



Hearing Statement

Matters 12-14

- 12 The Neighbourhoods
- 13 Development Management, Uncertainties and Risks

On behalf of:

Derwent Development Management Ltd

In respect of:

Trafford Civic Quarter:

Area Action Plan

Examination in Public

Date:

March 2022

Reference:

MA/DDML/029-3/R004m

1.0 Introduction

- 1.1 This Hearing Statement is submitted in respect of document INS-01 as it pertains to Matters 12-14 inclusive. A key thrust of our response in this respect is the policy framework as it will pertain to the uses impacting White City Retail Park and other property assets in DDML's ownership.
- 1.2 We have previously submitted representations to earlier stages of consultation to the AAP on behalf of Derwent Group. These representations are submitted on behalf of DDML as Derwent has restructured its business and its trading company is now DDML.
- 1.3 This Statement provides responses to the following questions from Matters 12-14 of INS-01, whilst clarifying that Matter 11 is being addressed by CBRE on behalf of DDML:
 - 12.1 (The Neighbourhoods)
 - 13.1
 - 13.2
- 1.4 In the context of MIQ 12.1, this includes consideration of several neighbourhoods identified in the Reg 19 AAP. The Inspector may be aware that we issued representations to the consultation version of this Plan which was primarily focused upon concerns arising in terms of Derwent's land interests at White City Retail Park and along the eastern part of the Talbot Road corridor.
- 1.5 We are therefore compelled to prepare and submit this Statement to assist the Inspector to draw out this information from the Council at the Examination.
- 1.6 We set out that work has commenced re the preparation of a Statement of Common Ground with Trafford Council and there is potential that any areas of difference between the parties could be reduced prior to the Hearing sessions being commenced. We reserve the right to respond to the Council's comments regarding INS-01.

2.0 Responses to Key Questions

Matter 12 The Neighbourhoods

12.1 *Does the Plan provide appropriate and realistic planning guidance in relation to the overall vision and detailed suggestions for specific sites for the following neighbourhoods:*

A: Central Neighbourhood

B: Southern Neighbourhood

C: Western Neighbourhood

D: Northern Neighbourhood

E: Eastern Neighbourhood?

2.1 We submitted representations in the context of MIQ 12.1, this includes consideration of several neighbourhoods identified in the Reg 19 AAP. The Inspector may be aware that we issued representations to the consultation version of this Plan which was primarily focused upon concerns arising in terms of Derwent's land interests at White City Retail Park and along the eastern part of the Talbot Road corridor.

2.2 We now go through this on a neighbourhood by neighbourhood basis for ease.

A: Central Neighbourhood

2.3 DDML is supportive in principle of the proposed redevelopment of White City Retail Park. We welcomed the original Reg 18 proposals to bring forward substantive mixed-use development in the eastern part of White City Retail Park. This and then latter Reg 19 consultation includes (in diagrammatic form) a range of blocks of varying height including the tallest element on the north-eastern boundary of the site to act as a landmark but also perhaps as a gatepost to the Civic Quarter area as a whole. This approach was very much welcomed.

2.4 However, these proposals assumed a full redevelopment of the White City site and we were compelled to submit representations that highlighted that the balance of economic uses being proposed by the Reg 19 AAP would fail to meet the genuine shopping requirements of the residents of this significant new neighbourhood of new homes and those working in the new offices and attending the higher education facilities.

2.5 We understand that the Council does intend to show that more retail facilities could be provided to serve the AAP area, primarily by retaining more of the White City Retail Park site for those uses. We welcome that in principle but note that this will have an inevitable effect upon residential yield and the indicative plans for the consolidation of car parking and

pedestrian routing through the wider AAP area.

- 2.6 As we noted under our response to Matter 3 and Matter 4, we understand that through Main Modifications the Council is intending to omit the “gateway locations” that are identified on illustrative diagrams in the Reg 19 plan and reflected in notional analyses of plot by plot yields.
- 2.7 Whilst we did raise some concerns with the proposed layout and maximum heights in this north-eastern part of the White City site, this was essentially seeking to ensure design flexibility to maximise deliverability. It was expressly not looking to suppress yields or the opportunity for gateway development, so we must conclude that the proposed Main Modification to remove the gateway location is a retrograde step that we strongly object to.
- 2.8 From a purely economic perspective, it is likely that a greater yield will improve the likelihood of delivering strong environmental performance as well as the realisation of social infrastructure including affordable housing. There is a balance to be had in terms of market testing to ensure that latent supply will reflect anticipated demand, but initial planning for greater yield gives the best opportunity for delivery.
- 2.9 It was in this context that we set out (and maintain) that DDML supports the ambition for the redevelopment of the White City Retail Park site (as an example) but the investment decision requires considerable market testing with potential that 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”.
- 2.10 DDML is keen to work with the Council to take forward the aspirations for the Central Neighbourhood as set out in the Reg 19 AAP including the yields associated with the gateway location in the north-eastern part of the site. This does require clarification in terms of how the retention of more retail uses will impact upon yield and spatial form and to resolve the delivery mechanism for any proposed MSCP parking including cost equalisation.

B: Southern Neighbourhood

- 2.11 We raise no specific comments re this Neighbourhood.

C: Western Neighbourhood

- 2.12 We raise no specific comments re this Neighbourhood.

D: Northern Neighbourhood

- 2.13 DDML is supportive in principle of the proposed redevelopment of plots to the north-eastern part of the AAP area. In the context of the Bingo 3000 site, we requested some clarification as

the land parcel appeared to straddle the boundary of two Neighbourhoods. The Council's published response to the Reg 19 consultation advised that this was intentional and that there was no proposal to reconsider the boundary.

- 2.14 The Council proposed Main Modifications and the effect of this (in the context of the Bingo 3000 site) is to identify the northern part of it as an area that could accommodate development of up to 12 storeys, whilst the southern edge fronting Talbot Road would support up to six storeys. The previous reference to a gateway location has been omitted.
- 2.15 We would highlight that the Bingo 3000 site provides an opportunity to accommodate a landmark building (or buildings) delivering considerable yield and significant redevelopment in a key location prominent to two primary axes. We also confirm that the Bingo 3000 site could accommodate a building of that type and confirm that this is readily available for development in the early part of the Plan period.
- 2.16 To that extent, we feel that the revised Building Heights Parameters Plan fails to take best advantage of the site which is highly accessible and provides an opportunity to act as a gatepost to the Civic Quarter area as a whole. Whilst there may be parts of the AAP area that are more sensitive (i.e in proximity to heritage assets) there is a corollary that there are less sensitive parcels and also locations that provide the opportunity for gateway entry points to the AAP area that provide a sense of arrival.

E: Eastern Neighbourhood

- 2.17 We have submitted representations to the Reg 19 consultation, and this confirmed DDML's support to the principle of the inclusion of this Neighbourhood area within the AAP, recognising that it can provide real contribution to AAP objectives and support positive development on this key gateway.
- 2.18 We did set out that the indicative Building Heights Parameters Plan resulted in potential yield being artificially suppressed, primarily as a consequence of evidence base work re heritage that afforded undue significance to non-designated buildings which is not justified. Whilst we welcome the fact that the AAP does not seek to take forward the Conservation Area recommendation but it does nevertheless suggest a lower height for the plot adjacent to the Bowling Club which we continue to argue could straightforwardly accommodate 6-8 storeys which would align with the indicative yield mooted through the Regulation 18 Local Plan.
- 2.19 DDML has a further land asset in this Neighbourhood comprising the tyre depot located to the east of the Trafford Public Hall. We support the approach for its redevelopment and argue

that this could include elements that exceed the notional 6 storey parameter height with softening closer to the Trafford Public Hall. This can come forward very quickly and contribute to housing land supply in years 1-5 of the Plan period, subject to viability testing and a sound conclusion to dialogue on the CQ11 framework that does not impede deliverability.

Matter 13 Development Management, Uncertainties and Risk

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

- 2.20 No. At this stage there is considerable uncertainty that the suite of development obligations which would be sought through the CQ11 framework and general design criteria would allow development to come forward and provide a reasonable developer return.
- 2.21 This analysis of theoretical viability also needs to have consideration of whether the potential long-term return would be sufficiently attractive to warrant considerable investment, especially where a site is in active commercial use generating income and employment.
- 2.22 It is also clear that there are unresolved matters in regard to what would constitute broad infrastructure (such as multi storey car parks) and as to how the costs and risks associated with these would be addressed on a site-by-site basis.
- 2.23 It is crucial that the AAP expressly identifies support for the principle of “meanwhile” uses. This is because any resultant investment decision requires considerable market testing with potential that redevelopment would need to be phased. The AAP should expressly recognise that phased delivery is likely and provide a pragmatic approach to support “meanwhile uses”.
- 2.24 DDML is keen to work with the Council to take forward the aspirations for the Central Neighbourhood as set out in the Reg 19 AAP including the yields associated with the gateway location in the north-eastern part of the site. This does require clarification in terms of how the retention of more retail uses will impact upon yield and spatial form and to resolve the delivery mechanism for any proposed MSCP parking including cost equalisation.

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

- 2.25 Whilst we note that the text does cite that the various Parameter Plans are illustrative and also that viability appraisals can be submitted, it must also be recognised that there is a likelihood that the Council and its Members would anticipate that the development will replicate the form and scope of planning obligations set out in the AAP will be delivered, even if it latterly becomes clear that those aspirations were not realistic on a site-by-site basis.

- 2.26 We understand that the Council intends to show that more retail facilities could be provided to serve the AAP area, primarily by retaining more of the White City Retail Park site for main town centre uses.
- 2.27 We welcome that in principle but note that this will have an inevitable effect upon residential yield and the indicative plans for the consolidation of car parking and pedestrian routing through the wider AAP area.
- 2.28 It will be incredibly important for the Council to undertake the exercise to clarify how the proposed revision of policies relative to retail provision will impact upon other aspects of the AAP including overall yield and housing trajectory, as well as any aspirations in terms of the alignment of connecting routes and the locations of shared open spaces.
- 2.29 We also set out in earlier representations that DDML is supportive of the comments within the Reg 19 AAP that clarify that the Council has consideration of the opportunity to use s226 compulsory purchase powers to accelerate the realisation of planning objectives. We set out and maintain that we welcome that approach, but highlight that those powers can be used for direct acquisition of land but also to clean title.
- 2.30 We raise this specifically because there are a number of land parcels in the eastern part of the AAP area which are impacted by legacy land rights that are complex for third parties to resolve by amicable treaty.
- 2.31 The key example for DDML is a land right associated with a legacy railway tunnel that largely dictates building layout on the 39 Talbot Road site. That same land right also impacts the GMP site on the other side of Talbot Road which has the potential of delivering more substantial contribution to housing supply.
- 2.32 The effect of these rights being retained is that the affected parcels will incorporate “no build zones” that will artificially suppress yields and direct the siting of urban form, potentially in conflict with what would have been ideally sought in urban design terms. We would welcome express clarification from the Council that they would consider exploring this matter further, should it become clear that the use of s226 powers would provide material contribution to the realisation of planning objectives.
- 2.33 We think it is important that these matters are given due consideration now, rather than leaving too much to the DM stage where the inevitable consequence is delay and conjecture as to what would reasonably be expected on any given site both in terms of the form of development and the associated planning obligations which should be derived.

- 2.34 That is not the outcome which we seek, and we would instead encourage the Council to provide updated and workable plans that show how the AAP area could support an exciting mix of retail and residential uses within the Plan period that secures the step-change regenerative boost and the new neighbourhood where people aspire to live and work.