position, and the effect of: the proposed main modifications to the CQAAP (see Documents G01 to G05 in the Examination Library); the proposed list of minor modifications; and some of the content of the Council's hearing statements. In addition, some further and very recent changes have been suggested and agreed between the parties which has also served to resolve issues raised by DDML in its Regulation 19 consultation. However, there are some sub-representations which remain in dispute or which are part-disputed. It is anticipated that these issues will be covered in the Examination hearing sessions (together with any outstanding viability issues).

### 3.2 Signatures:

#### 1. For Trafford Council (Planning and Development Management Service, sub-section Major Planning Projects Team)

Name: Bethany Brown

Position: Major Planning Projects Officer

Signed: 

Date: 05.04.22

#### 2. On behalf of Derwent Development Management Ltd

Name: Mark Aylward

Company: Aylward Town Planning Ltd

Position: Director

Signed: 

Date: 06/04/22