



TRAFFORD
COUNCIL

**COUNCIL'S RESPONSE TO MAIN
MATTERS, ISSUES AND
QUESTIONS**

MAIN MATTER 2

TOPIC PAPER

CONTENTS

MAIN MATTER 2.12

MAIN MATTER 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?

Council's Response

Evidence is set out in a range of documents referred to in the following responses.

- i) Has the Core Strategy been prepared in accordance with the Council's Local Development Scheme (LDS); does its listing and description in the LDS match the submission document; have the timescales set out in the LDS been met?**

Council's Response

2.1.1 The Revised Local Development Scheme 2010 (CD: 5.1.13) sets out the key milestones for Core Strategy preparation:-

- *Public Participation in the preparation of a DPD (Reg. 25) - Sept 2007 – March 2010.*
- This has been undertaken as outlined in The Trafford Core Strategy Consultation Statements Volumes 1, 2 and 3 (CD: 6.2.7, CD: 6.2.8 and CD: 6.2.9).
- *Publication (Reg. 27) – September 2010.* This has been achieved (CD: 6.2.1).
- *Submission (Reg. 30) – December 2010.*
- This has been achieved. The relevant submission documents are identified in sections 6.1 and 6.2 of the Core Documents List (CD: 6.2.14).

2.1.2 The Council is on schedule to achieve adoption of the Core Strategy by August 2011.

- 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?**

Council's Response

2.2.1 The Local Strategic Partnership has been engaged in the preparation of the Core Strategy at each key stage of its production. The Core Strategy has been presented to the Partnership Board and its various sub-groups (including the Trafford Economic Alliance) throughout the

preparation of the document. Partnership Board minutes are available to detail this process, if required.

- 2.2.2 As such, the Council considers that the Sustainable Community Strategy has informed the preparation of the Trafford Core Strategy.
- 2.2.3 The Trafford Partnership's refreshed Sustainable Community Strategy (CD: 7.1.2) sets out a framework for sustaining and improving the economic, social and environmental wellbeing of the borough and its residents. A 2010 review ("Trafford Vision 2021: A Blueprint") (CD7.1.3) involved a restructure of the SCS into a clearer document that better reflects the needs and priorities identified by local people, businesses and partners.
- 2.2.4 The Sustainable Community Strategy has 7 key objectives: Safety and Reassurance; Strong Economy; Strong Communities; Brighter Futures; Positive Environmental Impact, Better Homes and; Health and Improved Quality of Life for All. These are linked to the Core Strategy Policies in order to demonstrate which of the priority outcomes under the 7 key objectives each policy will deliver. The Policies are also linked to the Core Strategy Strategic Objectives and the Place Objectives (CD6.2.1 example table Page 67).
- iii) **Does the Core Strategy comply with the Statement of Community Involvement (SCI)? What is the evidence that the Council has carried out all consultation consistent with the SCI and the minimum requirements of the Regulations?**

Council's Response

- 2.3.1 The Core Strategy has been prepared to the requirements detailed in the Council's Statement of Community Involvement (CD: 5.1.11). The SCI has been referenced throughout the policy formulation process when consulting on the various stages of the Core Strategy.
- 2.3.2 The original Trafford Statement of Community Involvement (SCI) was adopted in July 2006 (CD: 5.1.2). Since then there were a number of reforms made to the Planning and Compulsory Purchase Act through the Planning Act 2008 and the publication of the new Planning Policy Statement 12 (PPS12) (CD: 5.1.11 text ref 1.2 Page 2). The changes relate to the process to be followed in the production of Local Development Documents and it was considered necessary to update the adopted SCI so that it is consistent with the new Town and Country Planning (Local Development) (England) Regulations 2004 (CD: 2.3.1), as amended 2008 (CD: 2.3.2) and 2009 (CD: 2.3.3).
- 2.3.3 The Consultation Statement (CD: 6.2.7, CD: 6.2.8 and CD: 6.2.9) details how consultation has been undertaken during the preparation of the Core Strategy. The Consultation Statement has been produced in

three volumes and evidences the consultation methods and the responses received.

- 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?**

Council's Response

2.4.1 The Core Strategy has been subject to SA at all key stages of the plan preparation. The final report was made available, in accordance with the Regulations at the Submission Stage. This "Final" report is made up from the separate SA reports that were published during the preparation of the Plan.

2.4.2 At Issues and Options stage, three alternative options were considered with summary SA information being provided within the document.

2.4.3 The Council developed all reasonable Strategies through the Preferred Options stage of The Core Strategy. The SA on these Options began in February 2008 and resulted in the final Options being published in July 2008. The SA of Spatial Options details how the Options evolved as a result of the SA process between February and May 2008 (CD 6.3.3 Appendices 2, 3 and 4 page 33 – 39). Although the SA did not reject a specific option it is clear that the SA helped refine the different Strategies that were then subject to consultation in July 2008. In Addition the mitigation measures specified to Strategic Locations and Policies in the SA Appendices Report in June 2009 to the Preferred Option (CD 6.3.13) were incorporated into Policies and Development Requirements of the Strategic Locations resulting in improved SA scores in the SA Appendices Report of the Publication version of the Plan (CD 6.2.3). Section 4.5 page 41 of CD 6.2.2 also summarises what difference the SA has made.

2.4.4 Finally, additional information is currently being produced, to inform the Examination process, relating to the June 2009 SA of the Preferred Option document.

- v) **How were the requirements for Appropriate Assessment under the Habitats Regulations met before publication of the Core Strategy?**

Council's Response

2.5.1 The Council commissioned the Greater Manchester Ecology Unit to undertake HRA in line with Regulation. Assessments were undertaken in line with Natural England guidance in 2009 (CD 6.3.7) and 2010 (CD

6.2.4) on the Core Strategy Preferred Option and Publication Version respectively.

- vi) Do policies SL5, L1 and L4 strictly accord with the Habitats Regulations Assessment requirements? Is the approach of policy SL5 correct and appropriate since the completion of a project level Appropriate Assessment could render a key Strategic Location of the Core Strategy undeliverable?**

Council's Response

2.6.1 The conclusion of the HRA stated that; "Providing that the mitigating plans, policies and strategies are adopted and implemented appropriately through the development management process, it is considered that there will be sufficient safeguards in place to avoid significant harm" (CD 6.2.4 Table 8.1, page 20). However as a result of the comments from Natural England to the Publication version of the Plan additional text was added to the Core Strategy (CD 6.1.2, (SC1)). New text has also been added to Policies L1 (CD 6.1.2, L1.11 page 5), L4 (CD 6.1.2, L4.5, page 6) and SL5 (CD 6.1.2, (SC13)) to the potential need for further HRA in terms of more specific development proposals.

2.6.2 The Council considers that these proposed changes ensure that the Core Strategy now accords with the HRA.

2.6.3 The Council is confident that mitigation measures arising out of a further, more detailed HRA would be capable of resolution through the production of the Land Allocations DPD and the Carrington Area Action Plan. Therefore it considers that the approach specifically proposed in SL5 is correct and appropriate.

- 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?**

Council's Response

2.7.1 The Council considers that the Core Strategy does not contain any proposals that are not in general conformity with the RSS.

2.7.2 The Regional Planning Body, 4NW, has been engaged at all stages of the Plan's preparation. 4NW submitted representations throughout the Regulation 25 consultation. Whilst 4NW submitted comments during the preparation of the Core Strategy they did not raise any issues of 'non-conformity'.

2.7.3 The representation submitted by the Regional Planning Body, 4NW, at Publication stage (PUB-1093-187) referred to the Government's decision to revoke Regional Spatial Strategies / Regional Strategies

and that there was now no obligation for local Authorities to consult 4NW on Local Development Frameworks.

2.7.4 However, in view of the subsequent High Court judgement on the Secretary of State's decision, the Council formally requested from the Regional Planning Body its opinion as to the general conformity of the Trafford Core Strategy with the RSS. The Regional Planning Body's response (PUB-1093-Additional) confirmed that it no longer had the remit or capacity to comment on Local Development Frameworks.

2.7.5 Additionally it should be noted that, despite the current uncertainties surrounding the status of RSS, CLG has made it clear that the evidence base underpinning that document remains valid.

viii) Does the Core Strategy comply with the Regulations specifically regarding the publication of prescribed documents, their availability at the Council's principal offices and on the Council's website, the placing of local advertisements and notification of the DPD bodies?

Council's Response.

2.8.1 In preparing the Core Strategy the Council has followed the procedures laid down in the Town and Country Planning (Local Development) (England) Regulations 2004 (CD: 2.3.1), as amended 2008 (CD: 2.3.2) and 2009 (CD: 2.3.3), and in the Adopted Statement of Community Involvement - July 2006 (CD: 5.1.2) and Statement of Community Involvement Review - February 2010 (CD: 5.1.11).

2.8.2 The Trafford Core Strategy Consultation Statements Volumes 1, 2 and 3 (CD: 6.2.7, CD: 6.2.8 and CD: 6.2.9) set out how the Council has complied with the consultation requirements of Regulation 25. The main issues for submission document (CD: 6.1.1) sets out details of the public consultation undertaken at the pre submission publication stage.

2.8.3 The DPD, the Sustainability Appraisal report, the pre submission consultation statement and other supporting documents which the Council considered relevant to the preparation of the DPD under Regulation 25 are listed in sections 6.4 and 6.3 of the Core Documents List (CD: 6.2.14). Documents published at Publication stage are identified within section 6.2 of the Core Documents List (CD: 6.2.14).

2.8.4 The documents for submission under Regulation 30 are listed under section 6.1 of the Core Documents List (CD: 6.1.1, CD: 6.1.2, CD: 6.1.3 & CD: 6.1.4) and also include the complete Sustainability Appraisal (CD: 6.2.2, CD: 6.2.3, CD: 6.3.3, CD: 6.3.4, CD: 6.3.11, CD: 6.3.12, CD: 6.3.13, CD: 6.3.20, CD: 6.3.21, CD: 6.3.23, CD: 6.3.30, CD: 6.4.1).

2.8.5 The representations received at Publication stage are identified within section 10.7 of the Core Documents List (CD: 10.7.1 to 10.7.6) and a

summary of the main issues raised at Publication stage is contained in CD: 6.1.1. The supporting documents are listed within the Core Documents List (CD: 6.2.14).

- 2.8.6 The consultation statements set out where the Core Strategy documents were made available to view on the Council's website and at the Council's principal offices (CD: 6.2.7 paragraph 5, CD: 6.2.8 paragraph 5 and CD: 6.2.9 paragraph 5, CD: 6.1.1 paragraph 2.3).
- 2.8.7 Statutory notices have been published in the local press at key stages in the Core Strategy consultation process (CD: 10.4.2, CD: 6.1.4, CD: 6.2.6, CD: 6.3.5). Additional articles have also been placed in various publications throughout the Core Strategy consultation process (CD: 6.2.7 Appendices 7, 8 & 9, CD: 6.2.8 Appendices 8, 9, 10, 14 & 15, CD: 6.2.9 Appendices 8, 9, 10, 11 & 13, CD: 6.1.1 Appendices 12-16).
- 2.8.8 Those bodies which were notified at each stage of Core Strategy preparation/consultation are listed within the consultation statements (CD: 6.2.7 Appendices 1, 2, 3, & 4, CD: 6.2.8 Appendices 1, 2 & 3, CD: 6.2.9 Appendices 1, 2 & 3, CD: 6.1.1 Appendices 1, 2 & 3).