

Davenport Green

Trafford Core Strategy (CS), Examination in Public

RLAM (Representor 1211), Further Reps, 3/2/11

Main Matter 1, An Overview of the Soundness of the Core Strategy

Whether the spatial vision and objectives of the Core Strategy reflect the identified issues to be addressed and are sound. Whether cross boundary issues have been satisfactorily taken account of and the evidence base is complete, up to date and robust.

MIQ & RLAM Response (Numbers in brackets refer to references on right side)	Evidence References
<p>MIQ 1.1: Is the Core Strategy sufficiently outward looking and does its delivery strategy provide sufficient opportunities to ensure that it will contribute to and support the vision of the Manchester City Region becoming a world-class city?</p> <ol style="list-style-type: none"> 1. In relation to Chapter 2 (The Profile) RLAM focused on three major (outward looking) issues to which little or no consideration has been given in the CS (1a, 2, 6, 8, 11): <ol style="list-style-type: none"> a. Manchester Airport, a major driver of the regional economy and immediately south east of Davenport Green/Trafford (3) b. Wythenshawe, a major regeneration area, immediately north east and east of Davenport Green/Trafford (4, 5, 6) c. The major concentration of skilled labour in the areas immediately south of Trafford (7, 8). 2. In relation to Chapters 8 and 18 and Policies SL1-5 and W1 RLAM have focused on four aspects of the CS (1b): <ol style="list-style-type: none"> a. No Strategic Sites, the lack of which in the CS reflects not a lack of need for them but the Council's inadequate evidence underpinning the delivery of potential Strategic Sites identified earlier in the CS process (9, 10, 11, 13) b. Lack of Competitive Sites for B1 (a) and (b) Use relative to one of the key elements of the CS Vision: "support both the local and city region economies" and the vision of Manchester City Region becoming a world class city. RLAM have identified two principal defects in the delivery strategy: the major and uncertain constraints on the delivery of the strategic locations and the inability of those strategic locations to deliver a sufficient quality of development product 	<ol style="list-style-type: none"> 1. RLAM (1211) Rep relating to: <ol style="list-style-type: none"> a. Chapter 2 of the CS b. Chapters 8 and 18 c. Appendix 17 (Review of SA of CS) d. Appendix 16 (Summary Main Representations) e. Appendix 15 (Commercial Review) in which the following are quoted: 2. Trafford Other Town Centres Uses Study, para 9.2, (quoted at CS paras. 8.26& 18.13), CD 8.1.3 3. Manchester Airport Master Plan to 2030, Nov 2007, Master Plan Diagram 4. Wythenshawe Strategic Regeneration Framework, Manchester CC, Dec. 2004, Chap 6, Figures 1-7 esp. Figure 3, Strategic Masterplan 5. Manchester CC Core Strategy, Pre-Publication Draft, September 2010, Policies EL4 and EL5, paras 3.12-3.17 6. TBC, Economic Development Plan, 2005, Map of Deprivation, CD8.3.8 7. Office Futures, Savills for British Council of Offices, 2004 8. The North West of England

<p>to be competitive regionally and nationally (1b, 1e, 2, 10, 12, 14, 15, 16).</p> <p>c. Lack of Evidence to Justify Reversal of Council’s Position on Davenport Green in 1996 and 2006 UDP’s (under four sub-headings), where the chronology of events (see amended Appendix 18, appended to RLAM response to Main Matter3) relating to the planning of Davenport Green shows a prior political decision to put Davenport Green into the Green Belt (which predated the Core Strategy preparation process) followed by a succession of technical measures to justify this prior decision (1b, 1c, 1d, 1e, 2, 12, 15, 17, 18, 19, 21, 22,</p> <p>d. Other TBC Reasons...(6, 9, 12,</p> <p>3. RLAM have concluded in their Rep on Chapters 8 and 18 that the Core Strategy is unsound in being unjustified in its lack of robust and credible evidence to support the non-designation of Davenport Green as a strategic site or location.</p> <p>4. RLAM has shown in its representations that</p> <p>a. Chapter 2 is unsound in not being justified through not being founded on a robust and credible evidence base) in relation to the CS being insufficiently outward looking (1a).</p> <p>b. Chapters 8 and 18, Policies SL1-5 and W1, are not legally compliant (see RLAM’s evidence relating to the Council’s Sustainability Appraisal) and unsound in that the delivery strategy is neither justified nor effective)(1b)</p> <p>c. that the answer to both the Inspector’s questions is negative.</p> <p>5. In order to restore soundness to the CS RLAM set out in their representation under the heading “Restoring Soundness” (1b):</p> <p>a. A review of the pressing economic need for a site of the quality of Davenport Green</p> <p>b. A description of the exceptional qualities of the site</p> <p>c. Their proposal (Policy SS1)(24) for Davenport Green to be designated as a strategic site for employment, together with their justification for that proposal and the deletion of proposed addition of Davenport Green to the Green Belt (CS Policy R4.3).</p>	<p>PlanRegional Spatial Strategy to 2021, GONW September 2008,para 2.20 and Map of Manchester City Region and South Cheshire, CD 3.1.1</p> <p>9. TBC, Core Strategy, Further Consultation on Preferred Option, June 2009, Chaps 23-25, CD 6.3.9</p> <p>10. TBC, Core Strategy, Technical Note on Strategic Locations and Site Selection, March 2010, Sections 3 and 4 e.g. para 4.2, CD 6.3.25</p> <p>11. PPS 12, Local Spatial Planning, paras 4.6, 4.17, 4.45, 4.51, 4.52 CD 2.1.15</p> <p>12. TBC, Employment Land Study , May 2009, page 43, Appendix D, CD 8.3.3</p> <p>13. TBC, Core Strategy, Further Consultation on the Vision, Strategic Objectives and Delivery Strategy, March 2010, paras 4.6, 4.12, CD 6.5.11</p> <p>14. Background Note on the 5 Proposed Strategic Locations, March 2010, paras 2.21, 5.15, CD 6.3.26</p> <p>15. PINS, Examining Development Plan Documents, Learning from Experience, Sept. 2009, para.21,para 33, CD 2.4.1</p> <p>16. TBC, Officers’ Report to Members on City Region Programme, 17th March 2010</p> <p>17. TBC, UDP, 1996, Policy E13</p> <p>18. TBC, UDP, 2006, Proposals E13 and E14</p> <p>19. PPS4, Planning for Sustainable Economic Growth, para EC1.3, CD 2.1.6</p> <p>20. RLAM November CS Representation (1211), Appendix 15, Davenport Green, Commercial Review, Knight Frank, Para 1.1.2 and Section 1.4</p> <p>21. NWDA, Strategic Regional Sites Review, Technical Report, February 2009, CD</p>
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	<p>22. NWDA, Strategic Regional Sites Review, July 2009, CD 3.1.18</p> <p>23. TBC, Core Strategy, Preferred Options, July 2008, para. 5.18, CD 6.3.1</p> <p>24. Draft Policy SS1, attached to RLAM's Overview Representation (1211).</p>
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MIQ 1.5: What are the key cross boundary issues to be addressed? How does the Core Strategy address them? Specifically, does the Core Strategy adequately reflect and maximise the potential contribution that Manchester Airport could make to ensuring that the Manchester City Region becomes a world-class city?

1. RLAM in their rep on Chapter 2 (1) identify three cross boundary issues that should have been addressed (2, 10) in the CS, as set out in para1 relating to MIQ 1.1 above (3-9).
2. In the same Representation on Chapter 2 (1), under the heading "Draft Core Strategy", RLAM point out the deficiencies in the treatment in the Draft CS of the Airport and of its potential contribution to the world class city ambition. The overall focus of the Core Strategy on economic development in the north east of the Borough (Vision, para 3) fails to reflect or maximise the potential contribution of the Airport to the same ambition.
3. Manchester Airport have made repeated representations to the Council urging them to keep options open at Davenport Green for airport-related development, for which they identify a need (9).
4. RLAM see this as making the CS unsound on the ground that it is unjustified in that it is not the most appropriate strategy when considered against the reasonable alternatives; an alternative that includes development related to the Airport (Davenport Green), even though it had been a key plank of the two UDP's for Trafford, was never considered. There was very little difference between the options considered and none of them contemplated significant economic development in the south of the Borough where there is the opportunity to maximise the potential contribution of Manchester Airport.
5. Soundness in this respect would be restored by the Council evaluating, against its own alternatives, a strategy that includes major development for employment at Davenport Green.

1. RLAM (1211) Rep relating to Chapter 2 of the CS in which the following are quoted:
2. Trafford Other Town Centres Uses Study, para 9.2, (quoted at CS para. 8.26), CD 8.1.3
3. Manchester Airport Master Plan to 2030, Nov 2007, Master Plan Diagram
4. Wythenshawe Strategic Regeneration Framework, Manchester CC, Dec. 2004, Chap 6, Figures 1-7 esp Figure 3, Strategic Masterplan
5. Manchester CC Core Strategy, Pre-Publication Draft, September 2010, Policies EL4 and EL5, paras 3.12-3.17
6. TBC, Economic Development Plan, 2005, CD8.3.8
7. Office Futures, Savills for British Council of Offices, 2004
8. The North West of England Plan Regional Spatial Strategy to 2021, GONW September 2008, para 2.20 and Map of Manchester City Region and South Cheshire, CD 3.1.1
9. Manchester Airport Representation No. 1064 (and reps to earlier draft CS Documents)
10. PPS 12, Local Spatial Planning, paras 4.51, 4.52, CD 2.1.15

MIQ 1.8: Does the Core Strategy vision appropriately reflect the economic aspirations of the Sustainable Community Strategy?

1. RLAM in their Representation on Chapters 3, 4 and 5(1) set out their view, based on a comparison between the two documents (2), that the Core Strategy vision does not adequately (3) reflect the economic aspirations of the Sustainable Community Strategy.

1. RLAM (1211) Rep relating to Chapters 3, 4 and 5 of the CS in which the following are quoted:
2. Trafford Partnership, Trafford 2021: A Blueprint (Sustainable Community Strategy), March

<p>2. On this ground RLAM consider the CS to be unsound and legally non-compliant: it does not have regard to national policy nor is it consistent with national policy.</p> <p>3. In order to restore soundness in this respect RLAM suggest that the vision of the Core Strategy (fourth bullet of the “To achieve this Vision” section) be amended to read as follows: “Strategic sites and locations within the Borough will be identified and promoted as key places to work to support the Local, City Region and Regional economies.”(1)</p>	<p>2010, CD 7.1.3</p> <p>3. PPS 12, Local Spatial Planning, paras 1.6, 4.2, 4.17, 4.34, 4.35, 4.50 CD 2.1.15</p>
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<p>MIQ 1.13: Should the Place Objectives for Altringham emphasise more the asset of the international airport as a stimulus for economic growth and employment opportunities?</p> <ol style="list-style-type: none"> 1. Altringham is the Trafford “Place” best located to benefit from the economic advantages of the Airport and it contains the site which is best able to exploit those advantages, Davenport Green. RLAM have made their views clear on this in their representation on Chapter 2 of the CS (1). The answer to the Inspector’s question is affirmative. 2. RLAM suggest the following wording (new Place Objective ALO13, displacing present ALO13 and subsequent ones by one number): “To maximise the potential for economic growth and increased employment offered by the proximity of Manchester Airport.” 	<p>RLAM (1211) Rep relating to Chapter 2 of the CS, final page.</p>
<p>MIQ 1.14: To provide greater context should the Key Diagram identify the adjoining Local Authority areas?</p> <ol style="list-style-type: none"> 1. Consistently with their views on MIQ’s 1.1 and 1.5 (above), RLAM suggest the answer to MIQ 1.14 should be in the affirmative. The Key Diagram should be amended accordingly. 	<p>(1) See MIQ’s 1.1 and 1.5 above.</p>
<p>MIQ 1.18: To provide necessary certainty for delivery should strategic sites be identified in the Core Strategy? Does the apparent lack of detail to enable this indicate that the Core Strategy is supported by an inadequate evidence base?</p> <ol style="list-style-type: none"> 1. In their representation on Chapters 8 and 18 under the heading “Restoring Soundness” (1-8) RLAM have made a compelling case for Davenport Green to be identified as a Strategic Site. Given the doubts about the quality and timing of the delivery of development in the Council’s identified Strategic Locations (see the earlier part of RLAM’s same representation: “No Strategic Sites” and “Lack of Competitive Sites for B1 (a) and (b) Use” and the pressing economic need (first heading under “Restoring Soundness”) and the fact that Davenport Green is readily deliverable under the terms of the Proposed Policy SS1 Davenport Green, RLAM’s response to the Inspector’s question is: <ul style="list-style-type: none"> • There should be at least one Strategic Site in the Core Strategy (at Davenport Green)(8) • The Core Strategy is supported by an inadequate evidence base and therefore unsound on grounds of not being justified. • That inadequacy can be made up by the designation of Davenport Green as a Strategic Site (9). 	<p>RLAM (1211) Rep relating to Chapters 8 and 18, Policy W1, final section entitled “Restoring Soundness” in which the following are quoted:</p> <ol style="list-style-type: none"> 1. Manchester Independent Economic Review, 2009, Recommendation 4, page 28 (Reviewers’ Report) CD 4.2.1 2. Chancellor of the Exchequer, Budget Speech, 22/06/10 3. Greater Manchester Town Centres – Policy Position Statement, 2009, Drivers Jonas for Commission for the New Economy, para 3.12, CD 4.2.6 4. Manchester Airport, Community Relations, Annual Review, 2009-10. 5. Manchester Airport Master Plan to 2030, Nov 2007 6. Wythenshawe Strategic Regeneration Framework,

	<p>Manchester CC, Dec. 2004</p> <ol style="list-style-type: none">7. Manchester CC Core Strategy, Pre-Publication Draft, September 20108. TBC, Economic Development Plan, 2005, Map of Index of Multiple Deprivation.9. Draft Policy SS1, attached to RLAM's Overview Representation (1211)(See also RLAM Rep (1211), Appendix 9, Davenport Green, Sustainability Strategy, Chapter 2).
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MIQ 1.21: Has the Sustainability Appraisal (SA) been carried out in line with regulations and from the correct baseline position?

1. In their representation on the SA of the CS (1) RLAM have concluded that the Sustainability Appraisal is fundamentally flawed. Taken as a whole the SA in its individual stages and as a process, is unsound (not justified, effective or consistent with national policy) and is not "legally compliant"(2, 3, 4, 5 and 6). There is a whole raft of reasons, including;
 - a. Failure to assess reasonable alternatives
 - b. Lack of transparency and audit trail – lack of credibility and robustness; the Council’s view (CD 12.3)that the Green Belt error did not unduly affect the outcome is falsified by the conclusion: “The site comprises entirely of Greenfield land and is situated in the Green Belt – Do not develop the site”
 - c. Inadequate appraisal of options and reasonable alternatives, with insufficient evidence to justify decisions
 - d. Significant errors as to the correct Green Belt position, meaning that the baseline position is incorrect, which cannot be dismissed as a “technical error” (CD12.3) as the Council expressly state “for the avoidance of doubt” Davenport Green should be put into the Green Belt (6g)
 - e. Inconsistent basis for evaluation of Options, with a lack of transparency
 - f. No assessment of “business as usual”
 - g. Inadequate evidence base to justify decisions
 - h. Failure to assess purported "exceptional circumstances for extension of the Green Belt"
 - i. July 2010 SA not published, subjected to public consultation or referred to in documentation.

2. RLAM are of the view that soundness can only be restored by undertaking a fresh SA, compliant with regulations and good practice, and which is based on sound evidence relating to not only the options (thirteen sites and locations) considered by the Council but also to Davenport Green.

1. RLAM (1211) Rep relating to the Sustainability Appraisal of the Core Strategy, including Appendix 17 (Review of SA of CS)
- in which the following are quoted:
2. PPS 12, Local Spatial Planning
 3. Strategic Environmental Appraisal Regulations
 4. A Practical Guide to SEA, ODPM, 2005
 5. Planning Inspectorate, Local Development Frameworks: Examining Development Plan Documents – Soundness Guidance, February 2010, paras 2.8 and 2.9, page 6
 6. TBC, Core Strategy:
 - a. Scoping Report, June 2007
 - b. Issues and Options, 2007
 - c. Preferred Options, SA of Spatial Options, July 2008
 - d. Preferred Options, SA Report and Appendices, June 2009
 - e. Further Consultation on the Vision, Strategic Objectives & Delivery Strategy, SA Report & Appendices, March 2010
 - f. Publication Document – SA Report & Appendices, June 2010, published September 2010
 - g. Core Strategy Preferred Options Report, para 5.18, pp64, July 2008

MIQ 1.22: With particular reference the Davenport Green site, is its audit trail clear and consistent?

1. In their representation on the SA of the CS (1) RLAM have concluded that the audit trail is neither clear nor consistent (2-5)with respect to Davenport Green (6):
 - a. Site not included in Issues & Options stage, 2007

1. RLAM (1211) Rep relating to the Sustainability Appraisal of the Core Strategy including Appendix 17 (Review of SA of CS)

<ul style="list-style-type: none"> b. Full Issues & Options SA report not published c. Site removed (as an option) from SA of Spatial Options 2008 in spite of Green Belt policy stating that current Green Belt designation will be carried forward (leaving Davenport Green out of the Green Belt) – adequate explanation not given d. Site introduced and appraised at Preferred Options June 2009 e. No explanation for inclusion given, site incorrectly represented as GB f. ‘Exceptional circumstances’ to extend Green Belt not addressed g. Submission Version June 2010 adds justification to CS Policy R4, the Council’s weak view on ‘exceptional circumstances’ h. Inconsistency in scoring and inadequate commentary in SA results to support decisions taken. <p>2. RLAM have concluded that the CS is unsound on this count on grounds of not being justified through the lack of a robust and credible evidence base.</p> <p>3. RLAM are of the view that soundness can only be restored by undertaking a fresh SA, compliant with regulations and good practice, and which is based on sound evidence relating to not only the options (thirteen sites and locations) considered by the Council but also to Davenport Green.</p>	<p>in which the following are quoted:</p> <ul style="list-style-type: none"> 2. PPS 12, Local Spatial Planning 3. Strategic Environmental Appraisal Regulations 4. A Practical Guide to SEA, ODPM, 2005 5. Planning Inspectorate, Local Development Frameworks: Examining Development Plan Documents – Soundness Guidance, February 2010, paras 2.8 and 2.9, page 6 6. TBC, Core Strategy: <ul style="list-style-type: none"> a. Scoping Report, June 2007 b. Issues and Options, 2007 c. Preferred Options, SA of Spatial Options, July 2008 d. Preferred Options, SA Report and Appendices, June 2009 e. Further Consultation on the Vision, Strategic Objectives & Delivery Strategy, SA Report & Appendices, March 2010 f. Publication Document – SA Report & Appendices, June 2010, published September 2010
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MIQ 1.23: Have all other reasonable strategies been subject to SA and is it clear from the SA process why those alternatives have been rejected?

RLAM in their representation on Chapter 2 (1) find under the heading on the final page “Unsoundness” (2-8) that a reasonable alternative strategy – involving a major economic development site in the southern part of the Borough – has not been subject to SA. RLAM therefore conclude that the answer to the Inspector’s questions is negative in both cases.

RLAM assert that this makes the CS unsound in not being justified as it is not the most appropriate strategy when considered against the reasonable alternatives.

Soundness in this respect would be restored by the Council evaluating (through an SA), against its own alternatives, a strategy that includes major development for employment at Davenport Green.

1. RLAM (1211) Rep relating to Chapter 2 of the CS in which the following are quoted:
2. Trafford Other Town Centres Uses Study, para 9.2, (quoted at CS para. 8.26), CD 8.1.3
3. Manchester Airport Master Plan to 2030, Nov 2007, Master Plan Diagram
4. Wythenshawe Strategic Regeneration Framework, Manchester CC, Dec. 2004, Chap 6, Figures 1-7 esp Figure 3, Strategic Masterplan
5. Manchester CC Core Strategy, Pre-Publication Draft, September 2010, Policies EL4 and EL5, paras 3.12-3.17
6. TBC, Economic Development Plan, 2005, CD8.3.8
7. Office Futures, Savills for British Council of Offices, 2004
8. The North West of England Plan Regional Spatial Strategy to 2021, GONW September 2008, para 2.20 and Map of Manchester City Region and South Cheshire, CD 3.1.1

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MAIN MATTER 2, Legal Compliance Overview

Whether the Core Strategy meets all of the legal requirements under s20 (5) (a) of the Planning and Compulsory Purchase Act 2004.

MIQ and RLAM Response (Numbers in brackets refer to references in right side column)	Evidence References
2.1 What is the evidence to confirm that all the above legal requirements have been met? In particular what is the evidence to demonstrate that the requirements for the following matters are met?	
(ii) Has the Core Strategy had regard to the Sustainable Community Strategy for the area? What is this, what are its main themes and how are they reflected in the Core Strategy? 1. The Core Strategy does not have proper regard to the Sustainable Community Strategy, March 2010 (“SCS”) (1). 2. The Vision set out in the SCS is that by 2021 Trafford is “celebrated as the enterprise capital of the North West” (2). In the Chapter entitled ‘Strong Economy’ the Vision for Trafford is set out as “a high performing economy that makes a significant contribution to the Manchester City Region” (2). This vision places Trafford’s economic role on a regional plane. 3. The Vision for Trafford expressed in the Core Strategy (3), at Chapter 3, states that by 2026 “Trafford will have vibrant and inclusive, prosperous and well designed sustainable communities, served by an integrated transport network offering a choice of modes of travel”. It does not carry forward the regional and sub-regional elements of the vision from the SCS, in particular, the ambition to become the enterprise capital of the region. 4. RLAM propose that the vision of the Core Strategy (fourth bullet of the “To achieve this Vision” section) be amended to read as follows: “Strategic sites and locations within the Borough will be identified and promoted as key places to work to support the Local, City Region and Regional economies” (4). 5. The policies in the Core Strategy, including the economic policies, do not reflect, or carry forward, the vision in the SCS. To restore	1. Planning and Compulsory Purchase Act 2004, S 19(2)(5) 2. The SCS (Trafford Vision 2021: a blueprint), March 2010. 3. DPD1: Trafford Core Strategy: Publication Document, September 2010 4. RLAM (1211) Rep relating to Chapters 3, 4 and 5 of the Core Strategy 5. RLAM (1211) Rep Attachment 1 to Overview ‘Proposed Policy SS1 – Davenport Green’

soundness in this regard, RLAM has submitted, in its representations of 1 November 2010, a proposed policy for Davenport Green (5).	
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(iv) Has the Core Strategy been subject to a Sustainability Appraisal and has the Council provided a final report of the findings of the Appraisal? Have all alternative strategies and policies also been subject to a Sustainability Appraisal and is it clear from this why they have been rejected? How has the Sustainability Appraisal process influenced the formulation of the submitted spatial strategy, policies and proposals?

1. The Sustainability Appraisal process conducted on behalf of the Council is fundamentally flawed and is contrary to the regulatory requirements (1) and good practice guidance (2). (See RLAM's representations of 1 November 2010 (3).)
2. Since RLAM's representations, Trafford Council published a further Sustainability Appraisal in December 2010 in relation to Davenport Green (4). This was not subject to consultation and has not been taken into account in the Sustainability Appraisal submitted with the Core Strategy.
3. The Final Report of the findings of the Appraisal (Sustainability Appraisal, June 2010) does not, and indeed could not, address the further Sustainability Appraisal of Davenport Green dated July 2010 and published in December 2010 (4). The Sustainability Appraisal process is, both in its individual stages and as a whole, unsound (not justified, effective or consistent with national policy) and is not "legally compliant" (3).
4. There has been no Sustainability Appraisal of the policy proposal for a significant change to the Green Belt boundary, adding approximately 90 acres to the Green Belt at Davenport Green (2).
5. The Sustainability Appraisal has not assessed all alternative strategies and policies (4). One alternative, which guidance suggests, is assessing "Business as usual" (5). The Scoping Report of 2007 (6) stated that it proposed to do so. However, it is clear from the Summaries of Sustainability Appraisals set out in the Issues and Options Paper of July 2007 (7) that it failed to do so at that stage. "Business as usual" has not been assessed subsequently.
6. The Sustainability Appraisal played no part in the initial decision not to carry Davenport Green forward from the UDP with an allocation in the Core Strategy.
7. The Core Strategy Preferred Options July 2008 did not include Davenport Green and was proposed before any Sustainability Appraisal of Davenport Green either as a proposed option, as "business as usual" or as an alternative strategy.
8. The Council has shown insufficient evidence to justify decisions. There is a lack of transparency, audit trail, credibility and robustness. It is not, as a result, clear why alternative strategies

1. Environmental Assessment of Plans and Programmes Regulations 2004, Regs 9(2)(a) and 12 and Schedules 1 and 2)
2. Planning Policy Guidance 2: Green Belts
3. RLAM (1211) Rep relating to the Sustainability Appraisal of the Core Strategy, including Appendix 17 (Review of SA of CS)
4. Trafford Council's Response to Inspector's Note 1, 31 December 2010, Appendix 8.3
5. A Practical Guide to the Strategic Environmental Assessment Directive, ODPM 2005
6. Sustainability Appraisal Scoping Report for the Core Strategy, June 2007
7. DPD1: Core Strategy 'Issues and Options Paper', July 2007, Chapter 6
8. Reg 13
9. LDF 'Examining Development Plan Documents: Soundness Guidance', The Planning Inspectorate, August 2009.

and policies have been rejected. The methodology is unclear and not in conformity with guidance (5). It is, therefore, not possible to discern the reasons for the results of the Sustainability Appraisal and, further, the conclusions reached on the basis of these results.

9. Two features are highlighted: - the Full Sustainability Appraisal Report of the 2007 Issues and Options was never published or subject to consultation. The July 2010 Sustainability Appraisal of Davenport Green was not made public at the time. It was not subject to a consultation and was submitted to the Inspector for the first time in December 2010. Treatment of these two stages of the Sustainability Appraisal are both in breach of the Environmental Assessment of Plans and Programmes Regulations 2004 (8) and guidance (5) (9).

(vii) Does the Core Strategy contain any policies or proposals that are not in general conformity with the RSS, and if so, what is the local justification? Has the general conformity of the Core Strategy with the RSS been confirmed by the Regional Planning Body?

1. The Core Strategy is not in conformity with the RSS. Specifically with regard to Policy R4.3, which provides "it is proposed that land previously identified for employment development at Davenport Green will be returned to Green Belt".
2. RSS provides for examination of proposals for strategic review of Green Belt boundaries by the Regional Planning body and stakeholders through the Regional planning process (1) (2)
3. RSS Policy RDF 4 itself and the supporting text contains;
 - A general presumption against any change; and
 - Specific endorsement of potential detailed changes at Manchester Airport, John Lennon Airport and Land at Newton Le Willows which had been considered through the RSS process itself. The Manchester Airport sites are of comparable size to Davenport Green.
4. This demonstrates firstly that sites of this size warrant treatment through the RSS process and inclusion in RSS Policy, and secondly that RSS Policy requires that any unforeseen significant changes "should be investigated and informed by strategic studies carried out by the Regional Planning body together with relevant stakeholders" (3).
5. This is not inconsistent with green belt boundaries being amended in LDFs after investigation by the Regional Planning body. RSS Policy RDF 4 states; "Local Development Framework policies may provide for detailed changes in Green Belt boundaries to accommodate the expansion of Manchester Airport, John Lennon Airport and [Land] at Newton Le Willows" (4).

1. RLAM Representations (1211) relating to Policy R4.3
2. RSS, Policy RDF4
3. RSS Policy RDF4 and text in support of policy at 5.25
4. RSS Policy RDF4

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Main Matter 3, Section 8 - Policies SL1, SL2, SL3, SL4 and SL5

Whether the Strategic Locations are justified by the evidence, are the most appropriate to achieve the spatial vision and objectives, are effective and deliverable, and are consistent with national policy.

MIQ & RLAM Response (Numbers in brackets relate to references on right side)	Evidence References
<p>3.1 What is the evidence to justify the selection of the five Strategic Locations (SLs)? Which others were considered and consulted upon and what are the main reasons why those alternatives were rejected?</p> <ol style="list-style-type: none"> 1. RLAM have set out in their representations on Chapters 8 and 18, Policies W1 and SL1-5 (1), their view that the Council has not considered Davenport Green in a full and open manner. The failure to consider Davenport Green on a par with other locations and sites appears to originate in an earlier political decision. 2. The most serious faults in the Council's evidence relating to the non-selection of Davenport Green as either a Strategic Location or a Strategic Site are: <ul style="list-style-type: none"> • A seriously flawed SA of the CS (1c) • Major contradictions between the Council's assessment of Davenport Green in the 1996 and 2006 UDP's and their assessment in the CS process e.g. in Appendices C and D of the Employment Land Study (1f, 2c, 4, 5) • Inconsistencies between the assessment of different sites within the Employment Land Study Appendices (1f, 2c) • The Council's neglect of the new evidence put to them by RLAM at all stages of the CS consultation, which indicated at the very least that the owners still saw Davenport Green as a viable development site (1b) • The probability that NWDA were following advice from the Council in delisting Davenport Green, not coming to an independent view. RLAM accept that it is normal practice for a development agency to take a lead from the local authority; it is not a criticism of the Agency. NWDA would certainly be aware that TBC had taken earlier CS decisions not to designate Davenport Green as a strategic employment site (1e, 7 & 8) 	<ol style="list-style-type: none"> 1. RLAM's Representations (1211) relating to Chapter 2 and to Chapters 8 & 18 and Policies W1 and SL 1-5 under the following headings: <ol style="list-style-type: none"> a. Lack of Evidence to Justify Reversal of the Council's Position on Davenport Green in 1996 and 2006 b. No New Evidence (see also Appendix 16, Previous Representations on CS) c. Sustainability Appraisal (see also Appendix 17, Review of the SA of the CS) d. No Realistic Prospect of Development Going Ahead (see also Appendix 15, Commercial Review) e. Delisting of Davenport Green as Strategic Site by NWDA f. Other TBC Reasons: Economic Strategy and Employment Land Supply g. No Strategic Sites & Lack of Competitive Sites for B1 (a) and (b) Use which contain references to the following documents relevant to this MIQ: 2. TBC Core Strategy: <ol style="list-style-type: none"> a. Further Consultation on the Preferred option, June 2009, CD

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3.2 To what extent does each of the SLs satisfy the requirements of paragraph 8.4 of the Core Strategy?

1. RLAM is clear that the SL's do not satisfy the requirements of paragraph 8.4 of the CS. RLAM have examined the twin aspects of strategic locations identified in para 8.4 in their representations on Chapters 8 and 18, Policies W1 and SL 1-5 (1) and concluded that there are major uncertainties surrounding their delivery (the second bullet in para 8.4) and also that none of the Locations will produce the quality of office development that is required to achieve one of the key elements of the Vision: "to support both the local and **City Region** economies" (our emphasis) (1-13).
2. RLAM conclude that the CS is unsound in being unjustified with respect to the inadequate evidence base.
3. Given that the principal consequences of this deficiency are
 - delay in bringing development forward (through the Land Allocations DPD) and
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3.3 What is the evidence that supports the detailed proposals for each of the SLs? Are they justified,

effective and achievable?

1. For the reasons set out in their response to MIQ 3.2 above RLAM consider that the evidence underpinning the detailed proposals for the SL's identified above is very weak (1-13).
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<p>omission of land south of Partington, land south of Carrington, land at Ashton-upon-Mersey, land between Altrincham and Timperley, and land at Davenport Green?</p> <ol style="list-style-type: none"> 1. RLAM’s representation relating to Chapters 8 and 18, Policies W1 and SL 1-5 (1) has shown that: <ol style="list-style-type: none"> a. The SL’s are, with the exception of the omission of Davenport Green as a Strategic Site, adequate SL’s; RLAM note however that SL’s are not central to the CS, they are not an allocation and they have to pass through another DPD before they become an allocation. b. Development is unlikely to come forward at the rate anticipated in the CS because of the significant constraints of land assembly, land remediation, infrastructure investment and regulatory hurdles (see response to MIQ 3.2 above). c. They are unlikely to produce office development of a quality to deliver the objectives and vision of the CS, especially in relation to the wider strategic priorities of the city region (see response to MIQ 3.3 above). 2. To supplement this evidence and to answer some of the points made by the Council in their Response (CD 12.3)(4) to the Inspector’s Preliminary Note 1, RLAM have appended to this set of further representations an updated and expanded chronology (1) of the provisions for Davenport Green in planning documents (submitted in its original form in November 2010 as Appendix 18 to RLAM’s representation). 3. The most significant and relevant facts that emerge from this chronology are: <ol style="list-style-type: none"> a. The political decision to drop Davenport Green as a development proposal before the start of the CS process. b. The Trafford Economic Development Plan,2005(2) which made no reference to Davenport Green or to strategic sites but which is cited by TBC in CS Preferred Options, June 2008 (3)and in the Council’s Response (4)as supporting Davenport Green being put into the Green Belt. Indeed the Plan included the following phrase which could be taken to be supportive of a site such as Davenport Green: “Trafford has numerous large scale site development opportunities that can deliver major economic gains for the benefit of the whole City Region” (page 19). c. In relation to economic development RLAM note that the Council in para 8.5 of their Response (CD 12.3)(4) refer to changes in strategic priorities for economic development and to Priority 	<p>Chapters 8 and 18, Policies W1 and SL 1-5, Appendix 18 (Chronology) revised and appended to this response</p> <ol style="list-style-type: none"> 2. Trafford Economic Development Plan,Trafford Economic Alliance, 2005, CD 8.3.8 3. TBC, CS Preferred Options, July 2008, para. 7.42, CD6.3.1 4. TBC, Response to Inspector’s Note 1, 31/12/10, paras 8.5 & 8.12, CD 12.3 5. TBC, letter to 4NW, 2009 re Green Belt boundary change, CD 6. TBC, Employment Land Study, Section 7.7, May 2009 7. NWDA, Regional Strategic Sites Review, July 2009, CD 3.1.18 8. TBC, Further Consultations on the Preferred Option, 2009, CD 6.3.9 9. TBC, Revised Local Development Scheme for Trafford, 2009-10, Amended November 2009, Appendix A, CD5.1.8 10. Draft Policy SS1, attached to RLAM’s Overview Representation (1211).
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Employment Zones. RLAM can find no evidence or source for these statements, nor any record of consultation with stakeholders such as RLAM who have a major interest in the economic priorities of the Borough. These points can carry no weight as evidence for the CS.

- d. The Employment Land Study, May 2009, (prepared by Arup and Lambert Smith Hampton)(6) which recommends that Davenport Green is not retained as part of the employment land portfolio. This rejection was not based on the independent judgment of the consultants but on an assessment carried out by Trafford BC (included in Appendices C and D of the ELS) which directed that Davenport Green be removed from the list of employment sites. The Council have relied on the ELS to support their position on Davenport Green, for example
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 - ii. In the Council's 2009 letter to 4NW (5) seeking confirmation that the Green Belt boundary change could be handled through the LDF, which included the phrase: "The Employment land study commissioned from Consultants independent of the Council showed that there is a sufficient supply of employment land in the Borough without the need to retain Davenport Green for employment."
- e. It should be noted that the ELS was produced a year after the Council in the Preferred Options document, July 2008 (3) had expressed through the CS process its intention to discontinue designation of Davenport Green as a major high amenity employment site.
- f. The Strategic Regional Sites Review, July 2009,(7) undertaken by NWDA. NWDA did not consider the deletion of Davenport Green until the third stage, by which time the Council had published several documents in which their intention not to designate Davenport Green as a strategic site for employment development had been made clear:
 - i. Core Strategy Preferred Options, July 2008 (3)
 - ii. Employment Land Study (ELS), May 2009 (6); curiously this Study also relied on the NWDA Review at Section 5.7 to support the removal of Davenport Green

The Deputy Chief Executive of TBC had also explained that NWDA were prepared to retain Davenport Green as strategic site. As in the case of the ELS (above) the Council have quoted the NWDA's decision to delete Davenport Green as an independent view in support of their stance, most notably in the CS itself at para 24.15 as part of the justification for Policy R4.3.

- g. The Council's letter of 2009 to 4NW (5), seeking confirmation that the Green Belt boundary change could be handled through the LDF, which relied not only on the ELS but also on a statement that the Green Belt boundary change "would be in accordance with PPG2". In reality the Council had failed to demonstrate exceptional circumstances and the change conflicted with the essential permanence of Green Belts, being a second change within 15 years.
 - h. The Local Development Scheme for Trafford, 2009-10 (9) lists UDP policies and which ones are saved until replaced by LDF documents. Appendix A states that Policy E13, which includes provision for Davenport Green, will be saved until replaced by the Land Allocations DPD
4. RLAM also note that in paragraph 8.2 of the Council's Response (4) to the Inspector's Note 1 the Council distance themselves from the Davenport Green proposal; it was included **by the Council** in the Draft UDP that was examined in 1992-3. Furthermore the Council confirmed the designation in the 2006 UDP.
 5. RLAM conclude that the CS in this respect (the omission of Davenport Green in the selection of SL's and Strategic Sites) is unsound in being neither justified, effective nor achievable.
 6. RLAM suggest that soundness can be restored by allocating Davenport Green as a strategic site for employment, once it has been subject to an SA alongside the other locations that have been considered in the CS process (10).

Davenport Green

Trafford Core Strategy (CS), Examination in Public

RLAM (Representor 1211), Further Reps, 3/2/11

Main Matter 3, Section 8 - Policies SL1, SL2, SL3, SL4 and SL5

Whether the Strategic Locations are justified by the evidence, are the most appropriate to achieve the spatial vision and objectives, are effective and deliverable, and are consistent with national policy.

MIQ & RLAM Response (Numbers in brackets relate to references on right side)	Evidence References
<p>3.1 What is the evidence to justify the selection of the five Strategic Locations (SLs)? Which others were considered and consulted upon and what are the main reasons why those alternatives were rejected?</p> <ol style="list-style-type: none"> 1. RLAM have set out in their representations on Chapters 8 and 18, Policies W1 and SL1-5 (1), their view that the Council has not considered Davenport Green in a full and open manner. The failure to consider Davenport Green on a par with other locations and sites appears to originate in an earlier political decision. 2. The most serious faults in the Council's evidence relating to the non-selection of Davenport Green as either a Strategic Location or a Strategic Site are: <ul style="list-style-type: none"> • A seriously flawed SA of the CS (1c) • Major contradictions between the Council's assessment of Davenport Green in the 1996 and 2006 UDP's and their assessment in the CS process e.g. in Appendices C and D of the Employment Land Study (1f, 2c, 4, 5) • Inconsistencies between the assessment of different sites within the Employment Land Study Appendices (1f, 2c) • The Council's neglect of the new evidence put to them by RLAM at all stages of the CS consultation, which indicated at the very least that the owners still saw Davenport Green as a viable development site (1b) • The probability that NWDA were following advice from the Council in delisting Davenport Green, not coming to an independent view. RLAM accept that it is normal practice for a development agency to take a lead from the local authority; it is not a criticism of the Agency. NWDA would certainly be aware that TBC had taken earlier CS decisions not to designate Davenport Green as a strategic employment site (1e, 7 & 8) 	<ol style="list-style-type: none"> 1. RLAM's Representations (1211) relating to Chapter 2 and to Chapters 8 & 18 and Policies W1 and SL 1-5 under the following headings: <ol style="list-style-type: none"> a. Lack of Evidence to Justify Reversal of the Council's Position on Davenport Green in 1996 and 2006 b. No New Evidence (see also Appendix 16, Previous Representations on CS) c. Sustainability Appraisal (see also Appendix 17, Review of the SA of the CS) d. No Realistic Prospect of Development Going Ahead (see also Appendix 15, Commercial Review) e. Delisting of Davenport Green as Strategic Site by NWDA f. Other TBC Reasons: Economic Strategy and Employment Land Supply g. No Strategic Sites & Lack of Competitive Sites for B1 (a) and (b) Use which contain references to the following documents relevant to this MIQ: 2. TBC Core Strategy: <ol style="list-style-type: none"> a. Further Consultation on the Preferred option, June 2009, CD

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3.2 To what extent does each of the SLs satisfy the requirements of paragraph 8.4 of the Core Strategy?

1. RLAM is clear that the SL's do not satisfy the requirements of paragraph 8.4 of the CS. RLAM have examined the twin aspects of strategic locations identified in para 8.4 in their representations on Chapters 8 and 18, Policies W1 and SL 1-5 (1) and concluded that there are major uncertainties surrounding their delivery (the second bullet in para 8.4) and also that none of the Locations will produce the quality of office development that is required to achieve one of the key elements of the Vision: "to support both the local and **City Region** economies" (our emphasis) (1-13).
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- f. The Strategic Regional Sites Review, July 2009,(7) undertaken by NWDA. NWDA did not consider the deletion of Davenport Green until the third stage, by which time the Council had published several documents in which their intention not to designate Davenport Green as a strategic site for employment development had been made clear:
 - i. Core Strategy Preferred Options, July 2008 (3)
 - ii. Employment Land Study (ELS), May 2009 (6); curiously this Study also relied on the NWDA Review at Section 5.7 to support the removal of Davenport Green

The Deputy Chief Executive of TBC had also explained that NWDA were prepared to retain Davenport Green as strategic site. As in the case of the ELS (above) the Council have quoted the NWDA's decision to delete Davenport Green as an independent view in support of their stance, most notably in the CS itself at para 24.15 as part of the justification for Policy R4.3.

- g. The Council's letter of 2009 to 4NW (5), seeking confirmation that the Green Belt boundary change could be handled through the LDF, which relied not only on the ELS but also on a statement that the Green Belt boundary change "would be in accordance with PPG2". In reality the Council had failed to demonstrate exceptional circumstances and the change conflicted with the essential permanence of Green Belts, being a second change within 15 years.
 - h. The Local Development Scheme for Trafford, 2009-10 (9) lists UDP policies and which ones are saved until replaced by LDF documents. Appendix A states that Policy E13, which includes provision for Davenport Green, will be saved until replaced by the Land Allocations DPD
4. RLAM also note that in paragraph 8.2 of the Council's Response (4) to the Inspector's Note 1 the Council distance themselves from the Davenport Green proposal; it was included **by the Council** in the Draft UDP that was examined in 1992-3. Furthermore the Council confirmed the designation in the 2006 UDP.
 5. RLAM conclude that the CS in this respect (the omission of Davenport Green in the selection of SL's and Strategic Sites) is unsound in being neither justified, effective nor achievable.
 6. RLAM suggest that soundness can be restored by allocating Davenport Green as a strategic site for employment, once it has been subject to an SA alongside the other locations that have been considered in the CS process (10).

**Trafford's Core Strategy: Publication Document
Representations on behalf of RLAM**

**Appendix 18
Revised 31/01/11 & Appended to RLAM Responses on
Main Matter 3**

Chronology of Provisions for Davenport Green in Planning Documents

By Strategic Planning Advice Ltd

Davenport Green: Chronology of Provision for Davenport Green in Planning Documents,

Planning Document	Provision for Davenport Green	Comment
1. UDP, adopted 1996	UDP in same terms as UDP 2006 (see Box 4 below) in relation to Davenport Green but policies were numbered differently. Davenport Green provided only in Policy E13, which was solely devoted to Davenport Green.	
2. Outline planning permission: January 2001.	500,000 sq.ft. of B1 development, half of the UDP anticipated total.	
3. Planning permission renewed: April 2003	In order to vary the first condition such that application for approval of reserved matters had to be made within six years from the date of the permission (April 2009) and that development be commenced not later than the later of eight years from the date of this permission (April 2011) or two years from approval of the last reserved matter.) A deed of variation to the Section 106 Agreement was signed in June 2003 which binds the 2003 consent to the terms of the Section 106 Agreement of 2001	
4. Conservative resolution to drop Davenport Green as development proposal, about 2003	As reported in telephone conversation between Gary Pickering, then Deputy Chief Executive, TBC, and Oliver Goodwin, planning lawyer to site owners.	
5. Trafford Economic Development Plan, Trafford Economic Alliance, 2005	Made no reference to Davenport Green or to strategic sites but cited by TBC in CS Preferred Options, June 2008 as supporting Davenport Green being put into the Green Belt. Nearest relevant quote: "Trafford has numerous large scale site development opportunities that can deliver major economic gains for the benefit of the whole City Region" (page 19) which reads favourably for	

	a site such as Davenport Green, which was confirmed as a major high amenity site the following year (UDP, 2006)	
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<p>6. UDP, adopted 2006</p>	<p>Part II Proposal E13 – Strategic Development Sites The Council proposes to retain the following committed development sites to ensure a supply of high quality strategic employment opportunities over the Plan period: - Major High Amenity Site: RS1 – Davenport Green, Hale (see Proposal E13 (sic))</p> <p>Part II Proposal E14 – Major High Amenity Site – Davenport Green The Council will permit the development of a strategic high amenity employment site on 36.4 Ha (90 acres) of land within a 135.6 Ha (335 acre) estate at Davenport Green, Hale (both areas of land being as defined on the Proposals Map) provided that: -</p> <ul style="list-style-type: none"> ▪ The development is restricted solely to use for the following activities within Class B1 of the Town and Country Planning (Use Classes) Order 1987: - <ul style="list-style-type: none"> - High quality, science based/high technology industry; - Research and development activities; - Headquarters office activities; ▪ The occupation of the buildings is at all times restricted by legal agreement to companies of national or international importance whose occupation of the scheme would give rise to substantial new employment activities which would otherwise be lost to Greater Manchester; ▪ All elements of the development (including the concurrent provision of the Rural Park) comply with the Planning Brief forming Appendix G to the plan, and, 	
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	<ul style="list-style-type: none"> ▪ It can be demonstrated (by means of a detailed Traffic Impact Assessment as provided for in Appendix G to the Plan) that the development would not: - <ul style="list-style-type: none"> a) Have an adverse impact on the efficient functioning of the M56; b) Prevent the free operation of the approach roads to Manchester Airport in a manner that would prejudice the operation or permitted expansion of the Airport; c) Have a harmful effect on conditions on other local roads. <p>The 36.4 Ha of land comprising the development area is excluded from the Green Belt, but Green Belt policies will be strictly applied except in the case of planning applications complying with this Proposal.</p>	
<p>7. Trafford BC applied to GONW for Direction saving selected policies of UDP adopted May 1996, 2nd April 2007</p>	<p>See Secretary of State's Direction (Box 9)</p>	
<p>8. Core Strategy: Trafford BC published an "Issues and Options" paper for consultation in July 2007.</p>	<p>At the Borough-wide level the paper presented three broad options for the distribution of development; none of them mentioned particular sites. However none of the options contemplated significant development in the south of the Borough, where Davenport Green is located.</p>	

	The issues were considered by dividing the Borough into ten areas, one of which was Altrincham, within which Davenport Green falls. The only reference to Davenport Green was: "Future prospects for the development of the strategic employment site at Davenport Green." This implies that there is an issue to be reviewed.	
9. November 2007 Trafford issued a further Core Strategy document for consultation: Development Management and Core Policies; Issues and Options Paper to supplement the July 2007 paper.	The paper contained development management policy options and broad policy areas that will be incorporated into core policies in the Core Strategy. The policies were topic-related rather than use-related. They did not address the location of development, rather the way in which development should be undertaken.	
10. In preparation for the Land Allocations Development Plan Document Trafford issued an informal consultation in September 2007	The consultation invited participants to suggest sites to be allocated for different forms of development or other uses.	
11. Secretary of State's Direction under Para 1(3) of Sched 8 to the Planning and Compulsory Purchase Act 2004, dated 18/9/2007, relating to 1996 UDP	<p>This direction did not save Policy E13 which provided for Davenport Green to be developed as a Major High Amenity Site. It did however save Policy E14, Other Strategic Development Sites, which, unlike the 2006 UDP, did not include Davenport Green.</p> <p>The Direction saved Policy C1: "The Council will continue to protect the Green Belt in the following four broad areas.....along the Timperley Brook between Timperley, Hale and Wythenshawe"</p>	<p>Davenport Green not saved at this stage.</p> <p>The saving of the Green Belt policy only makes sense in relation to the Proposals Map, which clearly shows Davenport Green high amenity site as excluded from the Green Belt.</p>
12. Core Strategy Preferred Options document was published in July 2008,	It identified 11 Strategic Sites. The document identifies three Spatial Options, each with a different distribution of development between areas of the Borough. However the 11 Sites are common to each of the three options,	Regarding the Green Belt this report is contradictory. In the text (para 7.67) it says, in terms, that it is no change proposed:

	<p>albeit with some variations of emphasis. The document states:</p> <p><i>“none of the 3 Spatial Options include the proposals for development at Davenport Green either as it appears in the Adopted UDP for a high amenity employment site or for a mixed use development incorporating housing for workers at Wythenshawe Hospital and Manchester Airport as proposed within a consultation response to the Issues and Options stage. Instead the Council considers that in view of Trafford’s Economic Strategy and emerging RSS this land should revert to Green Belt in the Core Strategy. (5.18)</i></p> <p>...</p> <p><i>The Council does not envisage that significant provision of new employment locations needs to be made to meet RSS / EDP objectives and as such does not propose to put forward the Davenport Green site within the Core Strategy.” (7.42)</i></p>	<p><i>“In accordance with this Regional Guidance, the Council intends to carry forward the current Green Belt designation.” (our emphasis)</i></p> <p>The diagrams in the report, however, depict an entirely different picture. On all three Option Diagrams (on pages 34, 36 and 38) the land at Davenport Green is shown as Green Belt.</p>
<p>13. In December 2008, as part of a limited consultation, Trafford invited APSL (and others) to comment on a set of Draft Criteria for Strategic Site Assessment</p>	<p>TBC had produced the criteria in order to assess the 11 Strategic Sites. Their intention was to collect evidence that would provide a post-hoc (this stage <i>followed</i> the selection of the 11 sites) rationalisation of their selection of the 11 sites.</p>	
<p>12. Trafford published the Strategic Site Assessment final criteria on January 26th 2009,</p>	<p>TBC assured APSL in the cover letter that the Strategic Site Assessment represented “the beginning of a dialogue” and that “it will no doubt be necessary to meet to discuss the deliverability of individual sites and the role that they can play in achieving the Plan’s overall objectives”. The final criteria comprised 23 standard Trafford sustainability criteria (nine social, nine</p>	

	environmental and five economic) and eight custom-drafted deliverability criteria.	
14. Trafford BC applied to GONW for Direction saving selected policies of UDP adopted June 2006 (date unspecified in GONW reply but estimated at five months before GONW reply which was dated 13/5/09)	See Secretary of State's Direction (Box 15)	
15. "Work on the Land Allocations DPD commenced in July 2007 and, following advice from GONW, it was deemed a procedural risk to progress with the Land Allocations DPD without a suitably advanced Core Strategy in place. As a result of this advice the timetable for the production of the Land Allocations DPD has been revised in the LDS." (TBC, LDS March 2009)		
16. Secretary of State's Direction under Para 1(3) of Sched 8 to the Planning and Compulsory Purchase Act 2004, dated 13/5/2009, relating to the 2006 UDP	<p>This saved Policy E13 (which replaced the earlier Policy E14) of the Revised Trafford UDP 2006 i.e. the policy that identified Davenport Green as a high quality strategic employment opportunity over the Plan period: a Major High Amenity Site, but it did not save Proposal E14 (formerly E13) which provided the detail of the proposals for Davenport Green.</p> <p>Policy C1 ("continue to protect the Green Belt...") was not saved but Policy C4 was saved: Part II Proposal C4 – Green Belt:</p>	<ol style="list-style-type: none"> 1. It was saved in 2009 (second saving letter) by dint of being included in the overall policy providing for the whole list of strategic sites 2. It has been saved as a development site for employment without the restrictions that belong in Policy E14 3. Saved Policy C4 and the Proposals Map show the Davenport Green development site as excluded from the Green Belt .

	<p>“The Council designates as Green Belt the countryside areas defined on the Proposals Map. The primary purposes of this Green Belt are to: -.....”</p>	
<p>17. An Employment Land Study (ELS) was published in May 2009.</p>	<p>This document (prepared by Arup) recommends that Davenport Green is not retained, based on an assessment carried out by Trafford BC (included in Appendix D of the ELS, which directed that Davenport Green be removed from the list of employment sites). Davenport Green scored very poorly in this assessment in terms of sustainability, however, this assessment did not follow the standard Trafford sustainability criteria, nor any other criteria used in the self-assessment in February.</p> <p>It formed part of the evidence for the Further Consultation on the Preferred Option.</p>	
<p>18. In June 2009, the Council published a Further Consultation on the Preferred Option.</p>	<p>The Council have renamed strategic sites “strategic locations and sites”, reflecting their varied character and size. They identify 13 locations and five sites, with Davenport Green not featuring on either list.</p> <p>The Green Belt Policy in this version of the Core Strategy contained no proposal to return Davenport Green to the Green Belt.</p> <p>The Further Consultation document is supported by a Sustainability Appraisal. The SA assesses the 18 strategic sites/locations, plus Davenport Green.</p>	
<p>19. Strategic Regional Sites</p>	<p>Review in its third stage (consultations 16/12/08-</p>	<p>NWDA did not consider the deletion of</p>

<p>Review published by NWDA, July 2009</p>	<p>27/03/09) deleted Davenport Green from the list of regional sites</p>	<p>Davenport Green until the third stage, by which time the Council had published several documents in which their intention not to designate Davenport Green as a strategic site for employment development had been made clear:</p> <ol style="list-style-type: none"> 1. Core Strategy Preferred Options, July 2008 (item 12 above) 2. Employment Land Study (ELS), May 2009 (item 17 above) 3. Gary Pickering made it clear in his conversation (item 4 above) that Davenport Green could have been kept as a strategic site, according to NWDA.
<p>20. 4NW letter to TBC re proposed change to Green Belt boundary, 18/11/09</p>	<p>This was in response to a letter from TBC (undated in the version supplied to RLAM) in which TBC's request for confirmation that the boundary change could be dealt with through the LDF relied on two very misleading statements:</p> <ol style="list-style-type: none"> 1. That the ELS (item 17 above), commissioned from consultants independent of the Council, showed no need for Davenport Green as an employment site; in reality the Council in their own Appendix D had directed that Davenport Green be removed. 2. That the proposed amendment would be in accordance with PPG2, whereas the Council had failed to demonstrate exceptional circumstances and were going against the essential permanence of Green Belt in making a second change within 15 years 	
<p>21. Core Strategy: Further Consultation on</p>	<p>This limited consultation was a response to comments, inter alia, that the Plan did not set out the amount of</p>	

<p>Core Policies L2, L4, L5, W1 and R5, November 2009</p>	<p>further land that is required for economic development over the Plan period, and the distribution of that land.</p> <p>Policy W1, Economy, identified six places plus Altrincham and Trafford's other town centres as the focus for employment uses, with B1 office development being concentrated in the Regional Centre (Pomona and Wharfside), and the Town Centres.</p> <p>Davenport Green is not mentioned in this consultation except to record that it is not needed to meet the quantitative need for employment land in Trafford.</p> <p>This document contained no Green Belt policies.</p>	
<p>22. Local Development Scheme for Trafford, 2009-10 to 2011-12, March 2009 (Amended November 2009)</p>	<p>The vehicle through which outstanding UDP Policies are saved until replaced by LDF documents. Appendix A states that UDP Policy E13, Strategic Development Sites, will be replaced by the Land Allocations DPD.</p>	<p>E13 will thus not be replaced by the Core Strategy but by the Land Use Allocations DPD which has been deferred pending adoption of the CS or material progress with it (see row 15 above).</p>
<p>23. March 2010, Trafford Core Strategy, Further Consultation on the Vision, Strategic Objectives and Delivery Strategy</p>	<p>Described as a further interim consultation to respond to comments made on the two previous documents (June and November 2009). The document was accompanied by an SA and by Technical Documents relating to Strategic Locations.</p> <p>The document contained revised definitions of Strategic Sites and Strategic Locations</p> <p>The Vision identified five areas as Strategic Locations for change, none of which was Davenport Green. No Strategic Sites have been identified in the Core Strategy.</p>	

	<p>The Key Diagram and Policy R4 indicated that Davenport Green development area was to be a “proposed extension to the Green Belt”/”returned to the Green Belt”.TBC provided reasons for not allocating site for employment but not the exceptional circumstances to justify a boundary change.</p> <p>Policy W1 Economy identified six places plus Altrincham and Trafford’s other town centres as the focus for employment uses, with B1 office development being concentrated in he Regional Centre (Pomona and Wharfside), and the Town Centres but with the addition of some provision for B1 development in Broadheath, Carrington, Trafford Park Rectangle (around the Trafford Centre) and Trafford Park Core where it supports employment regeneration initiatives.</p>	
24. Publication Core Strategy, Sept 2010	Little change from March 2010 version except TBC added further text to justify the Green Belt boundary change policy	

IM/SPA
23/7/10
Revised 01/10/10
Revised 27/10/10
Revised 30/10/10
Revised 13/1/11
Revised 31/1/11

Davenport Green

Trafford Core Strategy (CS), Examination in Public

RLAM (Representor 1211), Further Reps, 3/2/11

Main Matter 4, Policies W1, W2 and R6

Whether the policies and proposals of the Core Strategy are; the most appropriate to enable Trafford to remain competitive and to contribute to the economic growth of the sub-region, justified by the evidence, effective and deliverable, and are consistent with national policy

MIQ & RLAM Response (Numbers in brackets refer to references in right column)	Evidence References
<p>4.1 Policy W1 and its associated text and Table W1 do not make it clear whether the figures for employment land provision relate to the development of new employment land only (i.e. land that is being brought forward for employment use for the first time) or will result in proposals to ‘recycle’ existing employment land or buildings for new employment uses. In the absence of such clarity the policy is not effective.</p> <ol style="list-style-type: none">1. RLAM in their response to MIQ 4.2 below have considered the implications of the high proportion of employment land in Table W1, as explained by the Council in their response (CD 12.3) to the Inspector’s Preliminary Note 1, that is recycled land.2. RLAM’s view that the CS is unsound in this regard relates not only to the lack of clarity identified in the Inspector’s question but also to the wider lack of differentiation in the land supply (2), for example<ol style="list-style-type: none">a. as between B uses,b. in relation to the requirements of the target sectors andc. with respect to the ability to compete with alternative locations beyond Greater Manchester (the quality of sites).3. Whilst the Council intend to address the differentiation between B uses in the Land Allocations DPD, there is no indication of when or whether the Council will address RLAM’s other concerns.4. The adoption of Policy SS1 (3) together with its justification and the SA that would precede its adoption would remedy this deficiency and render the CS sound in this respect.	<ol style="list-style-type: none">1. RLAM’s Representations (1211) relating to Chapters 8 & 18 and Policies W1 and SL 1-5, and Appendix 15 (Commercial Review) Section 3.3 which contain references to the following documents relevant to this MIQ:2. TBC, Employment Land Study, April 2009, CD 8.3.33. Draft Policy SS1, attached to RLAM’s Overview Representation (1211).
<p>4.2 If the intention is to ‘recycle’ existing employment land what certainty/evidence is there that this approach will provide sufficient choice of land and sites for developers to compete with regional, national</p>	<ol style="list-style-type: none">1. RLAM’s Representations (1211)

and international alternatives?

1. The Council rightly maximises the use of brownfield land to address the requirement for employment land in the CS. In their response to the Inspector's Preliminary Note (Factual Matter 3) the Council has indicated how much of the total available land supply for employment is previously developed land: 286.1 has. out of 322.8 has. However this is not related to the 190 has. identified in the CS. The greenfield land supply amounts to 36.7 has, an unknown proportion of which is within the CS land supply in Table W1. The supply is described as being for B1 uses in aggregate and para 18.7 explains that the supply will be disaggregated by B1, B2 and B8 in the Land Allocations DPD.
2. The Inspector's concern with the provision of a choice of sites to compete with regional, national and international alternatives is very important given the economic aspects of the Vision and Objectives of the CS (especially as suggested to be amended by RLAM in the light of the Sustainable Community Strategy (MIQ 1.8 above)). Furthermore it is a question that needs to be posed in relation to the whole employment land supply proposed in Table W1.
3. RLAM's clear view (their representation related to Chapters 8 & 18 and Policies W1 and SL 1-5)(1) is that the Council have produced no evidence to relate the proposed supply either to particular target sectors which they identify (CS paras 18.4 and 18.5) or to the requirements of occupiers whose area of search for premises is regional, national or international. This lack is demonstrated by the fact that the supply is undifferentiated as to sub-classes within the B class. It will be some years (in the Land Allocations DPD, for which there is no up to date programme) before such a differentiation will be produced; there is no indication that the Council will consider competing locations outside Greater Manchester in evaluating their supply.
4. RLAM have conducted such an evaluation in their sections entitled "No Strategic Sites" (1, 3, 4a, 4b) and "Lack of Competitive Sites for B1 (a) and (b) Use (4c, 5, 6, 7, 8) and concluded that the selected Strategic Locations do not offer regionally or nationally competitive opportunities for employment development and the Locations risk being delivered at a much slower rate than planned because of major uncertainties relating to site assembly, servicing and preparation constraints.
5. RLAM see this deficiency as making the CS unsound on grounds of not being justified in that it lacks a robust and credible evidence base.
6. The adoption of Policy SS1 together with its justification and the SA that would precede its adoption would

relating to Chapters 3,4 & 5 and Chapters 8 & 18 and Policies W1 and SL 1-5,

which contain references to the following documents relevant to this MIQ:

2. Trafford 2021, a Blueprint, Trafford Partnership, (Sustainable Community Strategy), CD 7.1.3
3. PPS12, Local Spatial Planning, paras 4.4, 4.34, CD 2.1.15
4. TBC Core Strategy,
 - a. Technical Note on Strategic Locations and Sites Selection, March 2010, Sections 3 and 4, CD 6.3.25
 - b. Further Consultation on the Preferred Option, June 2009, CD 6.3.9
 - c. Background Note on the 5 Proposed Locations, CD 6.3.26 para 5.15 (quoting the Council's Other Town Centre Uses Study, January 2010, CD 8.1.3)
5. TBC, Employment Land Study, April 2009, CD 8.3.3
6. RLAM Representation (1211) Appendix 17, Review of TBC's SA of the CS
7. PINS, Examining Development Plan Documents, Learning from Experience, Sept 2009, para 21
8. TBC, Economic Development Plan, 2005, CD 8.3.8
9. Draft Policy SS1, attached to RLAM's Overview Representation (1211).

remedy this deficiency and render the CS sound in this respect (9).	
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4.3 How have the assumptions upon which the economic strategy is based been tested? How does the economic strategy link with the Core Strategy housing strategy and the housing strategies of adjoining Authorities, together with the likely impact on future travel to work patterns?

1. RLAM's view (Reps on Chaps 8 and 18)(1) of the economic strategy of the CS is that it has taken the requirement (2) for 170 hectares of employment land and then identified a sufficient quantity of land (3) to meet that requirement, without taking quality of sites or their suitability for the (CS para 18.4) identified target sectors into account. CS para 18.6 spells this process out in plain words and uses it to justify the lack of need for Davenport Green as an employment site.
2. One of the key cross-boundary issues on which RLAM have focused (Reps on Chap 2, the Profile)(1) is the lack of attention in the CS paid to the large and highly skilled labour pool resident to the south of Trafford, which is itself a product of the housing market in that area, a major factor in the viability of the economies of both Trafford and Greater Manchester and an important influence on travel to work patterns. The CS gives no consideration to the housing strategies of adjoining areas and therefore cannot begin to consider land use strategies to reduce travel patterns which will often involve long journeys by car, a major source of carbon emissions.
3. In a similar way RLAM have pointed to the lack of consideration given to the adjacent housing market in Wythenshawe (Reps on Chapter 2, the Profile)(1). There is major potential for people in Wythenshawe to walk or cycle to work if there were a major employment site at Davenport Green.
4. RLAM have commented in their representations(Chapters 8 and 18, "Lack of Competitive Sites for B1 (a) and (b) Use")(1)on the lack of an integrated and dynamic approach to the different elements of the CS: how Trafford has performed in terms of competitiveness and what external factors will affect its future performance:
 - a. people's choices in housing markets
 - b. the consequences for travel to work and
 - c. what measures might be adopted in the plan to promote sustainable land use patterns and
 - d. reduce the need to travel?The CS still deals with places and sectors in discrete sections.
5. RLAM see these defects as making the CS unsound on grounds of not being justified through the lack of a robust and credible evidence base.

1. RLAM's Representations (1211) relating to Chapter 2, Chapters 8 & 18 and Policies W1 and SL 1-5, which contain references to the following documents relevant to this MIQ:
2. Greater Manchester Employment Land Position Statement, August 2009, Table 12, page 58, CD 4.2.2
3. Trafford Employment Land Study, May 2009, CD 8.3.3
4. Draft Policy SS1, attached to RLAM's Overview Representation (1211).

6. RLAM's proposed Policy SS1 and the review (SA) of an alternative strategy that would precede its adoption would remedy this element of unsoundness (4).	
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4.5 What is the evidence to support the selection of foci for office development listed in W1.5? Is that evidence sufficiently robust? What certainty is there that they will deliver the required amount, quality and choice of B1 sites? What certainty is there that they are deliverable?

1. RLAM have addressed the suitability of the Strategic Locations for high quality office development in their response to Main Matter 3 and in their representation on Policies SL1-5 and W1 (1, 2, 5, 6, 7). Whilst some office development has taken place in the locations listed, this is very different from those locations being foci for office development.
2. In relation to Pomona Peel, the landowner, in their representations (1045, Chapters 9, 11, and 24) have expressed their desire to maximise the residential component of the development of the site; this will reduce the potential for office development on the site.
3. Trafford Wharfside contains some office development; it is, in the Council's and Peel's view, part of Mediacity:uk although it is likely that the main focus of Mediacity:uk will always be on the Salford side of the Ship Canal where 200 acres is available for Mediacity:uk development and where the anchor occupier, the BBC, will be located.
4. RLAM in their response to Main Matter 3 have also considered the deliverability of the Strategic Locations and concluded that there is a definite lack of certainty about their deliverability.
5. RLAM conclude that Policy W1.5 is unsound through lacking effectiveness in not being deliverable as planned by the CS and through not being justified in lacking a robust and credible evidence base.
6. RLAM's proposed Policy SS1 and the review (SA) of an alternative strategy that would precede its adoption would remedy this element of unsoundness (8).

1. RLAM's Representations (1211) relating to Chapter 2, Chapters 8 & 18 and Policies W1 and SL 1-5, Appendix 15, Commercial Review and Appendix 17, Review of the SA of the CS, which contain references to the following documents relevant to this MIQ:
2. Trafford Employment Land Study, May 2009, CD 8.3.3
3. TBC, UDP, 1996
4. TBC, UDP, 2006
5. TBC, Other Town Centre Uses Study, January 2010, CD 8.1.3
6. PINS, Examining Development Plan Documents, Learning from Experience, Sept 2009, para 21, CD 2.4.1
7. TBC, Technical Note on Strategic Locations and Sites Selection, March 2010, para 4.2, CD 6.3.25
8. Draft Policy SS1, attached to RLAM's Overview Representation (1211).

4.7 What is the justification for not identifying land at Davenport Green as a major focus for B1 office development, given its importance in the current development plan? Is such evidence robust and are its conclusions transparent?

1. In their representation on Chapters 8 and 18 and Policies W1 and SL 1-5(1) RLAM address all the reasons put forward by the Council for not identifying Davenport Green as a major focus for B1 office development under the headings:
 - "Lack of Evidence to Justify the Reversal of the Council's Position on Davenport Green in 1996 and 2006" which sets the context of the prior political decision taken to put Davenport Green into the Green

1. RLAM's Representations (1211) relating to Chapters 8 & 18 and Policies W1 and SL 1-5, Appendix 15, Commercial Review, Appendix 17 (Review of TBC's SA of CS) which contain references to the following documents relevant to this MIQ:
2. Trafford Employment Land Study, May 2009, CD 8.3.3

<p>Belt</p> <ul style="list-style-type: none"> • “No New Evidence”(6) • “Sustainability Appraisal”(7) • “No Realistic Prospect of Development Going Ahead”(1, Appendix 17, Section 1.3) • “Delisting of Davenport Green as Strategic Site by NWDA” (8, 9, 10, 11) • RLAM address the Council’s Employment Land Study (2), Appendix D of which was written by the Council and which contains a long list of wrong or inconsistent information, but which led the Council to direct removal of Davenport Green from the CS employment land supply. • “Other TBC Reasons: Economic Strategy and Employment Land Supply;” RLAM note that the Economic Development Plan (3) contains no evidence to support Davenport Green not being identified for major office development. • See also RLAM response to MIQ 3.4 and revised Appendix 18 (Chronology) appended to that Main Matter response. <p>2. RLAM have concluded that the evidence behind the Council’s decision is not robust and that, because so much of the evidence was wrong or inconsistent, the conclusions reached by the Council are not transparent. RLAM contend that the CS is unsound in not being justified through lack of a robust and credible evidence base.</p> <p>3. RLAM’s proposed Policy SS1 and the review (SA) of an alternative strategy that would precede its adoption would remedy this element of unsoundness (12).</p>	<ol style="list-style-type: none"> 3. TBC, Economic Development Plan, 2005, CD 8.3.8 4. TBC, UDP, 1996, CD 5. TBC, UDP, 2006, CD 6. PPS4, Planning for Sustainable Economic Growth, para EC 1.3,, CD 2.1.6 7. TBC, Other Town Centre Uses Study, January 2010, CD 8.1.3 8. NWDA, Regional Strategic Sites Review, July 2009, CD 3.1.18 9. PINS, Examining Development Plan Documents, Learning from Experience, Sept 2009, para 33, CD 2.4.1 10. NWDA, Regional Strategic Sites Review, Technical Report, Feb 2009 11. TBC, Core Strategy, Preferred Options, July 2008, CD 6.3.1 12. Draft Policy SS1, attached to RLAM’s Overview Representation (1211).
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4.8 Should this land be retained as an employment site to provide flexibility in the Core Strategy employment land portfolio and to take account of cross-boundary housing/employment strategies?

1. RLAM’s position is very clear:
 - a. They recommend in Policy SS1 (2) and its justification that Davenport Green should be defined as a Strategic Site, enabling it to be brought forward for development without a further DPD. This would indeed enable the CS to take account of cross boundary employment/housing issues.
 - b. Their reasoning, as has been set out in representations on Chapters 8 and 18, and Policies SL 1-5 (1), is that Davenport Green is not required principally to meet a potential quantitative shortfall in employment land supply but to meet a qualitative deficiency, namely to meet the needs of mobile investors who can choose between a range of locations including those outside Greater Manchester.
 - c. As RLAM have said in their representations (1) under the heading “RLAM’s Proposal and its Justification” the time is right to bring Davenport Green forward. The site, in order to be competitive in the national market place, needs to have the planning certainty that is enshrined in the Policy Proposal (SS1). For this reason RLAM do not see safeguarding (see RLAM’s response to MIQ 5.6) as the appropriate way forward to restoring soundness.
 - d. RLAM’s proposed Policy SS1 and the review (SA) of an alternative strategy that would precede its adoption would remedy this element of unsoundness.

1. RLAM’s Representations (1211) relating to Chapters 8 & 18 and Policies W1 and SL 1-5
2. Draft Policy SS1, attached to RLAM’s Overview Representation (1211).

4.10 Are policy W1 and text at paragraph 13.8 entirely consistent? The latter reference recognises the airport as a major asset with the potential to stimulate economic activity, but W1.10 seeks to restrict economic activity associated with the airport.

1. RLAM consider that the two references mentioned in the Inspector’s question are inconsistent: the wording of para 13.8 is clear and W1.10 is restrictive in the following key respects:
 - Development related to the Airport would conflict with the Vision of focusing development for economic and housing growth in the north east of the Borough
 - It would be incompatible with Policy L3 (Regeneration and Reducing Inequalities) unless measures were put in place (as is proposed in relation to development at Davenport Green)
 - It may not always be appropriate to use previously developed land, especially for development that is competing for occupiers with locations beyond Greater Manchester and especially near the Airport

- RLAM’s Representations (1211) relating to Chapter 2, which contain references to the following documents relevant to this MIQ:
1. Trafford Other Town Centres Uses Study, para 9.2, (quoted at CS para. 8.26), CD 8.1.3
 2. Manchester Airport Master Plan to 2030, Nov 2007, Master Plan Diagram
 3. Wythenshawe Strategic Regeneration Framework, Manchester CC, Dec. 2004, Chap 6, Figures 1-7 esp Figure 3, Strategic Masterplan
 4. Manchester CC Core Strategy, Pre-Publication Draft, September 2010, Policies EL4

<p>where there is less PDL than elsewhere in the Borough.</p> <ol style="list-style-type: none"> 2. Development related to the Airport is however likely to contribute to economic growth of the City Region (W1.10, first bullet) and to the final bullet re accessibility by non-car modes, as it would be close to the major multi-modal interchange at the Airport. 3. RLAM consider the CS to be unsound on this count due to its being unjustified in that it is not the most appropriate strategy when considered against the reasonable alternatives. 4. RLAM’s proposed Policy SS1 and the review (SA) of an alternative strategy that would precede its adoption would remedy this element of unsoundness. 	<p>and EL5, paras 3.12-3.17</p> <ol style="list-style-type: none"> 5. TBC, Economic Development Plan, 2005, CD8.3.8 6. Office Futures, Savills for British Council of Offices, 2004 7. The North West of England PlanRegional Spatial Strategy to 2021, GONW September 2008, para 2.20 and Map of Manchester City Region and South Cheshire, CD 3.1.1
<p>4.11 What is the justification for the restrictive approach of policy W1 towards airport associated development? How does this align with cross-boundary economic strategies?</p> <ol style="list-style-type: none"> 1. Policy W1 at para W1.10 is couched in restrictive terms and it expressly includes development proposed to support economic activity associated with Manchester Airport within the restrictive approach. There is no justification provided in the supporting text. Para 18.11 adds a vague and unjustified undertaking to assess Airport related proposals and to consult with the Airport; this appears to be inconsistent with W1.10. 2. Manchester Airport have expressly mentioned Davenport Green in their representations (1064), asking the Council to abstain from putting the site into the Green Belt. The Council have not answered this point. 3. RLAM consider the CS to be unsound on this count due to its being unjustified in that it is not the most appropriate strategy when considered against the reasonable alternatives. 4. RLAM’s proposed Policy SS1 and the review (SA) of an alternative strategy that would precede its adoption would remedy this element of unsoundness. 	<p>RLAM’s Representations (1211) relating to Chapter 2, which contain references to the following documents relevant to this MIQ:</p> <ol style="list-style-type: none"> 1. Trafford Other Town Centres Uses Study, para 9.2, (quoted at CS para. 8.26), CD 8.1.3 2. Manchester Airport Master Plan to 2030, Nov 2007, Master Plan Diagram 3. Wythenshawe Strategic Regeneration Framework, Manchester CC, Dec. 2004, Chap 6, Figures 1-7 esp Figure 3, Strategic Masterplan 4. Manchester CC Core Strategy, Pre-Publication Draft, September 2010, Policies EL4 and EL5, paras 3.12-3.17 5. TBC, Economic Development Plan, 2005, CD8.3.8 6. Office Futures, Savills for British Council of Offices, 2004 7. The North West of England PlanRegional Spatial Strategy to 2021, GONW September 2008, para 2.20 and Map of Manchester City Region and South Cheshire, CD 3.1.1

Davenport Green

Trafford Core Strategy (CS), Examination in Public

RLAM (Representor 1211), Further Reps, 3/2/11

Main Matter 5, TheGreen Belt and Other Protected Land,

Policy R4 and Appendix 2

Whether the policies and proposals of the Core Strategy, which intend an addition to the Green Belt, are justified and consistent with national policy

MIQ & RLAM Response (Numbers in brackets refer to references in right column)	Evidence References
<p>5.1: With particular reference to R4.3, the proposed addition of land at Davenport Green to the Green Belt, is the evolution of policy R4 clear and transparent? Has this policy proposal been the subject of adequate public consultation and is it justified by a robust Sustainability Appraisal?</p> <ol style="list-style-type: none">1. RLAM has shown in its representation that Policy R4.3 and its justification render the CS unsound in terms of<ol style="list-style-type: none">a. inadequate justification (not a robust or credible evidence base)b. inconsistency with national policy (as set out in PPG2), andc. Legal non compliance (not subject to sustainability appraisal)2. RLAM's view is that soundness can only be restored by retaining the present Green Belt boundary (as fixed in the UDP's of 1996 and 2006 (4& 5)) which will require a compliant re-working of the SA for Davenport Green and the sites and locations considered by the Council.3. In response to MIQ 5.1 RLAM are of the view that the evolution of policy in this case not been clear, transparent or the subject of adequate public consultation. Furthermore the policy is not supported by a robust SA. The salient points of RLAM's representation in this regard are:<ol style="list-style-type: none">a. As recently as the CS Preferred Options, July 2008 (2a), the Council was indicating no Green Belt changes; however the text conflicted with the Option diagrams which showed a change: Davenport Green in the Green Belt; this presented a confused picture to the publicb. In the Further Consultation on the Vision, Strategic Objectives and Delivery Strategy, March 2010 (2b), the Council repeated its intention to carry forward the current Green Belt designation and referred to	<ol style="list-style-type: none">1. RLAM Representations (1211) relating to Policy R4.3 and to the SA of the CS (incl Appendix 17), which contain references to the following documents relevant to this MIQ:2. TBC, Core Strategy:<ol style="list-style-type: none">a. Preferred Options, July 2008, para 7.67, CD 6.3.1b. Further Consultation on the Vision, Strategic Objectives and Delivery Strategy, CD March 2010, para 16.10, CD 6.3.22c. Local Development Scheme, 2009-10 to 2011-12, March 2009 (Amended November 2009), CD 5.1.1d. Publication Draft CS, September 2010, CD 6.2.13. PPG2, Green Belts, CD 2.1.34. TBC, UDP, 19965. TBC, UDP, 20066. Secretary of State's Direction under Para 1(3) of Sched 8 to the Planning and Compulsory Purchase Act 2004, dated 13/5/2009, relating to the 2006 UDP

the long term nature of Green Belt boundaries (PPG2, (3)) but saw no conflict between those considerations and the change to the Green Belt boundary at Davenport Green (36.4 hectares). The justification relies on the non-implementation of the development scheme which had been planned for the site.

- c. It was not until the CS Publication Draft of September 2010 (2d) that TBC attempted a justification for the Green Belt change that made any reference at all to exceptional circumstances (and which, in the event, conspicuously failed to demonstrate that those circumstances existed).
- d. There has been no Sustainability Appraisal of the policy proposal for a significant change to the Green Belt boundary, adding approximately 90 acres to the Green Belt at Davenport Green. The many, fundamental flaws in the SA of the CS have been set down in RLAM's response to MIQ's 1.21, 1.22, 1.23 and 2.1 (iv) and more fully in RLAM's representation relating to the SA (1) .
- e. In parallel with the CS preparation, TBC requested that GONW save selected policies of the 1996 and 2006 UDP's. The current Local Development Scheme (LDS)(2c) also provides for the saving of policies. The latter provides for Proposal E13, including Davenport Green as a strategic development site (major high amenity site), to be saved until replaced by the Land Use Allocations DPD, for which there is no realistic timetable in the LDS

5.2 Does the proposed Green Belt addition amount to a local detailed boundary change, or should it be considered as being a strategic change?

1. There is a distinction drawn in PPG2 (2) between Regional Planning Guidance, structure plans and local plans in respect of Green Belts and their boundaries. Whilst the Development Plan hierarchy has changed since PPG2 was adopted, the explanation of the relationship between that which is strategic and that which is detailed remains relevant to the Inspector's MIQ 5.2.
2. Structure plans provide the strategic policy context and fix the 'general extent' of Green Belts (PPG2 para 2.3). Local plans set detailed boundaries (PPG2 para 2.4). At its simplest, therefore (and without need to consider the scale of change involved), the fixing of boundaries is seen as a detailed matter as opposed to a strategic matter, to be dealt with most appropriately at the Local Plan level. It is unsurprising therefore that 4NW (see CD 12.3 appendix 8.1(4)) see no obstacle in procedural terms (albeit retrospectively) to the Trafford LDF being the place where boundary changes should be considered. More surprisingly, however, is the implication that this would not be a strategic change of strategic significance.
3. RSS Policy RDF 4 itself and the supporting text (5) contains;
 - A general presumption against any change; and
 - Specific endorsement of potential detailed changes at Manchester Airport, John Lennon Airport and Land at Newton Le Willows which had been considered through the RSS process itself. The Manchester Airport sites are of comparable size to Davenport Green.
4. This demonstrates firstly that sites of this size warrant treatment through the RSS process and inclusion in RSS Policy, and secondly that RSS Policy requires that any unforeseen significant changes "should be investigated and informed by strategic studies carried out by the Regional Planning body together with relevant stakeholders" (5).
5. This is not inconsistent with green belt boundaries being amended in LDFs after investigation by the Regional Planning body. RSS Policy RDF 4 states; "Local Development Framework policies may provide for detailed changes in Green Belt boundaries to accommodate the expansion of Manchester Airport, John

1. RLAM Representations (1211) relating to Policy R4.3 and to the SA of the CS (incl Appendix 17), which contain references to the following documents relevant to this MIQ:
2. PPG2, Green Belts, paras 2.3 and 2.4, CD 2.1.3
3. Trafford BC, UDP, 2006, Proposal E14
4. Letter from 4NW to TBC re Green Belt change, 18/11/09, appended (8.1) to TBC Response to Inspector Note 1, CD 12.3
5. RSS Policy RDF4 and text in support of policy at 5.25

Lennon Airport and [Land] at Newton Le Willows" (6).	
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5.3 If the latter, is the proposal in general conformity with policy RDF 4 of the RSS which presumes against such change in the Greater Manchester area?

1. RLAM have set out their view in their representation on Policy R4.3 (1) that RDF4 (2) does not indicate any need for Green Belt boundary changes in Greater Manchester; after 2011 the need for any changes is to be the subject of strategic studies.
2. The Council’s proposal (R4.3) to change the Green Belt boundary runs counter therefore to RSS RDF4, and whilst RDF4, perhaps, anticipates only deletions from the Green Belt, there is (as PPG2 and case law (3) make clear) no distinction between additions and deletions in terms of their significance to the integrity of green belts
3. The Core Strategy fails to conform therefore with the RSS (4).

1. RLAM Representations (1211) relating to Policy R4.3, which contain references to the following documents relevant to this MIQ:
2. RSS for the NW, September 2008, Policy RDF4, CD3.1.1
3. PPG2, Green Belts, paras 2.6 and legal cases quoted at para 5 of RLAM Representation on R4.3, CD 2.1.3
4. PPS12, para 4.50, CD 2.1.15

5.4 Taking into account the recent removal of this land from the Green Belt, is R4.3 consistent with PPG2 which places considerable emphasis on the longevity of Green Belt boundaries?

1. RLAM has shown in its representation (1) that Policy R4.3 and its justification render the CS unsound in terms of inconsistency with national policy as expressed in PPG2 (2):
 - a. The Green Belt boundary was altered in the 1996 UDP and that change was confirmed in the 2006 UDP
 - b. Green Belt boundaries should only be changed in exceptional circumstances; their essential characteristic is permanence
 - c. The test of exceptional circumstances is no less demanding in the case of additions to the Green Belt
 - d. The Council is proposing to change the boundary again within 15 years of the first change; this second change would still have been within the life of the 1996 UDP had it not been replaced and it is still well within the life of the current UDP, which covers the period up to 2016 - it was not the intention of PPG2 that Green Belt boundaries should be changed twice within the life of a development plan
 - e. The Council has failed to demonstrate exceptional circumstances, which can be explained by:
 - For much of the Core Strategy process the Council treated the site as if it were still in the Green Belt; their justification was therefore necessarily flawed
 - There **are** no exceptional circumstances to justify a second change to the boundary
 - The RSS contains no requirement to review the boundary; indeed, in the full knowledge

1. RLAM Representations (1211) relating to Policy R4.3,), which contain references to the following documents relevant to this MIQ:
2. PPG2, Green Belts, paras 2.1, 2.6 and legal cases quoted at para 5 of RLAM Representation on R4.3, CD 2.1.3
3. RSS for the NW, September 2008, Policy RDF4, CD3.1.1
4. PINS, Examining Development Plan Documents: Learning from Experience, Sept 2009, para 44, page 11, CD 2.4.1

of the status of Davenport Green as a strategic development site, the RSS anticipated no need for changes to the Green Belt in Greater Manchester until at least beyond 2011 (and then, subject to strategic studies) (3)

It appears that the Council's unsound treatment of the Green Belt issue originates in the prior political decision taken to put Davenport Green into the Green Belt.

2. RLAM's view on restoring soundness in this regard has been set out in paragraph 2 of their representation on MIQ 5.1 above.

5.5: Do the reasons for R4.3 given in justification text at paragraphs 24.9-24.17 amount to the necessary exceptional circumstances referred to in paragraph 2.7 of PPG2

1. RLAM have in their representation (1) relating to R4.3 addressed each of the Council's reasons. RLAM also wish to refer the Inspector to other parts of their representations which bear on the Council's justification:
 - a. On the question of "no new evidence" (CS paras 24.12, 24.13& 24.16) this has been addressed fully in RLAM's representation on Chapters 8 and 18, Policies W1 and SL1-5 under the heading "No New Evidence"; RLAM also submitted a full appraisal of the site to the Council's format after the January 2009 Workshop.the Council has not engaged in any meaningful dialogue with RLAM or their predecessors in title in spite of the urging of PPS12, para 4.45 (3), third bullet, in relation to deliverability of CS's and the involvement of stakeholders.
 - b. The Council's SA (CS para 24.13) has been reviewed in RLAM's representations on the SA (1, Appendix 17) and found to suffer from many fundamental flaws.
 - c. On the question of "no realistic prospect of the development going ahead" (CS para 24.14), RLAM have addressed this in their representations relating to Chaps 8 and 18 under the heading "New Evidence" and in detail in their Appendix 15, Commercial Review, which identifies the conditions attaching to the planning consent as the major constraint on the development of the site; proposed Policy SS1 (5) for Davenport Green addresses this point by reducing the number of conditions to those that are essential for the protection of the adjoining Green Belt and for the achievement of the city region economic development objective.
 - d. The point about NWDA (4) delisting the site (CS para 24.15) has been addressed in RLAM's representations relating to Chapters 8 and 18 under the heading "Delisting of Davenport Green as a Strategic Site by NWDA". The NWDA's decision seems to have been driven by Trafford BC not by an independent assessment by the Agency.
 - e. The final reason, which the Council claim to constitute exceptional circumstances (CS para 24.17) is the fact that the site has continued to serve 'important functions' that were recognised by the UDP Inspector in 1996. This is a completely illogical premise upon which to postulate exceptional circumstances. Such 'functions' are, likely to be a characteristic of all land that has been removed from the Green Belt, and, in this particular case, are

1. RLAM Representations (1211) relating to Policy R4.3 (paras 19-35), to Chaps 8 & 18, Appendix 15 (Sections 1.3 and 1.4) and Appendix 17 (Appraisal of the SA of the CS) which contain references to the following documents relevant to this MIQ:
2. PPG2, Green Belts, paras 2.1, 2.6 and legal cases quoted at para 5 of RLAM Representation on R4.3, CD 2.1.3
3. PPS12, para 4.45
4. NWDA, Review of Strategic Regional Sites, July 2009, CD 3.1.8
5. Draft Policy SS1, attached to RLAM's Overview Representation (1211).

<p>recognised expressly in UDP policy which seeks to apply green belt policies until such time as the site is developed. These continuing functions are thereby part of the status quo and are incapable of constituting exceptional circumstances justifying change.</p> <p>2. RLAM conclude that the CS is unsound through not being consistent with national policy (PPG2) and through inadequate justification in that the evidence base is not robust or credible.</p> <p>3. RLAM’s view on restoring soundness in this regard has been set out in paragraph 2 of their representation on MIQ 5.1 above.</p>	
<p>5.6 Has an alternative proposal of designating land at Davenport Green as other protected/safeguarded land been considered? If not, why not? If so, why was this alternative rejected?</p> <p>1. RLAM have not found any evidence that this alternative was considered: none of the options examined in the early stages of the CS preparation (2a and 2b) included Davenport Green as a site for either development or safeguarding.</p> <p>2. RLAM see this lack as making the CS unsound with respect to justification in that a reasonable alternative has not been considered despite the notion of strategic development at Davenport Green having been endorsed by the Council twice in the UDP’s and despite the fact that RLAM and their predecessors have made repeated representations in support of development at Davenport Green.</p> <p>3. Soundness can be restored by the Council giving consideration (SA) to a strategy that includes Davenport Green as a strategic site for employment development.</p>	<p>1. RLAM Representations (1211) relating to Chaps 8 & 18, Appendix 16 (Previous representations by RLAM) which contain references to the following documents relevant to this MIQ:</p> <p>2. Trafford BC Core Strategy:</p> <p>a. “Issues and Options “ paper for consultation, July 2007, CD</p> <p>b. Preferred Options, July 2008, CD 6.3.1</p>