

**CIVIC QUARTER AREA ACTION PLAN**

**TRAFFORD COUNCIL'S RESPONSE TO THE INSPECTOR'S  
MATTERS, ISSUES AND QUESTIONS**

*Matter 13 – Development Management, Uncertainties and Risks*

## **Introduction**

This hearing statement has been prepared by Trafford Council in response to the Inspector's Matters, Issues and Questions for the Examination hearing sessions. It addresses Matter 11: Infrastructure and Obligations.

The following key documents are relevant to this response:

- The Civic Quarter Area Action Plan Regulation 19 Version (January 2021)  
**A01**
- Proposed minor modifications (November 2021) – see Matter 1 hearing statement

**13.1** *Does the Plan provide sufficient guidance to cover all the relevant aspects of **development management** which are required to achieve the satisfactory implementation of the Plan?*

13.1.1 The Area Action Plan contains eleven focused policies which take forward the Vision for the Civic Quarter and seek to secure its successful implementation. The Area Action Plan, upon its adoption, would form part of the statutory development plan alongside other components, including the Trafford Core Strategy (2012) and, in time, the emerging Trafford Local Plan. It would then of course be the statutory starting point for planning application decision making in accordance with Section 38(4) of the Planning and Compulsory Purchase Act 2004.

13.1.2 The AAP has been prepared to accommodate transformational change and high density development in the Civic Quarter area. It encourages a step change in the type of development which Trafford has historically experienced. Until recently, Trafford was primarily a suburban Borough, containing mainly low density housing, interspersed by employment land and green space. More recently, however, schemes have come in at far higher densities, without a policy framework specifically drafted to manage these. The Civic Quarter AAP provides that policy framework in this particular area.

13.1.3 In encouraging new development and innovation the primary purpose of the planning system should not be forgotten. It is to deliver *sustainable* development – which is effectively managing the use of land and intervening in the market in the public interest. Thus control mechanisms are necessary to temper the private interest of developers and landowners to maximise returns, at the expense of the wider public interest (for example from the public purse having to fund infrastructure which could otherwise be provided as developer contributions, or a section of the population enduring unacceptable living conditions detrimental to health and wellbeing).

13.1.4 Consequently, the plan has various control mechanisms which would enable the Council (or indeed the Secretary of State on appeal) to make robust development management decisions and resist inappropriate development which would not be sustainable. Some of these control mechanisms arise out of suggestions made to the Inspector in other hearing statements, rather than being contained in the submission draft plan. This is not an exhaustive list, and some of the control mechanisms may not apply to all development proposals, but attempts to paint a broad picture.

- Policy CQ1 contains a height parameter plan which would provide a control framework to limit the height of buildings appropriately and in accordance with sound urban design principles (and these made more robust by

establishing more definitive and regular boundaries for the height parameters via the proposed Main Modification).

- Policy CQ2 protects the amenity of existing residents of the Civic Quarter through a series of requirements for new development, and also seeks to ensure an appropriate level of amenity for future residents, including useable private amenity space.
- A suggested change to CQ3 (see response to Matter 5.1) would require those sites identified on the Land Use Parameters Plan as 'predominantly residential / workspace' to provide a proportion of the floorspace proposed as workspace. This would help to ensure the balance of uses across the Civic Quarter were delivered.
- Policy CQ4 requires an actionable zero carbon plan, to ensure that development properly addresses the climate crisis.
- It is now suggested (see Matter 6.3) that Policy CQ6 includes a tall buildings policy, to ensure that buildings of scale are of a high quality design and appropriate in their context (among other things).
- Policies CQ8 and CQ9 ensure that proposed developments enhance and complement the processional and wellbeing routes and provide their own public realm (albeit their delivery will likely be via the public sector, using developer contributions).
- Policy CQ11 ensures that proportionate, equalised developer contributions are sought to deliver the required infrastructure, and affordable housing is delivered (on site) to meet the housing need.

13.1.5 Nevertheless, the AAP has not sought to unnecessarily duplicate existing development plan or NPPF policy, targeting and focusing on elements where a specific approach needs to be tailored to the Civic Quarter. For example, Policy CQ5 – Conservation and Heritage does not replicate the tests of substantial and less than substantial harm in Chapter 16 of the NPPF. In practice, however, development management decisions would need to have regard to these tests.

13.1.6 The AAP would only supersede one of the policies of the Core Strategy – Policy SL3 – which is an area based policy. All other policies in the Core Strategy would remain in force until such a time as they were replaced by the emerging Trafford Local Plan. These would provide an extra layer to the ability to manage development in the Civic Quarter.

13.1.7 The suite of policies is supported by detailed neighbourhood guidance, a design code and a public realm code. These are guidance and coding, rather than policy, but will significantly assist in shaping the form of new development and supporting infrastructure, including the complementary and necessary public realm improvements which will make the Civic Quarter a place and a community.

- 13.1.8 It is made clear, however, that many of the images in the AAP, including the indicative masterplan, are for illustrative purposes only, and that they should not be used as a template to guide planning applications. This is because they show block forms which have not been tested against the policies in the plan. This is to prevent applicants for planning permission elevating those diagrams to a status they do not have and using them as a means to persuade the Council that a particular form of development should be accepted which was contrary to other policies in the AAP or development plan as a whole.
- 13.1.9 Accordingly, it is considered that all relevant aspects of development management would be adequately covered to enable sound decision-taking, leading to the sustainable future growth of the Civic Quarter over the plan period and beyond.

**13.2 Overall, does the Plan take sufficient account of *uncertainties and risks*? How flexible is it?**

13.2.1 Whilst some aspects of the Area Action Plan are fixed in order to provide the foundations for the area's sustainable regeneration, the Area Action Plan is underpinned by a level of flexibility to enable alternative proposals in the development of individual sites to come forward as dictated by the market at any one time.

13.2.2 As with any forward looking document, it cannot predict the future with complete certainty. Instead, it provides a framework by which development could come forward in a number of ways. There is no phasing plan by which development needs to abide by. Any of the sites could come forward in any order (and indeed concurrently), and as long as they pay their equalised contribution, will contribute to the whole.

13.2.3 There is a risk that not all the development will be delivered and thus the supporting infrastructure is also not delivered. Aside from the service infrastructure, all the other infrastructure is calculated on a proportional basis. This means that if the housing is not delivered then the demand for facilities and services reduces proportionally as well. Given the equalisation strategy, the Council would be able to prioritise the service infrastructure, such as the primary substation, in its Infrastructure Funding Statement.

13.2.4 The suggestion in Matter 4 that flexibility is built into the housing requirement also manages uncertainty. The up to 4000 figure for housing numbers is a design and capacity led figure across sites where there is some knowledge that redevelopment is desirable (even if this is in the longer term). Providing a housing figure of a minimum of 2500 in plan period better reflects delivery and build out rates, and does not rely on the redevelopment of White City (which remains a thriving retail destination, albeit out of centre) to bring forward the housing numbers. There will inevitably be other sites coming forward within the plan period (even if fairly far into it) which are currently unavailable for development and are not included in the indicative masterplan. An element of windfall is built into the housing numbers.

13.2.5 There is a risk that the workspace element of the plan would not be delivered as it does not generate as high a land value as the residential element. This has now been addressed through a specific policy requirement for a proportionate contribution to workspace on sites identified as being capable of providing workspace in the plan.

13.2.6 There is of course a risk that economic circumstances or global events mean that none or very little of the development will be built at all, or that development will stall at a point during the plan period. Other interventions from the public sector would likely be required then, which are outside the scope of

this plan. This is also a risk with any plan making process, and the alternative is to do nothing. This would not be a positive approach to bringing forward development, and would not manage the expected transformational change.

### **13.3** *Are the **monitoring** arrangements soundly based?*

13.3.1 Yes. However, some adjustments are suggested, to be pursued as a minor modification, which could improve the arrangements for monitoring. Reference within the adjusted text is given to the preparation of the Authority Monitoring Report (AMR) which will include the Area Action Plan policies and which will be publically available. The AMR will assess the extent to which policies within the Area Action Plan are being implemented, an explanation as to why policy implementation may not be taking place, an overview of the consequences of policy implementation where this has taken place, and an action plan and timetable where policies may need to be amended or replaced. Further adjustments to the Area Action Plan text (as additional minor modifications) could be included to refer to more precise means of monitoring through the use of Key Performance Indicators (KPIs) for example. These could be quantitative in nature (for example, the number of residential units granted planning permission (including affordable homes), the number of residential units completed (including affordable homes), the amount of office/commercial floorspace approved and delivered (by type), the overall funds received via Section 106 legal agreements to support the provision of new infrastructure, the percentage of daily trips made by public transport, walking and cycling from within the Civic Quarter, and progress made on key sites identified by the Area Action Plan. Annual targets for the KPIs could also be set. When having regard to this approach, it is considered that the monitoring arrangements are soundly based.