

## **Report to Trafford Council**

**by Mike Fox**

an Inspector appointed by the Secretary of State

Date: 6 December 2022

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the Trafford Civic Quarter Area Action Plan**

The Plan was submitted for examination on 26 November 2021

The examination hearings were held between 5 and 8 April 2022

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## Abbreviations used in this report

AAP	Area Action Plan
AH	Affordable housing
BCIS	RICS Building Cost Information Service
BLV	Benchmark land value
CO2	Carbon dioxide
CQAAP	Civic Quarter Area Action Plan
DTC	Duty to Cooperate
dph	dwellings per hectare
EUV	Established use value
GDV	Gross development value
GM	Greater Manchester
GMAL	Greater Manchester Accessibility Level
GMP	Greater Manchester Police
GMTS	Greater Manchester Transport Strategy
ha	hectare
HRA	Habitats Regulation Assessment
HNA	Housing Needs Assessment
ICP	Infrastructure Costs Plan
kv	kilovolt
KPI	Key Performance Indicator
LCC	Lancashire Cricket Club
m	metre
MIQs	Matters, Issues and Questions discussion document
MM	Main Modification
MSCP	Multi-storey car park
NDV	Net development value
PfE	Places for Everyone Plan, for 9 Greater Manchester authorities, except Stockport
PPG	Planning Policy Guidance – national policy
RICS	Royal Institute of Chartered Surveyors
RLV	Residual Land Value
SA	Sustainability Appraisal
SCG	Statement of Common Ground
sq m	square metre
TA	Transport Assessment
TfGM	Transport for Greater Manchester
TVIA	Townscape and Visual Impact Assessment
<i>The Framework</i>	National Planning Policy Framework (NPPF)
VA	Viability Assessment

## Non-Technical Summary

This report concludes that the Trafford Civic Quarter Area Action Plan [CQAAP] provides an appropriate basis for the planning of the relevant part of Trafford Council's area, provided that a number of main modifications [MMs] are made to it. Trafford Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications. The MMs were subject to public consultation over a 7-week period. In some cases, I have amended their detailed wording in the light of the responses to the main modifications. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The **Main Modifications** can be summarised as follows:

- (i) Inclusion of new strategic objective, to promote a Major Sporting Venue at Lancashire Cricket Club (LCC).
- (ii) Modifications to policy CQ1 (Civic Quarter Regeneration) and introductory text, including: clarification of the vision for the Civic Quarter, to include emphasising its function as a visitor attraction, reinforcing its sporting, cultural and institutional heritage, resisting development which would prejudice the comprehensive development of the Civic Quarter, allowing for the possibility of a phased approach in the development and redevelopment of major sites within the Civic Quarter, and clarifying the role of the parameter plans and Policy Map.
- (iii) Modifications to policy CQ2 (Housing), including: clarifying delivery of at least 2,500 new homes within the plan period, out of a total of 4,000 new homes after 2037; clarifying a number of requirements, including the proposed mix of dwelling size, type and tenure, densities, space standards, Accessible and Adaptable Homes Standards, other forms of housing, including student accommodation; affordable housing (AH) requirements (minimum of 25%), design quality, and amenity open space and play facilities.
- (iv) Modifications to policy CQ3 (Mixed Use Communities), including: clarification of uses which are expected to contribute to a mixed-use community, including acceptable 'meanwhile' uses, 'agent of change' principle, achieving residential/office/commercial balance and acceptable town centre uses.
- (v) Modifications to policy CQ4 (Sustainability and Climate Change), including: clarification of environmental / sustainable development requirements for major development proposals, such as in relation to carbon footprint and climate change.

- (vi) Modifications to policy CQ5 (Conservation and Heritage), in relation to heritage considerations.
- (vii) Modifications to policy CQ6 (High Quality Urban Design), to clarify amenity standards, including provision of private external amenity space, proper relation to context, public realm, crime reduction, signage and street clutter, and refuse and recycling facilities.
- (viii) Inclusion of new sub-policy to cover the definition, location and design considerations in relation to tall buildings.
- (ix) Modifications to policy CQ7 (Public Realm Principles), to clarify the delivery of improved permeability, including the principles of Active Design and public realm works.
- (x) Modifications to policy CQ8 (Wellbeing Route – Talbot Road), including: clarification of the delivery of the proposed Wellbeing Route, such as tree planting and detailed design principles.
- (xi) Modifications to policy CQ9 (Processional Route), including: clarification of the delivery of the proposed Processional Route, such as tree planting and detailed design principles.
- (xii) Modifications to policy CQ10 (Movement and Car Parking Strategy), including: clarification of the key objective to improve permeability and accessibility throughout the Civic Quarter, deletion of proposed multi-storey car parks (MSCPs) located on the periphery of the Plan area to be replaced by the requirement for developments to meet their own car parking needs on-site, clarification of cycle storage and car parking standards; and the requirement for major development applications to be accompanied by an appropriate Transport Assessment (TA)/Statement.
- (xiii) Modifications to policy CQ11 (Infrastructure and Obligations) to clarify that where a development proposal contributes in kind by providing necessary identified infrastructure which would benefit the wider Civic Quarter on-site, then this would be offset against the financial contribution payable; and to be clear that the viability of developments has been assessed at plan-making stage, and that the revisiting of viability at planning application stage is not considered necessary other than in exceptional circumstances.
- (xiv) Inclusion of a new Appendix 6, to set out Key Performance Indicators (KPIs).

- (xv) A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the Trafford Civic Quarter Area Action Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 (paragraph 35) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Trafford Civic Quarter Area Action Plan, submitted in November 2021, is the basis for my examination. It is the same document as was published for consultation in January 2021.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act, the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs. The MM schedule was subject to public consultation for 7 weeks<sup>1</sup>. I have taken account of all the consultation responses in coming to my conclusions in this report, including looking at the detailed wording of the main modifications (MMs). Having considered the arguments carefully by all parties in response to the MM schedule which went out for public consultation, I have amended a few MMs, none of which significantly alter the strategic content of the Plan, and I draw attention to these amendments in my report.

## Policies Map

5. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission Policies Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted local plan. In this case, the submission policies map [CQAAP Policies Map] is accompanied by 3 supporting

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<sup>1</sup> This consultation period exceeded the required minimum of 6 weeks to take account of the summer Bank Holiday and the fact that much of this period was in August.

plans – the Land Use Parameter Plan, the Building Heights Parameter Plan and the Improved Permeability and Greenspace Parameter Plan.

6. The Policies Map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
7. These further changes to the policies map were published for consultation alongside the MMs [Document B-Policies Map and Parameter Plans].
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in Document B-Policies Map and Parameter Plans and the further changes published alongside the MMs incorporating any necessary amendments identified in this report.

## **Context of the Plan**

9. Although the Civic Quarter of Trafford comprises a handful of blocks, its location and character are significant. Situated at the northern end of the Borough of Trafford within Greater Manchester, Trafford's Civic Quarter, which also identifies as part of Old Trafford, is just under 4 miles from Manchester City Centre to the north-east and less than a mile from the Salford Quays/Media City complex to the north. The recently extended Metrolink tram system has reduced the perceived distance between these key areas which have experienced and continue to experience profound regeneration, with consequential pressures on Old Trafford's residential market and to a lesser extent its local economy.
10. Despite an interesting history, which has seen the development of the iconic Botanical Gardens in the nineteenth century and the White City greyhound stadium in the early twentieth century, both of which were redeveloped many decades ago, some historic heritage assets remain, and the area boasts a neo-classical town hall, the second oldest major cricket venue in the country and is a stone's throw from Manchester United's stadium. Its main thoroughfare, Talbot Road, which cuts through the heart of the Civic Quarter, has clear potential to become a parkway.
11. The Civic Quarter has the potential for a significant increase in high density, high rise residential and commercial development, but much of the area suffers from unprepossessing buildings, vacant eyesores and barren acres of surface car parking. The challenge, which the Plan grapples with, is to realise the

potential of the area for transformational change into high quality, high rise apartments, offices and other uses in a green setting provided by leafy, pedestrian (and cycle) focused thoroughfares, and new areas of open space, without tripping over any viability hurdles, whilst paying a sensitive yet realistic regard to its important cultural heritage.

## **Public Sector Equality Duty**

12. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including Accessible and Adaptable housing, dwellings for older persons and specialist forms of housing including care/extra care, where it would meet identified needs. However, due mainly to the relatively small size of the Plan area, I consider it is more appropriate for the emerging Trafford Local Plan to be the vehicle for addressing most of the qualitative housing parameters in the Borough, including the provision of traveller sites to meet need.

## **Assessment of Duty to Co-operate**

13. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
14. The Plan, as an AAP, does not provide any strategic level borough-wide policies and relates only to the specific geographical area which it covers. Therefore, in the main, the Council is not required through its strategic policy making duties to co-operate further with the specific Duty to Co-operate (DTC) bodies, having already done so for the preparation of the Trafford Core Strategy.
15. All of the DTC bodies were consulted at both Regulation 18 and Regulation 19 stages, but given the nature of the Plan, no formal DTC discussions were held. However, the Council has engaged with the adjoining authorities of Manchester City Council and Salford City Council, and both have confirmed that the Plan has not initiated any DTC obligations which have not been satisfactorily addressed by the Council, and this is confirmed in the Statements of Common Ground (SCG) with these two authorities. There has also been consultation with Transport for Greater Manchester (TfGM) at all stages in the preparation of the Plan, with no objections received. However, because of the Civic Quarter's proximity to both Manchester City Centre and Salford Quays/Media City, I considered on balance, that it was necessary to establish beyond doubt that DTC was not jeopardised in any way by the Plan.
16. Regarding the issue as to whether the DTC in relation to planning for the longer term growth of neighbouring areas is satisfied, I note that the housing growth proposed in the Plan has been used to inform the land supply position in the

preparation of the emerging Places for Everyone (PfE), which has been prepared with the 8 other Greater Manchester authorities which are involved in this strategic plan. The Plan area can be considered to fall within the Core Growth Area of PfE, and I consider that it is in line with the emerging PfE spatial strategy which states that it will see a significant increase in the number and range of homes in areas with good connections to employment, training and educational facilities. I also note that it is likely to deliver more homes than previously envisaged.

17. On the basis of the above evidence, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the Duty to Co-operate has therefore been met.

## **Assessment of Other Aspects of Legal Compliance**

18. The Plan has been prepared in accordance with the Council's Local Development Scheme.
19. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
20. The Council carried out a sustainability appraisal (SA) of the Plan, prepared a report of the findings of the appraisal, and published the report along with the plan and other submission documents under Regulation 19.
21. The Habitats Regulations Assessment (HRA) (Screening) Report (September 2021) sets out why an Appropriate Assessment (AA) is not necessary<sup>2</sup>.
22. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
23. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.
24. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations<sup>3</sup>.

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<sup>2</sup> See Trafford Council's Matter 2 Statement on Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA), Section 2.1.

<sup>3</sup> See Trafford Council's Matter 1 Statement on Legal Requirements, Scope of the Local Plan , Policies Map and Duty to Co-operate.

## Assessment of Soundness

### Main Issues

25. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 8 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### Issue 1 – Is the overall regeneration strategy, as set out in policy CQ1, and the way it addresses sustainability and climate change in policy CQ4, sound?

#### Delivering the vision and policy objectives

26. As Trafford Council explained in its Matter 3 Statement in response to the MIQs<sup>4</sup> and at the hearing sessions, the Plan aims to deliver a regenerated neighbourhood in the Old Trafford area of the Borough. This small, civic quarter located close to the northernmost part of Trafford, close to Salford Quays and Media City to the north and Manchester City Centre to the north-east, has considerable potential to deliver significantly increased housing, offices and other uses, all within the context of an ambitious and transformational regeneration scheme.
27. The Council has identified 8 high level strategic objectives which set the basis for policy CQ1. These are (1) creation of a high quality public realm; (2) supporting sustainability; (3) consolidation and rationalisation of car parking; (4) housing a growing community; (5) enhancement of heritage assets; (6) supporting economic growth; (7) improved permeability and connectivity; and (8) defining distinctive neighbourhoods. Modification **MM1** sets out a new strategic objective (9), which is to strengthen the role of Lancashire Cricket Club (LCC) as a major sporting venue, which is justified in view of LCC's potential as a catalyst for major development in the Civic Quarter.
28. Modifications **MM2** and **MM3** clarify the overriding purpose of policy CQ1 and its introductory text, which is to achieve a large scale redevelopment and to deliver a regenerated neighbourhood. **MM4** highlights the importance of the Civic Quarter as a visitor destination, whilst **MM5** reinforces the Civic Quarter's sporting, cultural and institutional heritage. **MM6** requires that development should not exceed the building heights on the Building Height Parameter Plan and should accord with the Improved Permeability and Greenspace Parameter Plan. **MM7** changes the policy text to ensure that development within the Civic

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<sup>4</sup> Trafford Council Matter 3 Vision and Strategic Objectives Statement.

Quarter and in particular development of the B&Q site should not prejudice LCC's operations.

29. Modification **MM8** requires development not to prejudice the comprehensive development of the Civic Quarter, in accordance with the vision for the area as shown on the Policies Map. **MM9** makes provision for a phased approach, where this can be justified, whilst **MM11** explains the reasoning of phasing, especially in relation to unlocking potentially complex opportunities. **MM10** sets out the difference between the Parameters Plans and Policies Map, which support policy CQ1, and the other diagrams, master plans and graphics, which should be treated as a template to guide planning applications.
30. Modification **MM12** adds the important reference to the Policies Map to the existing reference to Parameter Plans. It also sets out clearly the goals of a residential-led transformation with a broad range of other uses; emphasising the function of the Civic Quarter as a visitor location. It also references the Building Heights Parameter Plan and that it is not envisaged that the maximum building height parameters will be achieved within the immediate setting of heritage assets or adjacent to existing residential communities, and it also refers to the goals of Improved Permeability and Greenspace including maximising opportunities afforded by gateway locations and establishing a network of well-connected open spaces.
31. These modifications to policy CQ1 are necessary to clarify the 'big picture' and ensure the positive preparation of the Plan.

### **Sustainability Appraisal (SA)**

32. The evidence submitted and which was confirmed during the examination shows that the Sustainability Appraisal (SA) has been undertaken at every stage in the preparation of the Plan, with the overall process, including an appraisal of realistic alternatives, summarised in the non-technical summary<sup>5</sup>. Several alternatives were considered, including a 'Do Nothing' option; producing a Supplementary Planning Document; having no area-wide infrastructure provision, including Processional or Well-Being Route; assessing a range of other building heights, scale and density of development; and pursuing an employment-led regeneration. None of the other options were considered suitable for the Plan Area, and I see no reason to take an alternative view.
33. In particular, the considerations surrounding area wide infrastructure improvements were debated fully during the hearing sessions, and I agree with the Council's comment in its Matter 2 Statement that currently the Civic Quarter

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<sup>5</sup> Trafford Council Matter 2 Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) Statement.

does not have sufficient quality of infrastructure provision to accommodate the planned and anticipated growth expected.

34. The SA also assessed any adverse effects which could require significant mitigation through a table which looked at the impacts in relation to relevant objectives and policies. The table also shows how the Plan mitigates or enhances the impact in relation to each Integrated Assessment objective (which include the SA and other health and equalities assessments)<sup>6</sup>. Several policies were revised following this exercise, such as the inclusion of a new bullet point in policy CQ1 to make specific reference to development being of benefit to existing communities. This work has been carried out at an appropriate level for an AAP and demonstrates that, firstly there are no major adverse effects, and secondly the Plan addresses all the identified minor negative effects in a satisfactory manner.
35. Policy CQ4 addresses sustainability and climate change. Modification **MM27** clarifies the key elements of sustainability that are required to be demonstrated by all major development proposals in accordance with a development-specific actionable zero carbon plan. I consider that this level of detail is appropriate for an Area Action Plan.
36. Modification **MM29** adds a new section to policy CQ4, to require all development proposals within the AAP to demonstrate how climate change has been considered in the design of the development, whilst **MM28** amends the 7<sup>th</sup> paragraph of Part 2 of the policy, to increase its flexibility in relation to demonstrating an actionable carbon zero plan for all major developments, by allowing exceptions to this requirement where development comprises revisions to an existing consent or a change of use where there will be no significant construction activity. These modifications arise from discussion at the hearing sessions and enable the policy to be justified, effective and consistent with national policy.

## Issue 1 - Conclusion

37. From the evidence before me, I conclude in relation to Issue 1, that, subject to the above modifications, the Plan's overall regeneration strategy, as set out in policy CQ1, and the way it addresses sustainability and climate change, including through its SA, is based on robust evidence and is justified and effective.

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<sup>6</sup> Trafford Council: Updated Integrated Assessment of the Civic Quarter Action Plan; December 2020 [Examination Documents B01-B07].

**Issue 2 – Is the housing provision, set out in policy CQ2, positively prepared, justified and effective, and does it make a meaningful contribution towards meeting the housing needs of the Borough in accordance with the adopted Trafford Core Strategy?**

**Is the quantitative housing provision, including a minimum of 2,500 new homes delivered within the plan period, out of a total capacity of at least 4,000 new homes delivered over a longer period, positively planned, justified, effective and consistent with national policy?**

38. Policy CQ2 states at the outset that new housing will play a leading role in the creation of new and vibrant neighbourhoods. This is within the context, as set out in the vision, of achieving a new, diverse, resilient and vibrant mixed-use neighbourhood. Housing is therefore seen as the main, but not the only driver of regeneration, and is seen in its own right as one of the main sources of meeting the overall housing needs of the Borough.
39. The adopted Trafford Core Strategy<sup>7</sup>, in particular through policy SL3, proposes a major mixed-use development around the Lancashire Cricket Club (LCC), comprising a high quality residential neighbourhood, centred on an improved LCC stadium. This Plan covers a wider area within Old Trafford than that covered in policy SL3 in the Core Strategy. However, the commitment in this Plan to high quality, residential-led regeneration in the Old Trafford area is well aligned with the Core Strategy.
40. The residential capacity of the Plan area, however, is no longer exactly in line with the Core Strategy. Core Strategy policy SL3 made provision for 400 dwellings in the area around the LCC, based on a density averaging 68 dwellings per hectare (dph). Since the adoption of the Core Strategy, work on a master plan for Old Trafford has shown that it is possible and more importantly, sustainable, to make more effective use of the land, with the potential for the Plan to deliver around 170 dph. This higher average density for the Civic Quarter is in line with recent planning permissions for residential development in the area and make the Plan's housing targets demonstrably realistic.
41. The higher residential densities proposed for the Civic Quarter are further justified by the fact that the area is well served by public transport, with the area scoring high Greater Manchester Accessibility Level (GMAL) levels - 6 and 7 out of a possible 8.
42. The resulting capacity, based on these new calculations which have been worked out in detail through master plan work, would secure a total of 2,500 dwellings within the remainder of the plan period, out of a total of 4,000

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<sup>7</sup> Examination Document J01.

dwellings over a longer period. The requirement for a minimum of 2,500 homes within the plan period ensures the Plan is consistent with national policy.

43. In view of the strategic and capacity considerations set out in the above paragraphs, and in view of the need to ensure the Plan is effective in achieving early delivery wherever possible, modification **MM13** to policy CQ2 clarifies the minimum requirement of 2,500 new homes within the plan period, in accordance with national policy and the need for the Plan to be positively prepared. It is also important for the Plan to illustrate the anticipated rate of housing development over the plan period, and this needs to be shown on a year-by-year basis, in accordance with paragraph 74 of *the Framework*. **MM13**, therefore, also includes the Council's trajectory for housing completions within the plan period and states that the Council will look favourably on policy-compliant proposals which provide early delivery. This is also an important tool for the effectiveness of the Plan.
44. On the basis of the above considerations, and subject to MM13, it is my view that the quantitative housing provision of the Plan would be positively planned, justified, effective and consistent with national policy.

**Can the proposed new homes total within the Civic Quarter be implemented over the plan period?**

45. I note that the sites which are identified to come forward in the plan period are all linked to known development opportunities. Although concerns were expressed over the impact of some of the modifications on housing delivery, no doubts were brought to my attention over any of the specific housing sites which form the basis of the Council's proposed housing total for the Civic Quarter over the plan period. Moreover, the inclusion of an annual housing trajectory (see MM13 above) was welcomed by one of the parties at the examination hearings which had been expressing concern over whether the proposed new homes total would be implemented over the plan period.
46. Furthermore, there is evidence to suggest that some of the sites identified within the new homes total of 2,500 have potential to be developed at even higher densities than were used to calculate this total, and I also note that the Council, in its Matter 4 statement, points to a number of other known sites within the Plan area that have been considered within the Viability Assessment (VA) and which make up the broader housing land supply within the AAP area, which are not currently subject to planning permission<sup>8</sup>.
47. It was also pointed out at the hearing sessions that there is evidence to show that some schemes are coming forward at a faster rate than initially anticipated.

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<sup>8</sup> Trafford Council's Matter 4 Statement, para 4.6.3.

An example of this is 39 Talbot Road, which is included within years 6-10 in the trajectory, although it was reported that the planning application for this scheme is to be submitted imminently and is therefore likely to be completed entirely within years 1-5.

### **5-Year Housing Land Supply**

48. The size of the Plan area makes it an inappropriate task to come to a precise conclusion as to whether it achieves a 5-year housing land supply. However, Trafford's identified housing land supply includes 1,266 units which it is projected would contribute towards the Borough's 5-year housing land supply, which equates to 18% of that total. I consider this to amount to a reasonable contribution towards meeting the Borough's housing requirements over the next 5 years.

### **Is there a need for qualitative parameters in the Plan?**

49. I agree with the Council's view that in general, due mainly to the relatively small size of the Plan area, it is more appropriate for the emerging Trafford Local Plan to be the vehicle for addressing qualitative housing parameters in the Borough. I also accept the need to address the issues of family housing and affordable housing (AH) in this Plan, due to the urgent need to provide for these housing sectors within the Civic Quarter.
50. Moreover, the emerging Trafford Local Plan will not have any statutory force for some time to come, and there is recognition that some qualitative aspects, such as family housing and AH, should be addressed in this Plan, so as to ensure that key opportunities are grasped in the next few years.
51. The Borough's Housing Needs Assessment (HNA) identifies a shortage of 3/4 bed apartments in the Old Trafford area as well as a need for 1/2 bed apartments, and a need for some family housing. The family housing to be delivered within the AAP area is expected to be in the form of town houses and ground floor duplex apartments, which I consider would be appropriate for the urban grain of the Civic Quarter.
52. Partly to this end, modification **MM14** amends policy CQ2 by stating that it should include the provision of family dwellings. MM14 also clarifies that all new major residential schemes will be expected to deliver a dwelling mix of 30% 1 bed; 50% 2 bed and 20% 3 and/or 4 bed accommodation, in line with the HNA.
53. In terms of AH, the Council confirmed at the hearing sessions that the intention is to deliver a mixed tenure of 25% First Homes (formerly known as starter homes); 37.5% social rented housing; and 37.5% intermediate housing. The

Civic Quarter was identified in the Core Strategy as a 'cold' market location, where viability considerations meant that only 5% AH would be sought.

54. I also note that some concerns were expressed over whether the 25% AH target could be reached, bearing in mind that previous schemes all failed to achieve this. However, the Council explained in its MIQ Matter 4 (Housing) Statement and at the hearing sessions, that since 2018 there has been a step change in the nature and density of housing schemes being proposed in the Civic Quarter. In particular, schemes with significantly greater densities than hitherto were coming forward, and viability testing of these recent schemes, at 20% and 25% AH were found to be viable.
55. I also note that policy L2.12d in the Core Strategy stated that in these higher density schemes, where densities of up to 140 dph were cited, the nature of such development meant that they were performing differently in viability terms than hitherto. In these higher density schemes, up to 40% AH would be sought, through a site specific viability appraisal. The Council also explained that, although even higher density schemes were being sought, of up to 170 dph and in some cases even beyond this figure, it was aiming for a much lower AH rate of 25%, in view of its equalisation strategy to implement a high standard of wellbeing through ambitious green infrastructure schemes, which I address in greater detail later in my report.
56. An example of the step change in AH viability, which was brought to my attention at the hearings, was the housing scheme which has recently been implemented on the former Kellogg's HQ site, where 15% AH has been delivered with no grant funding. Another recent scheme illustrating this step change is the Botanical site, which has achieved the delivery of 22% AH, even though the original scheme only proposed 10% AH.
57. In the light of the above considerations, modification **MM20** states that housing proposals should provide a minimum of 25% AH, which I consider to be realistic as well as justified and consistent with national policy.
58. I have already addressed the issue of the potential in the Civic Quarter to increase its housing density as part of the transformational strategy of the Plan. In the light of these considerations, modification **MM15** anticipates an average density of 170 dph. This mix of house type, AH and density, which is to apply throughout the Civic Quarter, is necessary for the positive preparation of the Plan; it is also justified and ensures the effectiveness of the policy by setting out the type of housing provision proposed, which is in line with the Borough's HNA.
59. An important part of creating high quality neighbourhoods is the provision of internal space within new dwellings. Modification **MM16** therefore secures this to support the amount of family housing provided for in the Plan, setting out

minimum National Space Standards. Also, **MM23** sets out the locations where on-site open space and play facilities will be required. These modifications are necessary for the achievement of a positively prepared plan.

60. Modification **MM17** sets out the requirements in relation to the Accessible and Adaptable Homes Standards. I consider that these standards are especially important in view of the high densities proposed in the Plan. **MM18** clarifies that other forms of housing may be acceptable, including dwellings for older persons and specialist forms of housing including care/extra care, where it would meet identified needs. **MM19** states that student housing accommodation proposals may be acceptable, where they would be needed as part of the UA92 development. This modification has been amended after the close of the MM consultation to ensure that student housing proposals comply with best practice as adopted by leading universities such as at Manchester and Leeds. The above modifications are necessary for the Plan to be positively prepared.
61. Finally, I consider that policy CQ2 needs to set a robust framework for securing both excellent design quality and acceptable living conditions for both existing neighbouring residents and for prospective occupiers. These two important considerations, which are necessary for the Plan to be positively prepared, are secured by modifications **MM21** and **MM22** respectively.
62. In the light of the above considerations, I am persuaded that the Plan addresses the above-mentioned aspects of qualitative housing provision, subject to the above modifications.

## **Issue 2 - Conclusion**

63. On the basis of the evidence before me, including written statements and discussion at the hearings, I conclude in relation to Issue 2, subject to the above modifications, that the housing provision, as set out in policy CQ2, is positively prepared, justified and effective, and makes a meaningful contribution towards meeting the housing needs of the Borough in accordance with the adopted Trafford Core Strategy. I also conclude that the proposed new homes total within the Civic Quarter, as set out in policy CQ2, can be implemented over the plan period, and that the Plan area is likely to make a proportionate contribution towards the Borough's 5 year housing land supply.

### **Issue 3 – Is the provision for mixed communities proposed in policy CQ3, justified and realistic?**

#### **Is the balance of uses proposed in policy CQ3, between housing, employment and other community uses, appropriate for the Trafford Civic Quarter?**

64. The Council argued that, although housing was the primary driver for the regeneration of the Trafford Civic Quarter, an entirely housing-led strategy would not be a sustainable form of development, and policy CQ3 identifies what other uses would be appropriate to enhance its vibrancy and meet community needs. These other uses that would be encouraged within the Plan area include offices and other commercial floorspace; a refurbished Stretford Leisure Centre; retail uses to meet local needs; cafes, bars and restaurants; hotels; community and local service infrastructure, such as education, GPs and dentists; and uses that would define the tourist and civic function of the area, such as museums and art galleries.
65. Modification **MM24** clarifies the expectation of policy CQ3 in relation to the mix of uses which would be acceptable within the Civic Quarter, in the interests of the positive preparation of the Plan. MM24 also ensures the encouragement of retail uses to meet local needs. In addition, it makes clear that the mix of uses includes small scale health provision, creches and children's nurseries; and finally, the modification refers to the tests for main town centre uses in out-of-centre locations being applied.
66. An additional change, introduced after the close of the MM consultation, adds an eighth paragraph to policy CQ3, to support the development of the LCC as an international sporting venue and tourist attraction. These changes brought about by this revised modification ensure that the Plan is positively prepared and is consistent with national policy.
67. Overall, the range of uses supported by policy CQ3 is acceptable in planning terms. However, some adjustment is needed to ensure that employment generating uses are not squeezed out by housing, which would generally be expected to generate higher land values. **MM26** therefore requires that the implementation of any sites allocated in part for office and commercial uses should be proportional to the scale of the total development proposed and to reflect the necessity to deliver a mixed use community. This is justified and is consistent with national policy, which seeks to grow the economy as well as significantly boosting the supply of homes. This modification also refers to conditions being used to prevent the loss of new office floorspace.

68. Finally, the modification refers to the above mentioned 'agent of change' principle. It is necessary to permit only those employment uses that would co-exist satisfactorily with residential uses in terms of impact on residents' living conditions (amenities), bearing in mind the 'agent of change' principle, in accordance with paragraph 187 of *the Framework*. This captures the idea that those introducing a change in the use of land should manage the impact of that change, and those existing businesses and facilities should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. An example could be where a new housing scheme is developed alongside a noisy employment use or a major sporting venue, such as the LCC, and the 'agent of change' principle means that the responsibility for noise management would rest on the incoming 'agent of change', i.e. the housing in this case.
69. Policy CQ3 in the submitted Plan does not specify which of the new Class E sub-classes would be appropriate for the Plan area. Modification **MM24** therefore adds clarity by stating that the proposed 50,000 sq m of office and commercial floorspace to Use Classes is limited to sub-classes E(c)<sup>9</sup> and E(g)<sup>10</sup>, so as to ensure that the living conditions enjoyed by existing and future residents or people working in the area are not compromised.

**Is the provision of 50,000 sq m of new office and commercial floorspace in the Civic Quarter over the plan period supported by the evidence?**

70. The figure of 50,000 sq m of new office and commercial floorspace to be provided in the Civic Quarter over the plan period, as set out in the first bullet point of policy CQ3, has been informed by an evidence base prepared by specialist independent property consultants<sup>11</sup>; their report acknowledges that there has been significant decline in the wider Old Trafford office market over the last 5 years with limited take up and significant shrinkage, most of which has been lost to residential conversions. This decline in office and commercial employment in the Plan area is in stark contrast to the growth of these uses in the nearby Manchester City Centre, neighbouring Salford Quays/Media City and the south Manchester area.
71. The initial estimate of 80,000 sq m of commercial space proposed for the AAP area at the Regulation 18 stage has now been reduced to 50,000 sq m, with the loss, for example of the former GMP Headquarters on the A56 Chester Road and the former Kellogg's employment site on Talbot Road. However, the report

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<sup>9</sup> Use Class E(c) Provision of (i) financial services; (ii) professional services (other than health or medical services); or (iii) other appropriate services in a commercial, business or service locality.

<sup>10</sup> Use Class E(g) Uses which can be carried out in a residential area without to detriment to its amenity; E(g)(i) Offices to carry out any operational or administrative functions; E(g)(ii) Research and development of products or processes; E(g)(iii) Industrial processes.

<sup>11</sup> Avison Young: *Civic Quarter Area Action Plan – Commercial Demand Analysis*; November 2020 [Examination Document C02].

recognises that the area still has the attributes of geographical location, good connectivity and stakeholder vision, although it advises that speculative construction will be required to attract smaller occupiers due to the need to re-establish the location in commercial terms and shorter lead-in times.

72. I also note that the report's conclusion that an increase of 50,000 sq m of commercial space is a realistic expectation for the Civic Quarter. This appears to be predicated on the report's contention that: "*broad and diverse amenity and public realm will be required to underpin commercial performance*"<sup>12</sup>; this is an important observation that justifies the Plan's ambitious urban design and public realm improvement proposals which I address in Issue 4 below.

**Does the Plan ensure that there is a sustainable balance between the Government's policy of significantly boosting the supply of homes with building a strong and competitive economy?**

73. The Civic Quarter of Old Trafford has seen a contraction of office floorspace in recent years, although the area is near the expansive Trafford Park, which is a major employment centre serving a much larger hinterland than the Borough of Trafford. Although Trafford Park is primarily a location for industrial activity and storage/distribution, it also has office uses. The Plan area is also close to Salford Quays/Media City and Manchester City Centre, both of which are growing their offices component. Also, the Civic Quarter's excellent accessibility by public transport enables easy access to many employment areas in the Borough and beyond.
74. Residential development, however, is seen as the catalyst for the regeneration of the Civic Quarter and the Plan makes provision for a significantly expanded residential community. The new office space proposed in the Plan is expected to co-exist or be integrated with the residential uses rather than being 'standalone'. Proximity of residential and employment uses is seen as sustainable, subject to the application of the 'agent of change' principle, which is introduced into the policy in MM26, which ensures that the living conditions of residents, and working conditions of adjacent employment uses, are not harmed in any way, and is consistent with national policy.
75. An additional change to MM26, introduced after the close of the MM consultation, reinforces the message that the principle also applies to existing businesses and facilities, which should not have unreasonable restrictions placed upon them as a result of residential development after they were established.

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<sup>12</sup> Op cit, page 16, para 6.6.

76. I am therefore satisfied that the Plan sets the framework for an acceptable balance to be struck between the Government's policy of significantly boosting the supply of homes with building a strong and competitive economy.
77. The Plan stops short of requiring reasonable market testing before allowing changes of use from employment to housing or other non-employment uses. Policy W1 in the Core Strategy contains some protection for employment sites which are the subject of applications for non-employment uses, and this policy contains a set of criteria. Furthermore, MM26 amends the explanatory text of policy CQ3, to require that the implementation of any sites allocated in part for office and other commercial uses should be proportional to the scale of the total development proposed, so as to reflect the necessity of delivering a mixed use community.
78. However, this situation will need to be monitored to see whether the above mentioned protection of employment land within the Civic Quarter is successful, and if not, whether stronger measures, such as market testing should be introduced.
79. The reduction in the amount of office and other commercial floorspace in the Plan area (from 80,000 sq m in the Regulation 18 version to 50,000 sq m in the submitted Plan) is also considered reasonable in view of the acceleration of a 'working from home' culture. This is of course, partly due to the impact of the Covid pandemic, and this scaled down figure is regarded as more reflective of market demand and appetite when considering commercial development going forward.

**Given the projected increase in housing, and hence population in the Civic Quarter, is the Plan's overall retail provision sufficient, and should policy CQ3 contain more guidance on appropriate locations for town centre uses?**

80. Concern was expressed that the Plan was creating an anomaly by, on the one hand, securing the conditions for much greater retail demand in the Civic Quarter, for example by providing for 4,000 new homes, whilst on the other hand, significantly reducing the extent of the existing retail facilities at White City, which also serve the current resident population.
81. However, there is reasonable access, only 3 km away to the south along the A56 Chester Road, to the nearby Stretford town centre (which is one of Trafford's four town centres). This centre is considered to be vibrant, and despite the loss of some stores, it still provides a wide variety of retail facilities, and has experienced a recent resurgence and increased footfall.

82. I also note that the Civic Quarter itself is served by a number of convenience and comparable retail outlets, with their main concentration in the out-of-centre White City Retail Park. White City appears to be commercially successful, and its function has broadened in recent years to include cafes/restaurants, discount supermarkets and other food-based retail outlets, more traditional high street uses and private gyms.
83. Arising from the debate at the hearing sessions, the Council suggested a couple of modifications to policy CQ3 [**MM24** and **MM25**] which would allow greater flexibility in the treatment of the White City Retail Park, both in extending the uses permitted there (by deleting the references to limiting provision to small scale shops and Use Class E2), and also to make it clear that 'meanwhile' uses in phased developments were acceptable in principle. These changes are necessary for the effectiveness of the Plan.
84. The Council also made it clear that the additional homes proposed in the Plan within the plan period were not dependent on the redevelopment of the White City Retail Park and that the proposal for the White City area is for a mixture of retail and residential uses across the area of the existing retail park.
85. Modification **MM24** also states that the mix of uses encouraged includes creches and children's nurseries. **MM26** makes it clear that the tests for main town centre uses in out-of-centre locations (such as White City) will be applied, in the interests of policy CQ3 being consistent with national policy.
86. I am satisfied from the representations and statements, as well as from the discussion on this topic at the hearing sessions, that, subject to the above modifications, policy CQ3 makes justified and effective provision for retail provision in the Civic Quarter, especially taking into account the proximity of the nearby Stretford town centre shopping facilities, and that the policy is therefore sound.

**Should there be a greater emphasis in policy CQ3 on the need to enhance the sporting, civic, cultural and leisure function of the Civic Quarter?**

87. I note that the proposals for a re-sited leisure centre from the existing Stretford Leisure Centre, off Great Stone Road, to the west of the Plan area, to the former B&Q site, also off Great Stone Road, in the south-west extremity of the Plan area, were withdrawn due to budgetary constraints. The submitted Plan (policy CQ3, second bullet point) places a new emphasis on enhancing the existing Stretford Leisure Centre through refurbishment, with a possible new outdoor multi-use games area.
88. However, the designation of the former B&Q site for part leisure use remains in the submitted Plan. The appeal decision which dismissed the proposed

development for a scheme for 332 apartments and supporting uses on this site was issued on 6 May 2022<sup>13</sup>, i.e. a few weeks after the close of the CQ AAP hearing sessions. I allowed a further working week for comments on the appeal decision from interested parties, which I duly received.

89. Having read the appeal decision letter and the subsequent comments from the Council and other parties, I consider that the allocation of part of the former B&Q site for sports and leisure uses would not run counter to the appeal Inspector's conclusions. Furthermore, during the hearing sessions, the Council alluded to the possible expansion of the LCC, which it would support in principle. This could be part of a mixed sports/residential development on the site, and I note that the appeal Inspector does not rule out residential development on the site, subject to any future proposal being sustainably designed and which responded satisfactorily to the site and its context.
90. The appeal Inspector describes the site's context in paragraph 18 of the decision letter as: "*a transition between suburban two-storey inter-war residential development and mixed-use and mixed-scale development to the north and east between the Metrolink line and the A56*". I would agree that this is an apt description of the site's context, a matter which I comment further on under Issue 4 below.
91. I note the Council's comments that the modifications to policy CQ1 (and especially MM7), are intended to reinforce LCC as an asset. I also note that the Plan's strategy includes enhancing the Civic Quarter's environmental attributes, especially the transformed thoroughfares. Moreover, changes in the policy CQ3 text (MM24) to include examples of particular developments/uses which would be acceptable, such as exhibition halls, event space, public parks and art galleries, further stress the Plan's commitment to reinforce the Civic Quarter's special attributes and drive wholesale change to support the cultural and leisure provision.

### **Issue 3 - Conclusion**

92. On the basis of the evidence before me, including written statements and discussion at the hearings, I conclude that in relation to Issue 3, that the provision for mixed communities proposed in policy CQ3, subject to the above modifications, is justified, effective and consistent with national policy.

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<sup>13</sup> Appeal Decision Ref: APP/Q4245/W/20/3258552 Former B&Q, Great Stone Road, Old Trafford, M32 QYP Proposed demolition of existing retail unit and associated structures; erection of buildings for use classes C3 and communal spaces ancillary to the residential use; flexible space for use classes A1, A3, D1 and/or D2; undercroft car parking; new public realm; and associated engineering works and infrastructure; dismissed 6 May 2022 [Examination Document J56].

**Issue 4 – Are the urban design and public realm provisions set out in policies CQ5, CQ6, CQ7, CQ8 and CQ9, justified and effective, and do they strike the appropriate balance between effectively seizing redevelopment opportunities and conserving the urban heritage of the area?**

**Does policy CQ5 provide a sound framework for conserving the heritage of the Civic Quarter, including its heritage assets? Are the settings of the area's heritage assets adequately defined in the Plan?**

93. Although Trafford's Civic Quarter has a rich and varied history, the remaining historic sites are fragmentary, and they are insufficiently concentrated to justify Conservation Area designation. I consider that the Council's decision not to designate any Conservation Areas within the Plan area is consistent with national policy, for example as expressed in paragraph 191 of *the Framework*, which states that the concept of conservation should not be devalued through the designation of areas that lack special interest.
94. Nevertheless, the Civic Quarter includes notable, if isolated, heritage sites. Policy CQ5 sets out 3 criteria for ensuring that new development should take account of the area's historic assets by responding to the character of these assets, maximising opportunities for integrating them within new development and putting such assets to viable uses, which are consistent with national policy, as expressed in paragraph 197 of *the Framework*. Modification **MM30** amends policy CQ5 by stating that it applies to both designated and non-designated heritage assets, which provides an element of clarity. **MM31** adds archaeology to the requirements of the policy to maximise opportunities for integrating heritage assets, and ensures the Plan is consistent with national policy in this respect.
95. However, the submitted Plan contains no specific protection for the settings of key heritage sites, such as listed buildings, recognising that the imposition of unsympathetic development within the settings of these structures could harm their architectural value and their contribution to the character and appearance of the nearby area. Modification **MM32** therefore identifies a fourth criterion for policy CQ5, which seeks to protect key views to these historic assets, which will also help to preserve their settings, which is both justified and is consistent with national policy, as articulated in paragraph 194 of *the Framework*. This amendment is based on a SCG<sup>14</sup> with the key heritage officer in the Council. There is a danger of being too prescriptive in identifying the exact extent of these settings and I have therefore not suggested a modification to draw a line

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<sup>14</sup> SCG between Trafford Council Heritage Development Officer and Planning and Development Management Service; March 2022 [Examination Document J20].

to define them, and it will be for the development management process to apply the principles of the modified policy CQ5 to individual development proposals in the future.

96. However, the modified policy CQ5, as set out in MM32, will name the key heritage buildings and structures to which the policy applies, including the Town Hall, White City Portal, Old Trafford Cricket Ground and Old Trafford Bowling Club.
97. Some of the area's previous expressions of its cultural and institutional heritage, such as the Botanical Gardens and Jubilee Exhibition, which from old photographs give the appearance of a heritage asset to rival the Crystal Palace centre in London, are unfortunately no more. However, the Council's intention to reinstate any of the eroded urban grain relating to the area's heritage would seem to be appropriate, although I do not consider it to be a soundness matter.

**Do the criteria in policy CQ6 provide an acceptable balance between giving overall direction whilst providing the freedom for design expression?**

98. Policy CQ6 aims to achieve high quality urban design, accessible and usable by all sections of the community. The challenge is to drive forward innovative design principles which are seen, rightly in my view, as key to transforming the area into several high quality, primarily residential neighbourhoods, whilst at the same time avoiding the charge of being too prescriptive. It is supported by the emerging Trafford Design Guide, which sets out a series of principles in order to establish a design language that can be used across the Plan area.
99. The iterative process for achieving this can be seen in the comprehensive Townscape and Visual Impact Assessment (TVIA) commissioned by the Council<sup>15</sup>, which led to a masterplan, which in turn has influenced the preparation of the Plan itself. The TVIA explains that the framework for the comprehensive regeneration of Trafford's Civic Quarter flows from an iterative design process based on a series of overlapping urban design principles, which include:
  - (i) Identification of existing valuable buildings;
  - (ii) Identifying the primary route of Talbot Road (proposed well-being route), which crosses Warwick Road/Brian Statham Way (proposed

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<sup>15</sup> Randall Thorpe: Civic Quarter Area Action Plan – Townscape and Visual Impact Assessment (TVIA); January 2020 [Examination Document C-08].

processional route) at the primary axis, forming four distinct areas that can be identified as residential neighbourhoods;

- (iii) Predominantly residential-led schemes with a mix of complementary uses, each with their own identity;
- (iv) A variety of public open spaces and key pedestrian routes, to enhance the Civic Quarter experience; and
- (v) Orientation and grain to relate to historic street patterns, buildings and spaces where possible, with massing and height to be appropriate to context.

100. These principles are described in some detail in the TVIA<sup>16</sup> and in my view provide a sound framework for setting a robust framework for planning for a high quality transformation of the Civic Quarter.

101. Concern was raised about the Council's suggested modification to bullet point 2, to refer to the requirement for external amenity space for all houses and flats **[MM33]**, mainly on the ground of this being too onerous, particularly in relation to viability implications. The modification also states that well designed communal gardens should be provided to all apartment buildings, and this raised the same concerns as I have already stated in relation to external amenity space [ I cover the overall viability aspects under Issue 6 below] but the argument in favour of securing an element of external amenity space, whether through a balcony or communal garden should no longer be regarded as unreasonable or exceptional.

102. I therefore consider that modification MM33 ensures that the Plan is justified and is consistent with national policy. Section 8 of *the Framework* leaves one in no doubt that external amenity space would contribute to promoting safe and healthy communities, whilst section 12 of *the Framework* refers to the importance of beautiful and distinctive places, which I consider balconies and communal gardens would play a key role in achieving.

103. Modification **MM34** modifies the fourth bullet point of policy CQ6 by clearly setting out a number of sensitive design principles. These deal with scale, height, massing, spacing and amenity space. They are all critical to sensitivity and context and are necessary for the justification and effectiveness of the Plan.

104. Modifications **MM35, MM36, MM37, MM38** and **MM39** clarify several important design principles, covering hard and soft landscaping, permeability, reducing the risk of crime, avoiding street clutter and providing well integrated servicing,

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<sup>16</sup> See in particular Chapter 5 of the TVIA.

refuse and recycling facilities, which are necessary for the effectiveness of the Plan.

**Does the framework for tall buildings in the Plan provide the necessary clarity, and should the relevant tall buildings criteria be set out within a policy to achieve this clarity? Is the Gateway approach in the Plan justified?**

105. The views expressed during the examination ranged from seeing any building control of heights as unduly restrictive, to considering that height control was necessary both in response to the expanding influence of Manchester City Centre's residential boundaries westwards along public transport corridors and its proximity to Media City/Salford Quays, where very tall buildings have recently been approved.
106. Considerable thought has been given to providing a framework in the Plan for tall buildings. It is clear that this framework needs to respond to the area's context, whilst enabling both an appropriate level of flexibility and the potential to deliver in excess of 2,500 residential units within the plan period out of a longer term total of 4,000 units, in addition to enabling the provision of 50,000 sq m of workspace. The tall buildings framework was also based on the above mentioned TVIA.
107. In brief, the Plan area is divided into three building heights policy areas or zones, as follows:
- (i) Zone (a): The south-western third of the Plan area, located between Great Stone Road and Sir Matt Busby Way/Brian Statham Way, together with much of the area between the Metrolink and Talbot Road which forms a swathe along the south/south-eastern part of the area, enables in principle, development of up to 6 storeys, which is about the maximum height of the LCC stadium. This zone also includes Trafford Town Hall.
  - (ii) Zone (b): Most of the north/north-eastern part of the Plan area, including the former British Gas HQ and most of the White City Retail Park, sometimes referred to as mid-zone areas, have a permitted building height of up to 12 storeys. This area 'mediates' between the lower buildings and the tallest zones around Oakland House on Talbot Street and on the northern edge of the former Greater Manchester Police (GMP) HQ site.
  - (iii) Zone (c): There are two clusters in the Civic Quarter where buildings of over 12 storeys are permitted. These are the cluster around Oakland House (at 15 storeys the tallest building currently in the Plan area), and in the northernmost part of the Plan area, comprising part of the former GMP HQ site.

108. These three building heights policy areas respond positively to the Plan area's context. They represent a logical transition from suburban Trafford to the south-west, south and south-east to two adjacent areas which have recently undergone profound change and are expected to continue to do so. The first of these, to the north/north-east of the Plan area, is within the City of Manchester, and is increasingly coming under the growing influence of the city centre. Also, to the north of the Plan area, in the Exchange Quay area in Salford, tall buildings have recently been developed on the other side of the A56 Chester Road.
109. Policy CQ6 in the submitted Plan refers in bullet point 3 to the provision of taller buildings in the Plan, but in its current form fails to provide the detailed guidance which is necessary to enable new development to be implemented following the reasoning articulated above. Modification **MM41** rectifies this omission in the form of a new taller buildings sub-policy and introductory text, which defines a tall building, refers to the three building heights zones set out above, as they are set out in the Building Heights Parameters Plan, and identifies 12 principles which require to be addressed to ensure that tall buildings are appropriate to their context. **MM40** sets out the introduction to this new sub-policy. These modifications enable the Plan to be positively prepared, justified and effective.
110. Modification **MM41** also introduces changes to the Building Height Parameters Plan, which in turn feeds into the Policies Map. The Parameters Plan in the submitted Plan is broad brush, whilst the Policies Map, stemming from MM6, defines the policy areas on an OS base, which it is required to do under the Act.
111. Concerns are expressed regarding the proximity of some of the higher building policy areas to existing low-rise buildings, as well as the principle of increasing the number of tall buildings within the Civic Area. Policy CQ6.1, as proposed in MM41, addresses the proximity issue by setting out a number of principles which provide an adequate basis to assist the development management process in relation to individual planning applications; MM12 also states that: "It is not envisaged that the maximum height parameters will be achieved within the immediate setting of heritage assets or adjacent to existing residential communities."
112. The focus on increasing high density development is key to the concept of transformational change, which lies at the heart of the Plan. Furthermore, I am not persuaded that the high quality living accommodation proposed in the Plan will result in an increased transient population, which some representors fear. There are several examples of high density developments in other urban areas being implemented to high quality specifications, with settled populations.
113. Concerns are also expressed that these policy areas function as an unreasonable restriction on some parts of the Plan area, especially in zone (a),

to suppress the maximising of development potential of certain sites. The former B&Q site, which was subject to the above-mentioned appeal decision, in the south-west of the Plan area, is a case in point.

114. It is clear to me, having read the appeal Inspector's decision letter and comments from the parties, that the decision is in broad alignment with the submitted Plan. In particular, paragraph 18 of the decision letter refers to the transitional nature of the former B&Q site, located between two-storey residential development just beyond the Plan area to the west and south and mixed-use and mixed-scale development to the north and north-east between the Metrolink line and the A56 Chester Road. The appeal Inspector's comments are consistent with its location within policy area or zone (a), ie with a building height which allows in principle, developments of up to 6 storeys.
115. The new taller buildings policy (or sub-policy), introduced in MM41, based on the three policy areas set out above, enables significant transformational change to occur, which I would not describe as 'restrictive'. Moreover, the proposed new policy provides for sufficient flexibility to optimise development in accordance with the Design Code and which in principle should amply enable the overall residential dwellings and commercial floorspace targets of the Plan to be met in a truly transformational context.

**Should the Plan clarify the strategic or important views which are worthy of protection?**

116. The Council stated that it does not consider there to be any strategic views in the Plan area, but that there are other, important views, relating to heritage assets, such as views towards the Town Hall Clock Tower, as well as views along Talbot Road towards Manchester City Centre with its dynamic skyline of mainly tall, recently constructed buildings, and also the route between the two Old Trafford sporting venues.
117. From my observations, I agree with the Council's views, both on the categorisation of these views and their locations. In this context, I consider it is appropriate that policy CQ8 (Wellbeing Route) and policy CQ9 (Processional Route), which seek to create a greater sense of place through greening, de-engineering and pedestrianisation, further protect and enhance the above-mentioned views.

**Should the Plan include a policy framework for Gateway locations? How does it relate to the framework for tall buildings and is there scope for increased gateway opportunities within the Civic Quarter?**

118. Policy CQ1 refers to three Parameter Plans. The one which sets out the building height parameters in the submitted Plan also identifies 7 Gateway sites,

or gateway opportunities, three of which are in the vicinity of Trafford Bar, with a further two in the north, at the former GMP HQ site and White City, leaving one at the western edge, adjacent to the sports centre and finally one in the in a central location near the British Gas site on Talbot Road. No Gateway sites are identified at the south-western corner of the Plan area, and I consider that this site is not one which acts as a gateway either visually or functionally. I also agree with the B&Q appeal Inspector that this site is not a landmark site<sup>17</sup> or one which conveys a strong sense of arrival.

119. The modified Parameters Plan and Policies Map reduce the number of Gateway sites to four, which are located at Trafford Bar, East of White City, and two, one at either end of the proposed Processional Way. These four sites are all that can reasonably be termed 'gateway'; as they are all on the periphery of the Plan area and all convey a strong sense of arrival. Two of the sites, at Brian Statham Way and Trafford Bar, have the additional benefit of being located next to Metrolink stations. The sites which have been deleted from the Parameter Plan in the submitted plan do not convey a strong sense of arrival, and neither are they landmark sites. I therefore agree that the reduced number of Gateway sites and their locations as shown in the modified Parameters Plan and Policies Map (see MM41) are justified. I am also persuaded from the evidence that no additional gateway locations are required.

120. The proposed Gateway sites are primarily included in the Plan to enhance accessibility rather than to be locations for landmark or tall buildings, with a strong emphasis on pedestrian accessibility.

**Is policy CQ7 for the achievement of a high quality public realm, and also policy CQ8, for Talbot Road to be a Wellbeing Route and policy CQ9 for a Processional Route, justified and effective?**

121. Policy CQ7 seeks to require and maximise scope for improvements to the public realm within the Civic Quarter consistent with providing new high density, residential-led neighbourhoods, including increased permeability. This is an essential part of securing the transformation of the Civic Quarter, which is at the heart of the Plan. I consider it is in line with national policy, including fulfilling the three overarching objectives (economic, social and environmental) as set out in paragraph 8 of *the Framework*.

122. Modification **MM46** responds to the emphasis in national policy, as expressed in paragraph 131 of *the Framework*, which acknowledges the important contribution of trees to the character and quality of urban environments. The modification achieves this by including a reference to new tree planting and high

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<sup>17</sup> B&Q Inspector's decision letter, paragraph 18.

quality landscaping in a new, 9<sup>th</sup> bullet point in policy CQ7. It also requires the use of high quality materials within public realm works.

123. Modifications **MM42**, **MM43**, **MM44** and **MM45** clarify a number of important design principles, including high quality street furniture, drainage features, and principles of Active Design to promote health and wellbeing and to encourage physical activity, which are necessary for the effectiveness of the Plan.

**Is the open space provision in the Civic Quarter adequate to meet the needs of the area, including the needs of its increased population?**

124. The Civic Quarter has a net deficiency in open space provision, in relation to Core Strategy policy R5, to meet the needs of about 8,000 local residents by the end of the plan period. However, there is reasonable access, within a distance of 300m, to a number of parks and linear open space, such as Longford Park and Gorse Hill Park, as well as having potentially good links to Salford Quays to the north and the Mersey Valley to the south.

125. Although the Plan acknowledges the importance of open spaces, in order to address the deficiencies mentioned above and enhance the quality of the transformed residential environment, none of the policies in the submitted Plan actually require new open space provision within the Civic Quarter. Modification **MM23** rectifies this omission by amending policy CQ2 to require the provision of on-site open space and play facilities, in accordance with Core Strategy policy R5 and Revised SPD1<sup>18</sup>, on the following sites:

- (i) Former Kellogg's site;
- (ii) Former GMP HQ site;
- (iii) Former British Gas site; and
- (iv) White City site.

126. This modification, which also refers to corresponding changes to the Policies Map and Parameters Plan, ensures the Plan is consistent with national policy and is justified.

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<sup>18</sup> Trafford Council, Trafford Local Plan: Revised Supplementary Planning Document 1 (SPD1) – Planning Obligations; 7 July 2014. [Examination Document J28].

**Is policy CQ8 for a Wellbeing Route along Talbot Road and policy CQ9 for a Processional Route along Brian Statham Way and Warwick Road, positively prepared, justified, effective and consistent with national policy?**

127. The proposed Wellbeing Route along Talbot Road and the proposed Processional Way along Brian Statham Way and Warwick Road are required as key components for the delivery of the regeneration of the Civic Quarter; I agree with the Council's view, as expressed in its Matter 7 Hearing Statement<sup>19</sup> that these two routes will tie the area together, improve permeability and public amenity and allow for the enhancement and increased visibility of heritage assets. The Transport Assessment (TA) demonstrates that these routes can be 'de-engineered' whilst at the same time the area can cope with the anticipated uplift in travel, primarily through the sustainable transport provision which has already been implemented, together with further improvements, such as enhanced pedestrian and cycle routes.
128. The Council's Viability Assessment (VA) and Infrastructure Cost Plan (ICP), which I address under Issue 6 below, demonstrate that delivery is achievable within the plan period and in such a way that would not detrimentally impact upon the viability of the proposed development in the Plan area.
129. Modifications **MM47** and **MM49** for policies CQ8 and CQ9 respectively, acknowledge the important contribution of trees to the character and quality of urban environments on these important routes. This is consistent with national policy, as expressed in paragraph 131 of *the Framework*.
130. Modification **MM48** clarifies a number of important design principles, including accentuating the road's green character, 'de-engineering' by narrowing the carriageway, widening footpaths and lowering kerbs and upgrading a designated cycle lane, which are necessary for the effectiveness of the Plan.

#### **Issue 4 - Conclusion**

131. In light of the above considerations, I conclude that in relation to Issue 4, the urban design and public realm provisions set out in policies CQ5, CQ6, CQ7, CQ8 and CQ9, subject to the above modifications, ensure that the Plan is justified and effective, and strike the appropriate balance between effectively seizing redevelopment opportunities and conserving the urban heritage of the area.

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<sup>19</sup> Trafford Council: Hearing Statement: Matter 7- Public Realm Principles; March 2022.

## Issue 5 – Is the movement and car parking strategy as set out in policy CQ10, justified and effective?

**Are there any issues arising from the development provision and policies in the Plan which would result in detrimental or severe impact on the strategic highways network, both within the Civic Quarter and in the surrounding areas?**

132. I note that the preparation of the Plan was informed by a Transport Assessment (TA)<sup>20</sup>, which was written by independent consultants. Specific areas of focus included the local highway network, car parking, sustainable access modes and potential highways impacts. The TA assumes that car parking provision for residential uses across the Civic Quarter would be 20% of households and for office uses it would be 40% of jobs; these assumptions tied in with current schemes proposed by developers and appear to me to be robust for the Civic Quarter's location and the proposed uses in the Plan.
133. It needs to be borne in mind, however, that the TA is a 'high level' exercise and does not include detailed assessments, such as expected trip generation from individual sites. In my experience this is standard practice, with proposed developments being the subject of more detailed reports at the development management stage, linked to the submission of planning applications. Modification **MM57**, however, requires major development applications to be accompanied by the appropriate TA or equivalent, so as to ensure the effectiveness of the Plan in relation to the requirements of policy CQ10. This is necessary for the effectiveness of the Plan.
134. The TA includes a traffic modelling exercise in conjunction with the local highway authority and TfGM. This accounted for the proposed downgrading of Talbot Road and its promotion for use by pedestrians and cyclists. It is accepted that the plan area includes some of the busiest parts of Trafford, and the TA concluded that there would be some detriment to the A56 Chester Road, running along the northern boundary of the Plan area, but it would be some way short of 'severe'. Paragraph 111 of *the Framework* states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on the highway safety, or the residual cumulative impacts on the road transport network would be classified as 'severe'.
135. The word 'severe' is not defined in national policy; however, neither the TA nor National Highways consider that the impact of the Plan's development proposals on the surrounding highways network are such that it should not be

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<sup>20</sup> Curtins: Trafford Civic Quarter Area Action Plan -Transport Assessment; 9 December 2020 [Examination Document C-11].

progressed through examination; and at examination, no parties challenged the Plan on highways impact grounds. No evidence was submitted, either in writing or verbally at the hearing sessions, that challenged the TA on this matter, and neither do I. On this basis I consider that there are no issues arising from the development provision and policies in the Plan which would result in detrimental or severe impact on the strategic highways network, either within the Civic Quarter or in the surrounding areas.

**Is policy CQ10 committed to permeability? If so, should it be more explicitly highlighted in the policy?**

136. It became clear in the discussion at the hearing sessions that permeability for pedestrians and cyclists within the Civic Quarter needed to be improved, not only between but within development sites, and following my request, the Council submitted a note on this topic<sup>21</sup>. At present, pedestrian and cycling permeability is virtually limited to Talbot Road, Warwick Road and Brian Statham Way, which are vehicle dominated, whilst the environment of the Civic Quarter as a whole is dominated by cars, roads and large areas of surface car parking. Making the area permeable to pedestrians and cyclists, within a more attractive and green setting, is therefore critical to achieving the vision of the Plan for the transformation of the Civic Quarter into a new, diverse, resilient and vibrant mixed use neighbourhood (or series of neighbourhoods) each having its own distinctive identity.
137. Modification **MM50** therefore raises the profile of permeability in the Plan by including the word 'permeability' in the title of policy CQ10. **MM51** also links the policy to the pedestrian and cycle routes which are identified on the Policies Map, as well as public transport routes. This increased awareness of permeability is also included in revised bullet points in the policy, making the modification justified and consistent with national policy, with reference to the improved Permeability and Greenspace Parameter Plan. These modifications enable the Plan to be justified and consistent with national policy. They make the policy fully and clearly committed to permeability, which is more explicitly highlighted than in the submitted Plan.
138. Concern is expressed that the policy gives inadequate explanation as to what new or enhanced pedestrian and cycling connections will need to be introduced, thereby creating uncertainty for future development proposals. However, policy CQ10, as modified, provides a clear framework for individual planning applications, and it would be inappropriate and too onerous for the policy to go into additional, specific detail for each site in the Plan area.

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<sup>21</sup> Trafford Council Note on Permeability and Accessibility [Examination Document J43].

**Does the evidence point to the public transport modes serving the Civic Quarter having sufficient capacity to accommodate peak hour flows if the proposed development comes to fruition during the plan period?**

139. The Civic Quarter is well served by public transport. Currently, there are 19 bus stops within the Plan area. These link to a variety of services to Manchester City Centre and Salford to the north, and to Stretford, Altrincham, Urmston and other centres to the south. There are two Metrolink tram stations within the Civic Quarter, at Old Trafford (LCC) and Trafford Bar; the former is on the Altrincham-Piccadilly/Bury line, whilst the latter is also on the East Didsbury-Rochdale and Manchester Airport-Victoria lines. There are additional Metrolink lines with stations on the fringe of the Plan area, providing for a wide range of destinations. This high level of public transport provision serving the Civic Quarter gives the area an accessibility level of 6-7 on the Greater Manchester Accessibility Levels (GMAL) out of a maximum score of 8.
140. I am satisfied from the above evidence that the public transport modes serving the Civic Quarter have sufficient capacity to accommodate peak hour flows if the proposed development comes to fruition during the plan period. I also agree that this means that the Civic Quarter is well located to take advantage of the existing public transport infrastructure and to promote walking and cycling.

**Are the key linkage/connectivity issues satisfactorily addressed in the Plan?**

141. A key principle of policy CQ10 is to develop new and/or enhanced pedestrian and cycling connections and new and/or enhanced connections to existing public transport services. Therefore, the policy gives proper emphasis to the need for linkage and connectivity.
142. The policy is also complemented by the proposed Processional Way and Wellbeing Route. Also, the need to improve accessibility, connectivity and linkages both within and on the periphery of the Plan area are critical to the Plan's strategy.
143. Although it was noted during the hearing sessions that the pedestrian route through the former B&Q site and on through the LCC site has now been deleted from the submitted Plan, primarily because LCC did not allow public access on its land, there is an alternative route along Trent Bridge Walk, on the opposite side of the Metrolink line. I am satisfied from walking this route that it is an acceptable alternative to the route proposed in the submitted Plan.
144. I therefore consider from the above evidence that the key linkage/connectivity issues are satisfactorily addressed in the Plan.

### **Is the policy of consolidation of surface car parking justified and effective?**

145. The parking strategy of the Plan is based on the TA, which states that the existing level of parking provision within the Civic Quarter is inefficient, with large amounts of surface car parking, dominating areas that could accommodate alternative development<sup>22</sup>. Consolidation of these large areas of surface car parking is justified for several reasons. Firstly, these surface parking areas are an eyesore which detract from the character and appearance of the Civic Quarter; and secondly, the land can be more productively used for residential and mixed development, consistent with the aim of the Plan to transform the area into vibrant, mixed-use neighbourhoods in a high quality setting.
146. Concerns were raised over the importance of these car parks to meet the demand on match days from the Manchester United football stadium and the LCC cricket stadium, which between them host around 40-50 football/cricket matches per year. The Council's aim, however, supported by TfGM, is to encourage more visitors to these stadiums to come by public transport, and to this end, the recently opened Metrolink line to the Trafford Centre links to park and ride schemes, either at Parkway station or at the Trafford Centre itself. Both Old Trafford stadiums are directly served by Metrolink stops (Wharfside for Manchester United and Old Trafford for LCC). Furthermore, I note that both of these stations are designed to handle short lived but exceptional loadings connected to these clubs, far in excess of the volumes of passengers that would be expected for a conventional urban station.
147. I note the concerns raised by some local residents in relation to match day traffic. The provision of residents' permits is a matter for the Council, which has the powers to address this concern, although this is outside my remit in relation to this Plan. However, the measures set out in this Plan to prioritise sustainable modes of travel over the private car, including those included in the above paragraph, should bring about a significant change in the impact of private cars on local residents over time.
148. The submitted Plan, whilst setting out the requirement for consolidation of the existing level of surface parking, does not set out the required parking standards to deliver this. Modification **MM56** rectifies this omission by setting out a set of parking standards in order to make the Plan effective in delivering this policy requirement, including 0.2 parking spaces per dwelling. The modification also addresses car parking requirements for non-residential floorspace, to be considered on a case-by-case basis, in addition to provision for disabled spaces, electric charging points, and cycle parking standards, which I address later in my report. Linked to this modification, **MM52** sets the framework for

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<sup>22</sup> TA, section 5.4.

encouraging the removal of existing surface car parking to make the best use of available land for appropriate redevelopment and **MM53** states that developments should meet their own car parking needs on-site in accordance with the standards set out in MM56 above.

149. These modifications ensure the effectiveness of the Plan and also address a second concern which was raised at the hearing sessions, which was related to whether the consolidation of existing surface parking would be sufficient to accommodate the requirements of the proposed high density development. The relatively low ratio of parking provision as required in the modification, which proposes parking provision generally at 20% of households, chimes with the recent planning permission for 630 units of residential development on the former Kellogg's site, which is one of the biggest recent residential approvals in the Plan area, where a parking ratio of 16% was secured.
150. The changes introduced in MM53 also remove the need to show specific proposed consolidated parking locations, so that the graphic on page 81 of the submitted Plan is no longer required and can be deleted.
151. I therefore consider that the strategy of the Plan to consolidate existing surface car parking in the Civic Quarter, as modified above, is justified and effective, and is consistent with national policy.

**Is the multi-storey car park (MSCP) strategy, based on peripheral locations, justified and effective?**

152. In the submitted Plan, policy CQ10 (3) proposed the creation of new multi-storey car park (MSCP) solution(s), with 4 locations shown on the graphic on page 81. The Council explained at the hearing sessions that the Kellogg's development will comprise a MSCP which will also cater for the needs of the nearby UA 92 development in a podium styled scheme. Also, pre-application discussions for the former GMP HQ include a MSCP proposal. Both MSCP proposals are located in approximately the locations shown in the graphic consolidated parking plan on page 81 of the submitted Plan.
153. However, the White City location for a MSCP is uncertain, whilst there is a risk that any further MSCPs may result in more vehicular traffic within the Plan area than would be considered desirable for sustainability and safety reasons, and especially on Talbot Road, which would be contrary to the aim of policy CQ8, to enhance pedestrian and cycling as part of 'de-engineering' the thoroughfare.
154. Modification **MM52**, in addition to setting the framework for the removal of existing surface car parking, also deletes the policy text in the third bullet point of policy CQ10, so as to remove the requirement for the creation of new MSCPs, whilst **MM53** changes the fourth bullet point in the policy by stating that

developments are required to meet their own car parking needs on-site via appropriate and high-quality designed parking provision, including the use of podium parking, with active frontages wherever possible. These modifications remove the requirement for additional MSCPs within the Plan area, in favour of the principle of developments 'consuming their own smoke'. **MM55** makes it clear that applications for stand-alone surface car parks or MSCPs will not normally be supported, both for the above reasons and to ensure that the Plan retains its policy thrust in support of sustainable travel.

**Should the Plan promote sustainable travel mode targets, and if so, how effectively can they be monitored?**

155. The Greater Manchester Transport Strategy (GMTS), outlines the long term ambition for transport in the conurbation, aiming for net zero carbon by 2038, and 50% of trips to be made by sustainable modes by 2040, with no net increase in motor vehicle traffic by that date. This Plan needs to be considered in the context of the GMTS, and the strategic vision is supported.

156. As this report states, the Civic Quarter already has good access to sustainable travel modes, both by Metrolink and by bus. The Plan aims to complement this by enhanced pedestrian and cycling routes, whilst the strategy aims to increase the length of Metrolink trams and implement a bus corridor on the A56 between Manchester and Altrincham. A specific modal share target in this Plan is not therefore seen as a necessity by the Council and the evidence leads me to the same conclusion.

**Given that national policy supports secure cycling, should the Plan address the issue of the need for secure cycle parking and dedicated cycle ways in more detail?**

157. From the evidence submitted, the submitted Plan relates closely to the wider GM Bee Network, which I note aims to deliver the UK's largest walking and cycling networks. However, in line with national policy, as expressed in paragraph 106(d) of *the Framework*, modification **MM56** amends policy CQ10 by setting out required cycle parking standards, including the provision of charge points. **MM54** clarifies and adds to the fifth bullet point of policy CQ10 in relation to cycle storage. These modifications are also necessary to ensure the effectiveness of the policy.

**Are the proposals for pedestrianised streets and increased pedestrian space justified and realistic?**

158. It is clear to me from the evidence submitted and the discussion at the hearing sessions, that the creation of pedestrianised streets and 'de-engineering' of principal thoroughfares is essential to the delivery of the neighbourhood

transformation which is at the heart of the Plan. It is not a coincidence that the first paragraph of policy CQ10 refers to the creation of new pedestrian and cycling connections, and why policies CQ7, CQ8 and CQ9 address this issue with detailed illustrative diagrams.

159. These proposed enhancements, which are also referred to in the Plan as 'green routes', are consistent with the aim in national policy of promoting healthy and safe communities, as well as enhancing environmental quality and making the Civic Quarter more attractive for residential and economic investment. I therefore do not accept the concerns expressed that these enhanced routes would serve no effective purpose. On the contrary, I consider that the likely outcomes from these enhancements will underpin the transformation agenda of the Plan.

### **Issue 5 - Conclusion**

160. In light of the above considerations, I conclude in relation to Issue 5, that the movement and car parking strategy as set out in policy CQ10, subject to the above modifications, is justified and effective and is consistent with national policy.

**Issue 6 – Is policy CQ11, which sets the framework for infrastructure and obligations, positively prepared, justified, effective and consistent with national policy? In particular, does it strike an appropriate balance between aspiration and effectiveness?**

**Is the comprehensive, equalisation approach of policy CQ11 justified and effective?**

161. The Council argues that the provision of infrastructure for the Civic Quarter needs to be planned for comprehensively in order to enable the delivery of transformational change across the entire Plan area, rather than merely enabling sites to come forward piecemeal. I support this approach, and consider that otherwise, the vision of the Plan for a transformation into a high density, high quality neighbourhood of mixed residential and commercial development would have a high likelihood of not effectively materialising. The Council's vision for the Plan area is necessarily ambitious, and from reading the evidence, listening to the debate in the hearing sessions – and observing the existing streetscape and overall environmental quality – I agree that the need for an ambitious, comprehensive approach is justified and critical to the success of the Plan.
162. Policy CQ11 proposes an 'equalisation' approach to ensure that every development within the Civic Quarter contributes fairly and proportionately to the overall public infrastructure which is required to achieve the transformational change of the area. There was broad support for the equalisation approach in the Plan expressed by the developer fraternity, although not by all.
163. Concern was expressed about the Plan's approach from owners who consider themselves on the fringes of the Civic Quarter, and who stated they would not benefit from the proposed infrastructural improvements to the same degree as the more centrally located sites. On balance, I consider that the Plan's environmental, social and economic transformation of the Civic Quarter and the enhanced sense of community would affect the entire area. For example, even the most remote or peripheral residential developments stand to benefit from key infrastructural aspects, such as a new primary school and electricity sub-stations.
164. As the Council argues, it is a long established principle of the planning system that those who benefit from development should contribute proportionately to the burden that their development puts onto the public purse through increased demand for infrastructure services and facilities. I also consider that the overall stance in the Plan is consistent with national policy, as expressed in paragraphs 57 and 58 of *the Framework*, including the three tests for planning obligations. Policy CQ11 also accords with the three overarching objectives of sustainable

development, as set out in paragraph 8 of *the Framework*, i.e., economic, social and environmental. It is also clear from paragraph 58 that Government policy considers that viability assessments made at the plan-making stage are appropriate.

165. The Council suggests two modifications to policy CQ11; the first, **MM58**, states that where a development proposal contributes 'in kind' by providing the necessary identified infrastructure which would benefit the entire Civic Quarter, on site, then this would be offset against the financial contribution payable. This clarification of the ability of development to secure an offset against these contributions is necessary for the effectiveness of the policy.
166. On the basis of the above considerations, it is my view that the comprehensive, equalisation approach of policy CQ11, subject to the above modification, is justified and effective.

**Are the level of financial contributions set out for planning applications for major developments in policy CQ11 appropriate and realistic?**

**What is defined as major development?**

167. The financial contributions set out for planning applications for major developments are listed in policy CQ11. The Council considers that the definition of major development which is to be used as the threshold for policy CQ11 follows *the Framework* definitions (in Annex 2 Glossary) of:
- Development where 10 or more homes will be provided, or the site has an area of 0.5 ha or more; and
  - For non-residential development, it means additional floorspace of 1,000 sq m or more, or a site of 1 ha or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
168. These threshold figures to determine major development, and hence the relevant thresholds of the policy, provide an appropriate balance to be struck in terms of proportionality, to make the policy effective. I also agree with the Council that without identifying thresholds, there might be confusion as to which developments were expected to contribute towards the infrastructure, and without this infrastructure, the delivery of the transformed Civic Quarter would be at best patchy and at worst undermined and hence ineffective.

### **Are the required levels of financial contributions justified and effective?**

169. Policy CQ11 sets out clearly what is expected in terms of the aspects of essential infrastructure for both major residential and commercial development schemes, together with the financial contributions payable under the policy, subject to future indexation. The specific amounts set out in the policy are: £145.81 per sq m for residential, £66.89 per sq m for offices, £66.89 per sq m for hotels and £66.89 per sq m for other commercial development. There is also a requirement in the policy for a minimum of 25% affordable housing (AH), to be provided on-site.
170. There can be no doubt that policy CQ11 is the key to the satisfactory implementation of the Plan's ambitious objective of transforming the Civic Quarter into a high quality, distinctive mixed-use neighbourhood.
171. It is necessary to consider whether the following aspects of policy CQ11 are sound. Firstly, are the **essential infrastructure items** set out in the policy appropriate and justified, and are there any critical infrastructure needs not addressed in the policy?
172. Secondly, are the **financial contributions** set out in the policy justified and is the Plan effective, especially in terms of viability?

### **Are the essential infrastructure items set out in the policy justified and effective?**

173. The Council, in its response to the MIQs<sup>23</sup>, sets out a comprehensive summation of the essential infrastructure which must be delivered to achieve a Plan-wide transformation. The service infrastructure required for the 'big kit' components, such as drainage, a new electricity substation, water connection works, public realm works, and highways upgrades are all essential to secure the overall transformation of the area as envisaged in the Plan. Key schemes identified by the Council as critical to the successful implementation of the Plan include:
- (i) A new water mains connection from the A56, Chester Road.
  - (ii) A new 33KV primary electricity substation and associated connection issues to be overcome.

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<sup>23</sup> Trafford Council Hearing Statement: Matter 11-Infrastructure and Obligations; March 2022 [Examination Document Reference 11\_000].

- (iii) Hostile vehicle mitigation, because GM police have identified the Civic Quarter as being at particular risk of terrorist attack.

174. The evidence demonstrates that there are no unaddressed critical infrastructure needs. Concern was expressed that MSCP provision should have been addressed in the Plan, and that it has not been adequately modelled in the Council's Viability Assessment (VA). This concern, however, is addressed under Issue 5 above, in the sub-section addressing the provision of MSCPs.
175. An Infrastructure Cost Plan (ICP)<sup>24</sup> based on a feasibility study by independent consultants, provides the evidence to justify both the scope of the principal components of the essential infrastructure and the associated costs for each of these items. The ICP identifies a total service infrastructure cost, including a further cost for hostile vehicle mitigation, at around £31 million.
176. A second broad section of costs covers residential Section 106 contributions, to mitigate the impact of development upon local services. These relate to several projects and schemes, including a new GP surgery, a new primary school, and public open space and public realm improvements. These Section 106 costs equate to a total of around £30 million.
177. These combined costs, set out in the above paragraphs, of around £61 million for essential infrastructure, is explained clearly in a number of supporting documents that are listed at the introduction to the Council's MIQ response. At the hearing sessions, the Council stated that there was no serious challenge to these estimated infrastructure costs<sup>25</sup>. I can confirm that this has been the case through the examination of the Plan.
178. Concern was also expressed over the timing of these essential infrastructure components. However, I note the Council's view, that it is essential to secure early delivery in the interests of the positive preparation of the Plan. The Council also stated at the examination hearings that it intended to borrow against future receipts, to ensure smooth and essential implementation, and I have no reason to doubt the reality of the Council's intentions in this regard.
179. No other critical infrastructure needs have been identified by any of the parties who have been involved in the examination of the Plan. For example, there is already an extensive Metrolink tram system, whilst the bus services are sufficient to meet the transport needs of the Plan area over the remainder of the plan period. On the basis of the evidence before me, I agree with the Council that the list of projects described in brief above is the complete list of essential

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<sup>24</sup> Examination Document C07.

<sup>25</sup> This was stated by Trafford's counsel at the start of the Matter 11 discussion on Day 4 of the hearings.

infrastructure requirements, with no need for add-ons and that the Council's requirements are justified and necessary for the effectiveness of the Plan.

**Are the levels of financial contributions required by the Plan justified and effective?**

180. I now turn to the second major consideration governing the soundness of the policy, ie whether the financial contributions are likely to enable the infrastructure and AH costs to be met, to assess whether they are justified and effective. In order to address this, the Council commissioned an independently prepared Viability Assessment (VA)<sup>26</sup>.

181. In brief, the methodology of the VA uses residual land values (RLVs) to compare a number of different development typologies reflecting the types of development likely to come forward during the life of the Plan. So, if development incorporating the Council's policy requirements regarding AH are able to generate a higher RLV than the benchmark land value (BLV), it is considered that the site is viable and deliverable. Developers must reflect policy requirements in their bids for sites, in line with the requirements set out by the RICS<sup>27</sup> and the PPG (2019). The VA's key findings have informed the financial contributions for different uses which are required in policy CQ11, together with its conclusion that the Civic Quarter can viably support a provision of 25% on-site AH alongside the area-wide infrastructure levy.

182. It was recognised in the VA, and discussed at the hearings, that the White City Retail Park has a significantly higher existing use value (EUV) when compared with the BLVs that have been adopted within the VA. Its investment value (EUV) exceeds the residential land value (RLV) generated from the VA for residential development on the site, even without taking into consideration any AH provision. The size and characteristics of the White City site make it wholly exceptional within the Plan area. Modification **MM59** therefore highlights the exceptional circumstances of the White City Retail Park where the re-visiting of viability at the planning application stage may be appropriate. This modification is necessary for the effectiveness of the Plan.

183. Following representations made at the MMs consultation stage, an additional section has been added to state that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the planning application stage, in the interests of securing additional flexibility to policy CQ11.

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<sup>26</sup> Continuum: Civic Quarter AAP Viability Assessment (VA); January 2021 [Examination Document C01].

<sup>27</sup> RICS Professional Statement, Financial Viability in Planning: Conduct and Reporting (2019).

184. A number of other sites were advanced for similar treatment to White City, but these are significantly smaller, and I agree with the Council's view that a strong case for other sites to merit viability assessments at development management stage has not been effectively made.
185. The VA methodology, including the costs assumptions for development, was consulted on with the key stakeholders, i.e. developers, landowners and infrastructure providers, in accordance with national policy as expressed in the PPG. The Council held two consultation events with these stakeholders to inform the VA. The first, in September 2020, attended by 19 developers and their agents, explained the proposed methodology and sought responses, which were fed into the VA. A resulting viability input sheet, with specific costs, values and BLV assumptions, was sought from each of the consultees which had taken part in the consultation event. This process allowed for direct comparison with the assumptions made in the VA.
186. A second consultation event, in July 2021, attended by just 4 developers and their agents, was intended to gauge response to the issuing of the above mentioned viability input sheet. The Council responded to the two written responses which were received following this second event. There were no challenges to the VA's methodology at either event. Moreover, no competing VAs were submitted, which I take as another indication that the Council's VA is robust.
187. I note the arguments put forward to explain the lack of representation at the consultation events, such as a claim that some parties were not being advised professionally, and the fact that viability issues in local plans can be challenging from a developer's perspective. However, lack of professional advice cannot in all fairness be a criticism of the Council's consultation efforts, whilst the challenging nature of the subject matter should be a major driver for these parties to come to the consultation events and articulate their concerns. In my view, none of these reasons represents a valid objection to the consultation process undergone by the Council.
188. The Council considers that, in relation to the VA consultation events, ample opportunity has been provided for interested parties to engage with the Plan making process in advance of the examination, and it is clear to me from the evidence submitted that the Council has amply provided this opportunity. The Council also points out that it is the responsibility of site promoters to engage in plan making (as required by the PPG 2019 version, paragraph 2), so site specific costs are considered through the process and adopted policies are deliverable.
189. It is clear from reading the evidence and listening to the debate at the examination hearings, that the Council has been open and transparent in its

presentation of the relevant viability considerations underpinning the policies of the Plan; that the Council has meaningfully engaged with the key stakeholders; and that there has been a lack of a serious challenge to the VA during all the stages in the preparation of the Plan.

190. Several concerns relating to the VA were raised in written statements in response to the MIQs and at the hearing sessions. In brief, these concerns related to: (a) the Net Development Value (NDV) of the proposed development in the Plan area; (b) development costs; (c) professional fees; (d) developers' profit; (e) car parking; and (f) climate change costs. Following the debate at the hearing sessions, I invited the Council to summarise its position in relation to these concerns, which it did<sup>28</sup>, with the opportunity for other parties to respond within a deadline, which was accepted as reasonable and fair by all parties present at the hearings. One party responded in writing to the Council's note on viability<sup>29</sup>, although the points made related to other matters, and this was followed by a short response to this note by the Council<sup>30</sup>.
191. I now summarise the key points that were raised on these matters at the hearings, together with the Council's response.
192. Regarding **concern (a) NDV**: Although the NDV calculations in the VA were criticised as being unrealistically high, I note that no competing evidence has been submitted, and that the transformational change which would be delivered by the Plan would impact positively on the whole Plan area. The NDV of course is basically a snapshot, in this case at the 4<sup>th</sup> quarter of 2020. Moreover, the NDV has increased significantly since the 4<sup>th</sup> quarter of 2020, and at the recent B&Q Inquiry the NDV value of £382.50 per sq ft was common ground between two experts in the field. The Council's VA Note also stated that the evidence base underpinning the base figures does not include buildings taller than 10 storeys, so adding in a height premium to the base figures is justified.
193. Regarding **concern (b) development costs**: The Council's Note explains that the assumption of a net: gross ratio of 75% is a conservative estimate in relation to development costs, far lower than would be actually secured through design engineering. 80% would be a more realistic figure, and this would increase the RLV of all the land assessed from £74 million to £112 million. The conservatism in the Council's costs estimates therefore allows for considerable leeway. The Council's base build costs are largely based on the RICS Building Cost Information Service (BCIS), using the BCIS data set dated 24 October 2020, and it has been rebased to Trafford.

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<sup>28</sup> Trafford Council Note on Viability Assessment; 08 April 2022 [Examination Document J47].

<sup>29</sup> WSP-Accrue Response to Additional Material; 14 April 2022 [Examination Document K03]

<sup>30</sup> Trafford Council Response to WSP's letter for Accrue; 27 April 2022 [Examination Document J55].

194. The base build costs were applied to four typologies, as follows:

- (i) 2 storey town houses;
- (ii) 3-5 storey apartment blocks;
- (iii) 6-14 storey apartments; and
- (iv) 14+ storeys blocks of apartments.

195. The base build costs are set out in some detail in both the VA and the Council's Note on the VA. The Council pointed out that their figures compared closely to the approach taken by the London Borough of Lambeth, which has recently undergone a similar exercise<sup>31</sup>. The Council's Note also points out that the BCIS is the only costs metric recommended in the PPG.

196. The only challenge to the Council's costs figures came in a hearing statement, including a single page table which did not identify any specific projects which fed into the conclusions thereof. I note that despite a Council request for the detailed information underpinning this table, no such information was provided. It would have assisted everyone taking part in the examination if this input had been submitted during or shortly after at least one of the two consultation events (September 2020 and July 2021), which would have allowed for ample time to test rival assumptions.

197. On the balance of the evidence before me, I consider that the Council's development costs are realistic, based on the fact that (i) the figures are largely based on BCIS data, which is consistent with national policy; (ii) they tally with the figures and methodology employed in the recent Lambeth Viability Study; (iii) the figures in the two consultation exercises were either reviewed favourably by peers or were not commented on, which the Council is right to assume constitutes a positive response; and finally (iv), the Council's viability consultants have checked the figures and confirmed them all.

198. Regarding **concern (c) professional fees**: The VA assumes an allowance of 7% for base build, external works and abnormal costs (or 8% at a stretch). It states that this reflects the middle of the expected range for apartment and mixed-use development projects and is considered reflective of current market conditions. I agree with the Council's assessment that 10% is far too high in the current climate.

199. Regarding **concern (d) developers' profit**: The PPG (2019) states that: "*For the purpose of plan making, an assumption of 15-20% of gross development value (GDV) may be considered a suitable return to developers in order to*

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<sup>31</sup> BNP Paribas Lambeth Viability Study; 2018 [Examination Document J29].

*establish the viability of plan policies*<sup>32</sup>. I consider that the Council, in choosing the mid-point of this range, at 17.5% of GDV, is reasonable, especially taking into account the benefits of transformational change which are not accounted for in NDVs. I also note the Council's point that 17.5% could be generous, given the benefits of transformational change.

200. Regarding **concern (e) car parking**: In accordance with modification MM53, which is explained in Issue 5 above, instead of requiring a set of standalone MSCPs, the Plan, as modified, is requiring developments to meet their own parking standards within their developments, based on MM56. In fact, two of the MSCPs (or podium parking) illustrated in the Consolidated Parking Plan on page 81 of the submitted Plan, have been shown to be viable as part of the development proposals for the Kellogg's Site and the former GMP site.
201. Moreover, it is quite possible that a MSCP or podium would be an integral part of the White City proposals to meet its needs there. I agree with the Council that there is no reason to suppose that all other sites within the Civic Quarter cannot meet their own parking needs with appropriate design. The inclusion of these parking areas within the proposed developments can be accommodated without breaching the tall buildings policy for the Plan area, as the illustrative master plan for the Civic Quarter (which can be viewed in Appendix 1 of the submitted Plan for the various neighbourhoods) clearly shows.
202. Concern was expressed that the illustrative master plan does not show car parking (except for the Kellogg's site). However, I agree with the Council's VA Note, that there is ample opportunity to accommodate parking and the scale of development as shown in the trajectory, as clearly explained in the examples given in the Note. It is also generally accepted that car parking spaces broadly pay for themselves. Furthermore, the costs of parking spaces are known to be low and that even on conservative assumptions they show no impacts of any significance on viability. The Council's Note also makes the point that the 75% gross to net ratio would only be that low if it included a lot of car parking within the shell of the building, so you cannot have the 75% and further allowance for car parking, as it is already built in.
203. Regarding **concern (f) climate change costs**: The VA Note explains that the exercise has to be based on current costs and values, which of course do not reflect enhanced energy or zero carbon. If energy efficiency increases dramatically, energy costs will reduce dramatically (other things being equal). Energy efficient buildings will become more attractive to purchasers, which will in itself serve to increase capital values. The Council does not accept that

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<sup>32</sup> PPG Paragraph 018 Reference IF: 10-018-20190509 *How should a return to developers be defined for the purpose of viability assessment?*

improving efficiency and the costs thereof are a net drain on development viability, and my own reasoning leads me to the same conclusion.

204. The climate change considerations as set out in the Council's Note are clearly going to increase in significance over the 15 year plan period. Part L of the Building Regulations, for example, requires a 75% reduction in CO2 by 2025, and in the same year, Future Homes standards will require a 75% reduction as against pre-2022 standards. These are important considerations which weigh heavily on the need to take climate change seriously, which I conclude this Plan does.

205. **The provision of balconies** and /or amenity space in all proposed residential development was another focus of disagreement between some of the parties. The Council maintains such provision is essential and should no longer be regarded as unreasonable or exceptional (see Issue 4 above). The viability implications of balconies have been addressed and the Council's note of 27 April 2022 states that the viability concerns of balconies have been addressed as part of the assumed costs base<sup>33</sup>. For example, the above mentioned calculations on base costs for the 6-14 storey typology were based on the Botanical House costs, a scheme which included balconies.

206. It is also relevant to note that the same note states that the unit price assessment for balconies does not include the uplift in value from balconies.

## **Issue 6 - Conclusion**

207. From the evidence before me, I conclude that in relation to Issue 6, policy CQ11, which sets the framework for infrastructure and obligations, subject to the above modifications, is positively prepared, justified, effective and consistent with national policy. I also conclude that it strikes an appropriate balance between aspiration and effectiveness.

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<sup>33</sup> Trafford Council response to WSP's letter for Accrue of 14 April 2022; 27 April 2022 [Examination Document J55].

## **Issue 7 – Is the treatment of detailed proposals for the neighbourhoods, as set out in Appendix 1, justified and at the appropriate level of detail?**

208. Appendix 1 of the submitted Plan divides the Plan area into 5 neighbourhoods, which are known as:

- Western Neighbourhood, which includes the Grade II listed Trafford Town Hall and its surrounding gardens; Trafford College; Stretford Leisure Centre; and Stretford Police Station. The neighbourhood also has some attractive Edwardian housing and some less distinctive commercial development fronting onto the A56 Chester Road.
- Southern Neighbourhood, which includes Lancashire Cricket Club (LCC), which comprises the cricket ground, stadium, hotel and large areas of surface parking; Lancastrian House office/commercial development; and the former B&Q site in the south-west corner. The Old Trafford Metrolink tram stop is located immediately to the east of the cricket ground.
- Northern Neighbourhood, which includes the former GMP headquarters, which was demolished in 2013 and which is now largely vacant, with the exception of the GMP Call Centre, which stands in a sea of car parking. The area also includes the former Henshaw's Blind Asylum, of which only the gateposts now remain.
- Eastern Neighbourhood, which includes, in the words of the Plan "*a fragmented but rich tapestry of historic buildings, trees and boundaries along an undefined high street*". The northern part of Talbot Road includes a number of heritage assets, including Trafford Bar Metro Station, the Bowling Club and a few Victorian villas within a streetscape which also includes unprepossessing developments, vacant plots and surface car parking.
- Central Neighbourhood, which includes White City Retail Park to the north, with the grade II listed Entrance Portal to the former White City Greyhound Track; taller office developments along Talbot Road, some of which have been converted into residential use; the former Kellogg's site, some of which is now the UA92 Academy, opened in 2019; and the former British Gas Headquarters, with significant surface parking.

209. Appendix 1 contains two main images or sets of images – an illustrative master plan and illustrative landscape master plan. These images are indicative and have provided an input into the Parameters Plan and Policies Map. They give an impression of how much development can be accommodated, incorporating possible building heights, design principles, and set a framework for enhanced permeability through each neighbourhood and better connectivity between

neighbourhoods, development density, and green infrastructure, but they do not impose a layout for any site or a required structure for each neighbourhood.

210. Given the informal status of these images, it is not necessary for me to comment on their individual, detailed illustrations or on specific representations to these images. Clearly, some aspects of the images are already overtaken by some of the modifications to the Plan, such as the changes to the distribution of building heights parameters, as set out in the new tall buildings policy and which can be seen in the Policies Map (and relevant Parameters Plan).

### **Issue 7 - Conclusion**

211. From the evidence before me, I conclude that in relation to Issue 7, and in particular to the images therein, they set a useful and informative framework for all the policies in the Plan, and I do not consider that it is necessary for the soundness of the Plan for any changes to be made to them.

## **Issue 8 – Does the Plan provide sufficient guidance to cover all the relevant aspects of development management, uncertainties and risks and monitoring throughout the plan period?**

### **Development management**

212. In relation to development management, the Plan would become the statutory starting point for decision making, and it has several control mechanisms to enable robust development management decisions and resist inappropriate and unsustainable development. The Council submitted a list of examples, including policy CQ2, to protect the amenity (living conditions) of both existing and future residents; policy CQ3, to require development proposed on sites on the Parameters Plan /Policies Map as predominantly residential/workspace to provide a proportion of the floorspace proposed as workspace, to help ensure the balance of uses is delivered; and policy CQ11, to ensure proportionate, equalised developer contributions to deliver the required infrastructure and AH.
213. The Plan has not sought to unnecessarily duplicate the existing development plan for Trafford or national policy, as expressed in *the Framework*. In addition, the policies in the Plan are supported by detailed neighbourhood guidance, a design code and public realm code. However, the images which are included in the Plan, such as the indicative master plan, are for illustrative purposes only. Appropriate phasing of development and 'meanwhile' uses are also covered in the Plan's suite of policies.

### **Uncertainties and risks**

214. The Council stated that the Plan is underpinned by a level of flexibility which would enable alternative proposals to come forward if the market or circumstances dictate. The only concession to phasing is in relation to White City, and even in this location, the Plan enables any development to come forward at any time, as long as the equalised contribution is paid.
215. It is also accepted that there is a risk that not all development within the Plan area would be delivered, with the implication that, if this is the case, not all the supporting infrastructure would be delivered. However, given the equalisation strategy, the Council would be able to prioritise the service infrastructure, such as the primary substation, in its Infrastructure Funding Statement.
216. Flexibility is also built into the Plan's housing requirement. I note that the figure of up to 4,000 dwellings is design and capacity led, extending across sites where there is some knowledge that development is desirable; I also agree with the Council that the minimum of 2,500 units better reflects delivery and build out rates and does not rely on the redevelopment of White City Retail Park. It is also reasonable for the Council to assume that other sites will come forward

within the plan period which are currently unavailable for development, and an element of windfall is therefore built into the housing numbers in the Plan.

217. There is a greater risk that the workspace element of the Plan would not be delivered (at least within the plan period), as it does not generate as high a land value as the residential element. This has been addressed through a policy requirement for a proportionate contribution to workspace on sites identified as being capable of providing workspace in the Plan.

218. The alternative, 'do nothing' approach would not be positive in bringing forward development, neither would it be effective in managing the expected transformative change that is at the heart of the Plan.

### **Monitoring**

219. The monitoring arrangements included in the submitted Plan are generally sound. The inclusion of a document explaining the process of monitoring through the Key Performance Indicators (KPIs), including actual targets for KPIs, **[MM60]**, is a necessary modification to secure the effectiveness of the Plan.

### **Issue 8 - Conclusion**

220. From the evidence before me, I conclude that in relation to Issue 8, subject to the above modification, the Plan provides sufficient guidance to cover all the relevant aspects of development management, uncertainties and risks and monitoring throughout the plan period.

## Overall Conclusion and Recommendation

221. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

222. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended MMs set out in the Appendix, the Trafford Civic Quarter Area Action Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Mike Fox*

Inspector

This report is accompanied by an Appendix containing the Main Modifications.