

## **Manchester City Council Report for Resolution**

**Report to:** Executive - 15 March 2024  
Council - 20 March 2024

**Subject:** Adoption of Places for Everyone Plan: A Joint Development Plan Document for 9 Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan)

**Report of:** Strategic Director (Growth and Development)

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### **Summary**

This report seeks the approval of Executive to endorse the adoption of Places for Everyone Joint Local Plan (PfE) and for Council to formally adopt the PfE - incorporating the Main Modifications, amendments to the Policies Map and Additional Modifications - in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("2012 Regulations") and the Planning and Compulsory Purchase Act 2004 (as amended) ("2004 Act").

### **Recommendations**

The Executive is recommended to:-

- (1) Note the publication of the Inspectors' Report incorporating the Main Modifications recommended for the Plan set out in Appendix 1 and 2 of this report.
- (2) Note the amendments to the Local Plan Policies Map set out in Appendix 3 of the report;
- (3) Note the Additional Modifications to the Plan set out in Appendix 4 of this report; and
- (4) Endorse the recommendations for Council set out below.

Council is recommended to:

- (1) Accept the findings of the Inspectors' Report and approve the Main Modifications to the Places for Everyone Joint Development Plan Document proposed by the independent Inspectors, as set out in Appendix 1 and 2 to this report, for incorporation into the final version of the Places for Everyone Joint Development Plan Document.
- (2) Approve the amendments to the Places for Everyone Joint Development Plan Document Policies Map, as set out in Appendix 3 to this report, for incorporation of all the changes which relate to Manchester's administrative area into the Manchester Local Plan Policies Map.
- (3) Approve the Additional Modifications to the Places for Everyone Joint Development Plan Document, as set out in Appendix 4 to this report, for

incorporation into the final version of the Places for Everyone Joint Development Plan Document.

- (4) Adopt the Places for Everyone Joint Development Plan Document 2022 – 2039 (provided in Appendix 5), with effect from 21 March 2024 – incorporating the Main Modifications and Additional Modifications – as part of the Development Plan for Manchester, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 (as amended)
- (5) Adopt the Policies Map (Appendix 6) which incorporates the Modifications to it (Appendix 3) and is necessary to give effect to the policies of the Places for Everyone Joint Development Plan Document.
- (6) Delegate authority to Director of Planning, Building Control and Licensing, to make any minor non material editorial amendments to the Places for Everyone Joint Development Plan Document and Policies Map ahead of its final publication, subject to consultation and agreement with the eight other Places for Everyone authorities. These amendments will be limited to correcting minor errors and formatting text.

**Wards Affected:** All

<p><b>Environmental Impact Assessment</b> - the impact of the issues addressed in this report on achieving the zero-carbon target for the city</p>	<p>The adoption of PfE is the final stage in formally approving the plan. The PfE includes objectives and policies that seek to achieve a zero carbon Greater Manchester by 2038. The PfE also covers a range of issues that will have a direct bearing on successfully meeting the zero-carbon challenge by 2038.</p>
<p><b>Equality, Diversity and Inclusion</b> - the impact of the issues addressed in this report in meeting our Public Sector Equality Duty and broader equality commitments</p>	<p>Places for Everyone has been subject to an equalities impact assessment as part of the process of integrated appraisal. The updated integrated assessment documentation includes a revised equalities impact assessment (Appendix A of the Addendum Report) which considers the changes proposed to the plan and any consequential impacts on the nine protected characteristics.</p>

<b>Manchester Strategy outcomes</b>	<b>Summary of how this report aligns to the OMS/Contribution to the Strategy</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	The adopted PfE will cover this outcome, both in the strategic policies and other specific thematic policies. If Greater Manchester is to flourish in the long run, then it will need to make the most of its key assets and advantages, which can differentiate it from other places. The growth potential of a small number of locations that can boost international competitiveness will need to be maximised in order to support the prosperity of Greater Manchester as a whole.
A highly skilled city: world class and home grown talent sustaining the city's economic success	The adopted PfE will cover this outcome, both in the strategic policies and other specific thematic policies. The central theme of the spatial strategy for the plan is to deliver inclusive growth across the plan area, with everyone sharing in the benefits of rising prosperity.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The adopted PfE will cover this outcome, both in the strategic policies and other specific thematic policies. The central theme of the spatial strategy for the plan is to deliver inclusive growth across the plan area, with everyone sharing in the benefits of rising prosperity.
A liveable and low carbon city: a destination of choice to live, visit, work	The adopted PfE will cover this outcome, both in the strategic policies and other specific thematic policies. Objective 7 of the plan seeks to ensure that Greater Manchester is a more resilient and carbon neutral area.
A connected city: world class infrastructure and connectivity to drive growth	The adopted PfE will cover this outcome, both in the strategic policies and other specific thematic policies. Objective 6 of the plan promotes the sustainable movement of people, goods and information. Moreover, Objective 9 of the plan seeks to ensure access to physical and social infrastructure.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

## **Financial Consequences – Revenue**

The preparation and examination of the Places for Everyone Plan 2021 generated a revenue cost for nine local authorities. A substantial evidence base was assembled to support the plan which involved the commissioning of specialist and independent experts. Following the submission of PfE to the Secretary of State, the independent examination began. Further revenue costs associated with the examination process included the appointment of Programme Officers, the cost of the examination itself, including the procurement of the venue, Planning Inspectors and legal advice/representation. Following adoption, further costs may be incurred in relation to the monitoring of the plan and also should the decision to adopt the Plan be legally challenged.

## **Financial Consequences – Capital**

No capital costs are involved in this process.

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### **Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Report to AGMA Executive Board - December 2020
- Report to AGMA Executive Board - February 2021
- Report to Places for Everyone Joint Committee - July 2021
- Report to Executive (28 July 2021), Places for Everyone Publication Plan 2021: A Joint Development Plan Document for Nine Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan)
- Report to Executive (4 October 2023), Places for Everyone Plan: A Joint Development Plan Document for 9 Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) - Proposed Modifications Consultation

## 1.0 Introduction

- 1.1 Every Council has a statutory duty to prepare a Local Plan, with a requirement set in law that planning decisions must be taken in line with the Local Plan unless material considerations indicate otherwise. Indeed, in a recent letter to the Mayor of Greater Manchester, the Secretary of State has reaffirmed the Government's dedication to a plan-led system and its role in ensuring housing requirements are planned for appropriately (Appendix 7). The Places for Everyone Plan: A Joint Development Plan Document for nine Greater Manchester Local Authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) 2022-2039 (PfE) is the strategic spatial plan for the nine constituent boroughs and as such sets out a collective planning policy framework. All policies within the plan are "strategic policies". It is being prepared as a Joint Development Plan Document of the nine local planning authorities. Once the PfE Plan is adopted it will form part of Manchester's development plan and will be used to assess individual planning applications. As such, Manchester's local plan will need to be consistent with it and neighbourhood plans will need to be in general conformity with the strategic policies.
- 1.2 The Places for Everyone Plan is a strategic plan and it does not cover everything that Manchester's local plan would. Therefore, Manchester's emerging Local Plan will set out more detailed policies including both strategic and non-strategic policies, as appropriate, reflecting local circumstances. Appendix A of the PfE Plan sets out the policies in the relevant adopted GM district local plans which will be replaced by the Places for Everyone Plan.
- 1.3 Manchester's emerging local plan will be expected to look ahead a minimum period from its adoption, in line with national policy. In amending the plan period from 2020 to 2037 to 2022 to 2039 the PfE Plan will provide an appropriate strategic policy framework for Manchester's emerging local plan which will be produced, following its adoption.
- 1.4 With respect to the legal aspects of the plan, the legislative and constitutional requirements for the preparation of a joint Development Plan Document (DPD) set out in the Planning and Compulsory Purchase Act 2004 ("2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 ("2012 Regulations") have been complied with.
- 1.5 The joint DPD was submitted to the Secretary of State for independent examination (s20 of the 2004 Act) along with the documents prescribed by Regulation 22 of the 2012 Regulations. Prior to its submission to the Secretary of State, the joint DPD was published and representations were invited, pursuant to Regulation 19 and Regulation 20 of the 2012 Regulations. Following Submission, the Joint DPD was subject to independent examination, as prescribed by section 20 of the Act; the modifications consultation stage which took place between October and December 2023 fell within that stage of the plan preparation process. The Inspectors issued their report on 14 February 2024 which signals the end of the examination stage. It is now the case that the

nine districts must either accept in full the recommendations in their report or reject them in full.

## **2.0 Background to Paces for Everyone Joint Local Plan**

In 2014 the 10 Greater Manchester local authorities resolved to prepare a joint development plan, known as Greater Manchester Spatial Framework (GMSF). Following the decision of Stockport council to withdraw (3 December 2020) from the GMSF, the remaining nine GM authorities (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) decided to progress a joint plan of the nine and this became known as “Places for Everyone” (PfE). Before “submission” the PfE Plan had been the subject of various consultations since its inception in 2014:

- November 2014 - Scope of the plan and the initial evidence base (Regulation 18 of the 2012 Regulations)
- November 2015 - Vision, strategy and strategic growth options (Regulation 18 of the 2012 Regulations)
- October 2016 –Draft Greater Manchester Spatial Framework (Regulation 18 of the 2012 Regulations)
- The Greater Manchester Plan for Homes, Jobs and the Environment: the Greater Manchester Spatial Framework Revised Draft 2019 (GMSF 2019) (Regulation 18 of the 2012 Regulations)
- Publication version of Places for Everyone (Pre-Submission Consultation) 2021 (Regulation 19 of the 2012 Regulations)

2.2 Full details of the consultation undertaken, the key issues raised at each stage of consultation and how these issues have been taken into account in the plan making process up until submission, are set out in the Statement of Consultation 2022 which is available to view on the GMCA web site.

2.3 The PfE Plan was submitted to the Secretary of State on February 14, 2022, pursuant to Reg. 22 of the Local Planning Regulations (‘Submission stage’). This marked the beginning of the independent examination into the plan, the final stage in the plan making process. Three Inspectors were appointed to examine whether the submitted plan met the tests of soundness defined in the National Planning Policy Framework (NPPF)<sup>1</sup> and met all the relevant legislative requirements, including the duty to co-operate<sup>2</sup>

2.4 The public hearing sessions started at the beginning of November 2022 and sat for 12 weeks in total, including a final session at the beginning of July 2023.

2.5 The Inspectors’ post hearing note (IN39) was published on the examination website on 11th August 2023, setting out their conclusions on the key issues of soundness and the Main Modifications that would be required to ensure the Plan was sound. A consultation on the Main Modifications was carried out for a

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<sup>1</sup> The tests of soundness in paragraph 35 of the NPPF require that the plan is positively prepared, justified, effective and consistent with national policy.

<sup>2</sup> Paragraph 24 of the NPPF requires that local planning authorities cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.

period of 8 weeks, between 11 October and 6 December 2023. More detail on this consultation is provided in Section 3 below.

- 2.6 Having considered the consultation responses to the Main Modifications, the Inspectors' Report was published by the GMCA on behalf of the nine local authorities on 15 February 2024. The Report concludes that subject to inclusion of the Main Modifications, the Plan is sound, complies with all relevant legal requirements and provides an appropriate basis for the planning of the nine boroughs. The Inspectors are satisfied that where necessary the local planning authorities engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has been met.
- 2.7 It should be noted that the Council can only adopt the PfE Joint Development Plan Document if it incorporates all the Main Modifications as recommended by the independent Inspectors.

### **3.0 PfE Proposed Modifications**

- 3.1 The Inspectors' post hearing note (IN39) set out their conclusions on the key issues of soundness. In summary the Inspectors concluded that:
- No significant changes were required to the spatial strategy policies.
  - No significant changes were required in relation to the scale of distribution of employment and housing.
  - Exceptional circumstances case was not made for release of Green Belt sites JPA10 (Global Logistics) and JPA28 (North of Irlam Station).
  - Exceptional circumstances case was not made for 31 of the 49 proposed Green Belt Additions.
  - Some Modifications were required to policy wording to ensure that they were consistent, removed duplication and were therefore effective.
- 3.2 A schedule of Main Modifications was prepared and agreed with the Inspectors. A schedule of 'Additional Modifications' was also prepared. These were amendments which were not required to address issues of soundness, for example typographical issues, but were included for completeness. The Inspectors have not considered the responses to the additional modifications, this is a role for the districts and a report summarising the responses is attached at Appendix 4. The additional modifications (taken together) do not materially affect the policies set out in the PfE Plan if it is adopted with the Main Modifications. A composite plan was prepared which showed the Main Modifications and Additional Modifications to help people understand the proposed changes and help them to respond to the consultation.
- 3.3 The Main Modifications underwent further Sustainability Appraisal / Strategic Environmental Assessment and Habitats Regulations Assessment, which were consulted on, alongside the modifications themselves. All of the Main Modifications consultation documents are available to view on the GMCA website.

- 3.4 Following approval by all nine PfE authorities, the Modifications were published for a period of public consultation which ran for 8 weeks, from 11 October – 6 December 2023. 177 representations were received in total. A list of respondents is published on the examination website (see Examination document RMM1). All of the responses are available on the GMCA website
- 3.5 A report listing all of the representations, a summary of the main issues raised and a brief response to those main issues was prepared and published on the examination website (see Examination document RMM2)
- 3.6 A ‘Summary of Key Issues’ report was also prepared and is available on the examination website (see Examination document RMM3). The main issues raised related to:
- Extension of the plan period
  - Relationship to district local plans
  - Cancellation of HS2
  - Implications of proposed changes to National Planning Policy Framework
  - Approach to Brownfield Land in Sustainable Development policy JP-S1)
  - Modifications to the Carbon and Energy policy (JP-S2)
  - Modifications to the Affordable Housing policy (JP-H2)
  - Retention of the Walshaw (JPA9) site
  - Approach to streamlining allocation policies
  - Inadequacy of Integrated Assessment
  - Inadequacy of consultation
- 3.7 It was not considered that any new substantive issues were raised during the consultation which required further work and/or further hearing sessions, however a small number of further Main Modifications were identified which were considered necessary to make the plan sound, particularly in relation to HS2. A schedule of these further main modifications was submitted to the Inspectors and is published on the examination website (see Examination document RMM4).

#### **4.0 Changes to National Planning Policy**

- 4.1 Following the closure of the Modifications consultation, Government published two documents which had potential implications for PfE.
- 4.2 Government published a Written Ministerial Statement (WMS) on energy efficiency on 13 December 2023, alongside a consultation on the Future Homes and Buildings Standard. It states that “the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations”. The WMS goes on to clarify that:

*“Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:*



- *That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.*
- *The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP)".*

A further main modification was proposed to policy JP-S2 to reflect this statement.(see Examination document RMM4).

- 4.3 A revised National Planning Policy Framework (NPPF) was published on 19 December 2023 (as amended). In terms of PfE, the most significant section is the provision in Annex 1, paragraph 230 ('transitional arrangements'):

*"The policies in this Framework (published on 19 December 2023) will apply for the purpose of examining plans, where those plans reach regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (pre-submission) stage after 19 March 2024. Plans that reach pre-submission consultation on or before this date will be examined under the relevant previous version of the Framework ...."*

- 4.4 The 'pre-submission' stage referred to is the Regulation 19 or 'Publication' stage. The Publication stage consultation on the PfE plan took place in August 2021, therefore it will continue to be examined under the relevant previous version of the Framework and is unaffected by the changes in the December 2023 version in relation to plan-making.
- 4.5 Once the PfE plan is adopted, the policies in NPPF December 2023 will apply until such time as it is superseded. A further Main Modification is proposed in relation to Policy JP-H1 to reflect the proposed changes to the requirement for local authorities to maintain a 5 year supply of housing sites.

## **5.0 The Inspectors' Report**

- 5.1 The Inspectors' Report was published by the GMCA on behalf of the nine local authorities on 15 February 2024. The report concludes "that all legal requirements have been met and that with the recommended main modifications set out in the Appendix the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound" (paragraph 938).

- 5.2 The main modifications can be summarised as follows:

- Various changes to clarify the relationship between, and relative roles of, the Plan and individual local plans, and to clarify that the Plan does not apply to the parts of Oldham that are within the Peak District National Park.

- Extension of the plan period to look ahead to 2039 (rather than 2037), and updates to the housing and employment land supply information to 2022 (rather than 2021).
- Clarifications to spatial strategy policies JP-Strat1 to JP-Strat11 and associated diagrammatic maps, and deletion of High Crompton Broad Location from policy JP-Strat7.
- Extensive changes to the detailed wording of site allocation policies JPA1 to JPA37 to ensure they are consistent with national policy, justified, internally consistent and effective in achieving sustainable development having regard to relevant site-specific issues.
- Deletion of allocation JPA10 Global Logistics and retention of parts of the site in the Green Belt.
- Deletion of allocation JPA28 North of Irlam Station and retention of the site in the Green Belt.
- Amendments to the site boundaries of allocations JPA1.2 Simister and Bowlee; JPA3.2 Timperley Wedge; JPA14 Broadbent Moss; JPA18 South of Rosary Road; JPA26 Hazelhurst Farm; and JPA32 South of Hyde.
- Modifications to policies JP-S1 to JP-S7 to ensure consistency with national policy and effectiveness, including deletion of policy JP-S4 Resilience as it serves no decision-making purpose.
- Modifications to policies JP-J1 to JP-J4 to reflect changes to the plan period, and to remove unnecessary or inconsistent requirements.
- Clarifications to policies JP-H1 to JP-H4 relating to housing development, and changes to the approaches to phasing and five-year supply to ensure consistency with national policy and that housing needs are met as soon as possible.
- Modifications to policies JP-G1 to JP-G7 to ensure consistency with national policy and effectiveness.
- Changes to JP-G5, JP-G9, JP G7 and relevant site allocation policies relating to the South Pennine Moors, Rochdale Canal and Manchester Mosses protected habitats having regard to the habitat regulations assessment.
- Changes to policies JP-G9 and site allocation policies relating to biodiversity including any irreplaceable habitats on sites containing peat.
- Changes to JP-G2 and site allocation policies to secure compensatory improvements to the environmental quality and accessibility of remaining Green Belt.
- Deletion of policy JP-G8 relating to green space standards.
- Deletion of policy JP-G11 relating to safeguarded land.
- Modifications to policies JP-Strat12, JP-P1 to JP-P7 to ensure consistency with national policy and effectiveness.
- Inclusion of an additional policy in chapter 10 relating to the strategic road network.
- Various changes to the transport improvements referred to in the Plan, and addition of Appendix D setting out indicative transport mitigations for each allocation.
- Deletion of 30 of the 49 Green Belt additions proposed in the Plan.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

- 5.3 The Inspectors did not consider that the further main modification to Policy JP-S2 referred to in Section 4 above, was necessary to make the plan sound. Their reasons are set out in paragraph 721-724 of their Report.
- 5.4 The Inspectors accepted the proposed further modification to Policy JP-H1 referred to in Section 4 above and proposed some further wording to the reasoned justification. There is a typographical error in the Main Modifications schedule in relation to MM7.2 at paragraph 7.19. This should read Table 7.2 not Table 7.1.

## **6.0 Policies Map**

- 6.1 The Policies Map is not defined in legislation as a development plan document. This means it is not formally part of the PfE Plan that it is intended will be adopted, nor was it within the Planning Inspectors' remit to recommend main modifications to it. However, local planning authorities must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan.
- 6.2 When the PfE Plan was submitted for examination, the PfE authorities were required to provide a Submission Policies Map showing the changes to the adopted Policies Maps within the PfE authorities, that would result from the proposals in the submitted PfE Plan. Subsequent to this, a number of modifications to the Policies Map were proposed during the plan's examination and these were consulted upon alongside the Main and Additional Modifications.
- 6.3 The Council will adopt the Policies Map (Appendix 6) incorporating the changes in so far as they relate to Manchester's administrative area into the Manchester Local Plan Policies Map

## **7.0 What do the Modifications mean for Manchester**

- 7.1 The adopted Plan continues to feature specific policies and an allocation that directly relate to Manchester including:
- Delivery of a minimum of around 60,000 new homes; and over 2 million square metres of office floorspace in Manchester by 2039;
  - Policies to deliver growth and regeneration across the City
  - Seeking to achieve a carbon neutral city no later than 2038;
  - Inclusion of the requirement to deliver biodiversity net gain in line with national policy;
  - Policies across a range of other themes including flood risk, water resources, air quality, economic and housing matters, heritage, culture, education and skills, health, and sport and recreation; and
  - Specific allocation identified in the plan for Manchester for new jobs at Wythenshawe Hospital.
  - Within the Manchester Local Plan process, approximately 17,000 affordable homes will be delivered in the period that covers PfE. This is

based on the 50,000 affordable homes expected to be delivered across the PfE plan area, as part of the overall delivery of 175,000 homes in GM (except Stockport). This is a similar percentage to the target set out in the Manchester City Council Housing Strategy.

- 7.2 The housing and employment figures in the adopted plan reflect the fact that the plan has been extended to a period from 2022 to 2039 meaning an additional year of housing and employment development has been included. This is required to ensure the adopted plan has a 15-year time horizon previously explained at paragraph 4.1.
- 7.3 The Inspectors have recommended the deletion of the proposed allocation at Global Logistics (see paragraphs 378 to 387 of the Inspectors' Report), citing that they were, "...not persuaded that there would be a reasonable prospect of development being able to meet the necessary policy requirements."

## **8.0 Integrated Assessment and Habitats Regulations Assessment**

- 8.1 The Integrated Assessment (IA) has contributed to the development of the PfE through an iterative assessment, which reviewed the draft policies and the discrete site allocations against the IA framework. This has ensured the full range of environmental impacts have been assessed and appropriate mitigation measures included, where necessary. The IA documentation can be found in documents SD8 to SD17 and MDC6 to MDC12.
- 8.2 A Habitats Regulations Assessment (HRA) refers to several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it.
- 8.3 The PfE2021 was assessed as a Plan which was considered likely to have significant effect on one or more European protected site and was therefore informed (and accompanied) by an HRA (November 2022) with mitigation measures identified as appropriate. as set out in the HRA of PFE, November 2022.. The outcome of the screening assessment of the Main Modifications to the PfE was that none of them would have a Likely Significant Effect on European designated sites and therefore do not change the findings of the HRA of the PFE, November 2022.
- 8.4 In November 2022 the HRA concluded that traffic levels resulting from a combined impact of development proposed in both the PfE Plan and Warrington's local plan could create an adverse air quality impact on the Holcroft Moss compartment of the Manchester Mosses SAC. Consequently, air quality mitigation is proposed in both the PfE Plan and the Warrington Local Plan for the Holcroft Moss site, in the form of a developer contribution towards a Habitat Mitigation Plan and the provision of measures to reduce reliance of cars, reduce trip generation and promote ultra-low vehicle emissions. The details of the developer contribution will be set out in district supplementary planning documents following adoption of the PFE plan.

8.5 The HRA of the PfE, November 2022 also identified an adverse impact on the South Pennine Moors SAC/SPAs as a result of increased recreation pressure arising out of development levels proposed in the PfE. . Consequently, the PfE Plan proposes recreation disturbance mitigation in the form of a development exclusion zone within 400m of the Moors, a requirement to assess and mitigate land for functionally linked habitats within 2.5km of the Moors and a requirement for development to provide or contribute towards the provision of Suitable Alternative Natural Greenspace and a Strategic Access, Monitoring and Management Strategy within 7km of the Moors remains a suitable mitigation package. Oldham, Rochdale and Tameside councils will set out details of the developer contribution district supplementary planning documents.

## **9.0 Next Steps**

9.1 Subject to and following Council's decision, officers will complete the final tasks that need to be undertaken in order to meet the requirements of the relevant regulations. This includes preparing an Adoption Statement and making the following documents available on the council's website and at the Central Library.

- Places for Everyone Joint Development Plan Document (PfE Plan)
- Places for Everyone Policies Map
- Integrated Appraisal Reports (including Sustainability Appraisal Report)
- Adoption Statement
- Details of where the PfE Plan is available for inspection and the times at which the document can be inspected.

The council will issue the Adoption Statement in line with the relevant regulations.

9.2 In addition to these documents, in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, the council will publish a Sustainability Appraisal post adoption statement, which explains how the sustainability appraisal reports undertaken at various stages during the preparation of the PfE Plan meet the requirements of these regulations.

9.3 Once the PfE Plan has been adopted, it will become part of the statutory development plan for Manchester with immediate effect. This means that it will have full weight in the determination of planning applications in Manchester. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

9.4 If the council adopts the PfE Plan, in accordance with section 113 of the Planning and Compulsory Purchase Act (2004), any person aggrieved by the adoption of the PfE Plan can only challenge this by making an application to the High Court on one of two grounds; that the PfE Plan is not within the appropriate power, i.e. any action that went further than the powers that are authorised under Part 2 of the Act, or a procedural requirement has not been complied with (these are terms cited within the Act). An application for leave to challenge must be made before the end of the period of six weeks beginning with the day after the relevant date, which for the purposes of the PfE Plan,

begins on 22 March 2024 (the day after adoption of the plan comes into effect) and runs until 2 May 2024.

- 9.5 The High Court may make an interim order suspending the operation of the relevant development plan document or quash the plan wholly or in part. The purpose of this provision is to provide certainty as to the legal validity of the PfE Plan and to prevent later challenges.
- 9.6 The PfE Plan contains a monitoring framework with targets and indicators which will be used to monitor the achievement of the policies and reported on. Although the plan covers the period to 2039, in accordance with paragraph 33 of the National Planning Policy Framework (NPPF), the policies in local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. The review process is a method to ensure that a plan and the policies within it remain effective. As explained in chapter 12 of the PfE Plan, the outcomes of PfE monitoring will form part of each PfE district's Local Plan Authority Monitoring Reports.

## **10.0 Recommendations**

10.1 The Executive is recommended to:-

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