

## **FURTHER SUSTAINABILITY APPRAISAL (FEBRUARY 2011)**

### **Key correspondence between SSD, on behalf of RLAM, and Trafford Council (as at 25 February 2011)**

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1. Email dated 27 January 2011 at 17:00 from Clare Taylor-Russell, of the Council, to Oliver Goodwin, of SSD, and Ian McDonald, of SPA
2. Email dated 1 February 2011 at 15:24, with attachment, from Oliver Goodwin, of SSD, to Clare Taylor-Russell, of the Council
3. Email dated 4 February 2011 at 17:05 from Clare Taylor-Russell, of the Council, to Oliver Goodwin, of SSD
4. Email dated 4 February 2011 at 18:55 from Oliver Goodwin, of SSD, to Clare Taylor-Russell, of the Council
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11. Email dated 11 February 2011 at 10:48 from Rob Haslam, of the Council, to Oliver Goodwin, of SSD
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13. Email dated 11 February 2011 at 17:01 from Rob Haslam, of the Council, to Oliver Goodwin, of SSD
14. Email dated 11 February 2011 at 17:06 from Oliver Goodwin, of SSD, to Rob Haslam
15. Letter dated 18 February 2011 from Jane Le Fevre, of the Council, to Oliver Goodwin, of SSD (Sent by email dated 18 February 2011 at 12:27) a copy of which was sent to the Inspector

16. Letter dated 22 February 2011 from Oliver Goodwin, of SSD, to Jane Le Fevre, of the Council (Sent by email dated 22 February 2011 at 17:29)
17. Letter dated 22 February 2011, with attachments, from Oliver Goodwin, of SSD, to Jane Le Fevre, of the Council (Sent by email dated 22 February 2011 at 15:37)
18. Agreed statement between RLAM and Council, 25<sup>th</sup> February 2011.

**From:** Taylor-Russell, Clare  
**Sent:** 27 January 2011 17:00  
**To:** 'Ian McDonald'; 'Oliver.Goodwin@Hammonds.com'  
**Cc:** Smith, Dennis; Haslam, Rob; Le Fevre, Jane  
**Subject:** Further SA work relating to Davenport Green  
Oliver and Ian

I wanted to let you know that we have now had time to consider the matters raised by the Inspector in relation to the SA for Davenport Green and we intend to ask our consultants to carry out some further work that can be submitted to the Examination.

Given the comments made by the Inspector we think that the most transparent approach would be to undertake a new, complete, 2009 Appraisal reflecting the true planning status of the land at Davenport Green. In this way the land can be compared to the 13 locations and 5 sites which the Council presented at that time, within the Preferred Options document.

However in addition to the above document we also consider that it would helpful to the Inspector if we were to ask our consultants to produce a second document, collating the results of the locations and sites (including that for DG) from this second 2009 appraisal together with an appraisal of the DG proposal plus the 5 Strategic Locations which were presented at Submission stage. The information used to inform this appraisal would be that provided within your March 2010 representations, together with that previously published by the Council in September 2010.

Do you have view as to how best this information could be presented to the Examination? For example we wondered whether it would be helpful to present the data in a tabular format, similar to that presented in appendix 17 of your November 2010 representations.

Unfortunately I am not back in the office now until Tuesday, however given that the Inspector would like this information to be available as soon as possible I would be grateful if you could respond to Rob Haslam/Dennis Smith on this matter in my absence.

Regards

Clare

Clare Taylor-Russell  
Senior Regeneration Officer  
Strategic Planning and Developments  
First Floor, Waterside House, Sale Waterside, Sale, M33 7ZF  
Tel: 0161 912 4496  
Fax: 0161 912 3128  
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**From:** Goodwin, Oliver [oliver.goodwin@ssd.com]

**Sent:** 01 February 2011 15:24

**To:** Taylor-Russell, Clare

**Cc:** Smith, Dennis; Haslam, Rob; Le Fevre, Jane; Programme Officer; Dickinson, Gareth; Gardner, Charles; Jane Mulcahey; Ian McDonald; djt1944@aol.com; Osborne, Elizabeth

**Subject:** Trafford CS; RLAM, Further SA work relating to Davenport Green [I-L.FID988286]

**Attachments:** DG - SA methodology 010211.DOC

Dear Clare

Further to my brief response on Friday to your email of Thursday, Royal London Asset Management and its advisers, including JAM on SA matters, have considered the issues and are in a position to respond. The Inspector requested that the Council and those who have made representations on this matter [RLAM] discuss and, if possible, agree the methodology for the further SA. The Council will be aware from representations of 1 November (and earlier) of our criticisms of the SA process, including methodology.

In order to meet the Inspector's objective, and accommodate the Council's proposal to use the 2009 SA as a base, JAM have reviewed the methodology used for the 2009 assessment (as distinct from the preceding SA steps and processes) and have produced a note summarising the main steps considered essential to make this exercise within the SA process sound, having regard to the regulations and guidance. I attach a copy of the note.

The earlier stages of the SA process, which we have criticised, have a bearing upon the outcomes both of the SA and the soundness of the policies in the Core Strategy. We expressly maintain our representations on these matters and reserve our position in relation to these aspects.

We suggest that we speak about the methodology as soon as possible to seek to agree this, which I suggest also involves our specialist advisers, JAM, speaking with your specialist advisers, Urban Vision. With reference to your proposal for a second document, we are not entirely clear what is proposed, but suggest that we pick this matter up when we speak.

I would be grateful if you could respond to the above as a matter of urgency, particularly given the Inspector's timetable. If you feel that, after replying to this email, it would be helpful for us to have a meeting in order to discuss these points then please do let me know. We would, of course, be very willing to meet.

I look forward to hearing from you.

Yours sincerely

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**Sent:** 27 January 2011 17:00  
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**Cc:** Smith, Dennis; Haslam, Rob; Le Fevre, Jane  
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## **Proposals on Methodology for Additional Sustainability Appraisal of Strategic Sites / Strategic Locations**

It is considered that the methodology should, at least, address the following in order to comply with relevant statutory regulations and guidance.

### **Headline points**

#### **Baseline information**

- Review baseline to ensure that it is up-to-date and complete e.g., to include draft Manchester City Council Core Strategy.
- Reflect correct status of Davenport Green i.e., as per saved UDP Policy as opposed to as being within the Green Belt.

#### **Evidence**

- Review most up-to-date evidence available and ensure that the findings of the information and studies are accurately represented in the SA results (e.g., scores for the Strategic Locations have changed significantly between 2009 and 2010). Examples include the Land Contamination Prioritisation Study, draft Manchester Core Strategy and the Airport Masterplan. (See Examination of DPD's Soundness Guidance, August 2009 ("Soundness Guidance") 2.9 'Key Questions')
- List all the information relied upon in assessing Sites / Locations, including the latest information relating to Davenport Green (i.e., as contained within RLAM's representations of 1 November 2010). (See Practical Guide to SEA, 2005, Appendix 9.)The commentary needs to explain where that information has been used/relied upon in the assessment.

#### **Assessment of effects**

- Where the SA relies on assumptions due to limited detail of the evidence base this should be clearly spelt out (2009 SA para. 3.6).
- A consistent approach must be taken in the assessment of effects for each Strategic Location:- the results for all the Strategic Locations should be reviewed to ensure that a consistent approach to the assessment has been made. A detailed commentary alongside the results will help the review of the results and show a transparent approach to the reader. Where evidence is not available the fact that it is not available should be documented e.g., infrastructure.

#### **Scoring**

- The scoring method used must be set out clearly and include commentary explaining the reasoning behind the score, including why the level of certainty has been applied. Such reasoning must be based upon /derive from the evidence base.
- The score should reflect the impact upon sustainable development WITHOUT mitigation measures and the same approach must be taken for ALL Strategic Locations, despite the level of detail that may be available at this stage.
- The commentary should include mitigation measures that will prevent, reduce or offset significant adverse effects.

#### **Evidence/Audit trail**

- Show how information received during the consultation process, particularly from the statutory consultees, has affected the SA. The results of the consultation process should be clearly documented in the SA report. (The 2009 SA was incomplete in this respect.) (See Soundness Guidance 2.9 'Key Questions')

## Specific Revisions to Methodology adopted in the Council's Sustainability Appraisal

For ease of reference these are identified in relation to the relevant SA objectives listed in the 2009 SA Report. One step in achieving these revisions is to amend/add to the sub-objectives for the relevant objective assessment. Where it is considered that the revision of the methodology has a bearing upon assessment of the specific SA objectives the relevant SA objective(s) is indicated in brackets.

### 1. Deliverability

- The deliverability of the sites for economic growth must be considered and given relative scoring. (2009 SA is incomplete) (EC1) (See Soundness Guidance 2.10 'Key Questions')

### 2. Economy

- The assessment should reflect the net additional activity at both the sub regional and the regional level and not just activity from firms that are attracted to relocation from within Greater Manchester. (EC1)
- When considering economic growth in the southern part of the borough the issues of Manchester Airport, Wythenshawe and access to a skilled labour pool should all be included in the evidence base. (EC1)
- Improving accessibility and removing barriers to movement should be assessed and included in the evidence base when assessing the impact. (EC2)

### 3. Infrastructure

- Services and facilities outside the borough boundary should be taken into account where appropriate e.g. Manchester Airport, University Hospital of South Manchester. (S2)
- The impact of providing new infrastructure should be included in the assessment and be linked to the evidence base. (S3)
- The viability and deliverability of providing the new infrastructure should be included (S3)
- The assessment should include the capacity of waste management/treatment facilities; forecasts of the likely quantities of waste for each strategic location during the construction and operation of the plan period; the amount of off-site waste treatment that will be needed; the number of vehicle movements that will be generated; the distance from each Strategic Location to waste management facilities. (The neutral results given in all of the SAs are not considered to be accurate.) (E5)
- The assessment should also address the infrastructure requirements with regard to water supply and sewage capacity – both issues are identified within the Infrastructure Plan as potential issues for several of the locations. (The neutral results given in all of the SAs are not considered to be accurate.) (E5)  
(See Soundness Guidance 2.10 'Key Questions')

### 4. Cross boundary Issues

- Relevant statutory plans which may affect, or be affected by, the Core Strategy should be considered (e.g., draft Manchester Core Strategy) (SA does not address) (See (See Practical Guide to SEA, 2005, Appendix 2 and Soundness Guidance 2.10 'Key Questions')
- Services and facilities that are located outside the borough boundary but which will have a significant impact must be considered in the assessment e.g. Manchester Airport – a multi modal public transport interchange - and University Hospital of South Manchester (S2 and S3)
- The impact of options on areas outside the borough boundary should also be considered e.g. Wythenshawe. (S5)
- When considering economic growth in the southern part of the borough the issues of Manchester Airport, Wythenshawe and access to a skilled labour pool should all be included in the evidence base. (EC1)



### 5. Climate Change

- Consideration must be given to all relevant elements of climate change impacts (- Climate change impacts include consideration of emissions generated from the built environment in relation to both construction and operation, not just transport). (E3)
- Proper consideration should be given to the impact a site will have on the contributions to climate change (- It is unlikely that any site will have a positive impact on the contributions to climate change). (E3)
- The impact on the contributions to climate change should be measured in a logical and meaningful manner. Ideally, objective E3 should be re-phrased to 'reduce additional contribution to/impact of Climate Change' but, at the least, a clear scoring system should be used to show how this is to be measured. (E3)
- The results must be linked to the evidence base, in particular the GMTU modelling, and be assessed in a consistent manner. (E1)
- The findings of the SFRA should be used to assess the significance of impacts. Consequential changes to the scoring should be made in this regard. (The results given in the SAs are not considered to be accurate or to reflect/represent the evidence base.) (E4)
- Contaminated land matters and water table levels should be considered when proposing the use of SUDS. The application of SUDS may be limited in areas where contamination and water table levels are high - scoring should be reviewed accordingly. (E4)

### 6. Contamination

- The impact of contaminated land must be assessed as part of this objective. (The Land Contamination Prioritisation Study was not published or included in the Council's list of key documents. It is not clear that it has been taken into account in the 2009 SA). The findings of this study (if it exists) are likely to have significant implications for the viability and deliverability of development in several locations. (E6)

### 7. Air Quality

- The Guidance on Air Quality and Planning provided by Environmental Protection UK should be followed including the significance of any increase in emissions of local air pollutants and greenhouse gasses and any proposed mitigation measures. (E8)
- The assessment should be based on evidence and include consideration of journey times, catchment areas and existing levels of pollution. (E8)

An assessment of the Core Strategy Core Policies will also need to be undertaken to reflect the findings of the SA of the strategic locations. The assessment should be linked to evidence and be consistent with the SA of the Strategic Locations. Where mitigation measures are being proposed through the Core Policies it would be helpful if these measures were reflected in the mitigation measures in the SA of the Strategic Locations.

Once the SA has been undertaken it will be necessary to review the Core Strategy policies to see if any changes need to be made in light of the results.

**From:** Taylor-Russell, Clare  
**Sent:** 04 February 2011 17:06  
**To:** 'Oliver.Goodwin@Hammonds.com'  
**Cc:** 'Programme Officer (A)'; Le Fevre, Jane; Haslam, Rob; Franklin, Lesley  
**Subject:** DG Further SA Work

Hi Oliver

Sorry for not getting back to you yesterday, but things were a bit hectic.

I just wanted to let you know that we have asked Urban Vision to give consideration to your detailed comments regarding the SA Methodology in undertaking the current work that the Inspector has requested.

This has had an understandable impact on the timetable for producing this SA work; however it is still hoped that the consultation, to be carried out as requested by the Inspector, will begin next week and therefore the Hearing timetable should not be unduly affected.

I will be in contact next week once we have received the work from our consultants.

Regards

Clare

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**From:** Goodwin, Oliver [oliver.goodwin@ssd.com]  
**Sent:** 04 February 2011 18:55  
**To:** Taylor-Russell, Clare  
**Cc:** Programme Officer (A); Le Fevre, Jane; Haslam, Rob; Franklin, Lesley  
**Subject:** RE: DG Further SA Work [I-L.FID988286]

Dear Clare,

Thank you for your email. Are you saying that Urban Vision accept and agree all the revisions to the methodology proposed by JAM in their note of 1st February and will be carrying out the revised SA on that basis ? If this is not the position, please advise.

I look forward to receiving your response by return.

Kind regards.

Oliver Goodwin  
Head of Planning (London)  
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**From:** Taylor-Russell, Clare  
**Sent:** 09 February 2011 13:50  
**To:** 'Goodwin, Oliver'  
**Subject:** RE: DG Further SA Work [I-L.FID988286]

Hi Oliver

I'm sorry not to have come back to you as yet, but unfortunately I am still waiting to hear from Jane. Unfortunately she was unavailable yesterday and her diary was full this morning. I have been promised that she will be in contact with me this afternoon.

I am sorry for this delay.

Regards,

Clare Taylor-Russell  
Senior Regeneration Officer

Tel: 0161 912 4496

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Jane Le Fevre  
Acting Head of Legal  
Trafford Borough Council  
Trafford Town Hall  
Ground Floor, Room 32  
Talbot Road  
Stratford  
Manchester M32 0TH

Dear Jane

### **Core Strategy – RLAM Davenport Green**

We understand that Clare Taylor-Russell is consulting with you regarding the further Sustainability Appraisal ("SA"). We think it is important to set out our views to you at this stage.

We write to express our concern at the manner in which the Council has proceeded with the further SA. At the Pre-hearing meeting on 25 January the Inspector encouraged the Council and those who made representations on this matter to discuss, and if possible, to agree upon the methodology for the further SA. The Inspector subsequently recorded that the Council intended to speak with RLAM in order to reach agreement with regard to the SA methodology (Appendix 3 to the Inspector's Note of the Pre-hearing meeting, at 1.0). That has not happened.

The Council's email to Ian McDonald of SPA and to ourselves of Thursday 27 January did not invite discussion and agreement of methodology, but only sought our views on how the information could be presented to the Examination. We understand from a conversation with Clare Taylor-Russell that Urban Vision (the Council's consultants) were instructed to commence the further SA on Thursday 27 or Friday 28 January.

In light of the Council's proposed approach to use the 2009 SA as a base for the further SA, we responded on 1 February with our consultants' detailed proposals for methodology for the further SA to make it sound by complying with the regulations and guidance, and we invited discussion and offered to meet to reach agreement as soon as possible. We later telephoned the Council to follow up our request.

The Council replied on 4 February, not to seek to agree the methodology, but rather to inform us that Urban Vision had been asked to give consideration to our detailed comments.

We will not therefore know to what extent our proposals for the methodology have been accepted and adopted until the SA is formally published for consultation, which we understand is aimed for tomorrow, 10 February.

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Our ref **OG2/JLJ/ROY.317-0001**

Your ref

Date **9 February 2011**


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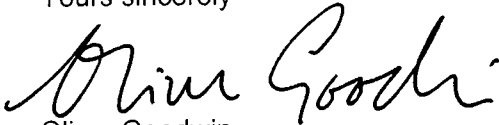
 **INVESTORS  
IN PEOPLE**

Jane Le Fevre  
Trafford Council  
9 February 2011

If it transpires that our proposals for essential changes to the methodology to make the SA sound have been ignored, it will have been a wasted opportunity to reduce the areas of dispute in the interest of progressing the Core Strategy, as requested by the Inspector. It will also have potentially serious consequences regarding the lawfulness and soundness of the SA process and, therefore, the Core Strategy as a whole. Accordingly we reserve our position regarding further representations and/or legal submissions on this critical matter.

We are sending a copy of this letter to the Inspector.

Yours sincerely



Oliver Goodwin

Partner

for and on behalf of Squire, Sanders & Dempsey (UK) LLP

Copy: Dennis Smith, Clare Taylor-Russell

7\_1\_Email\_9\_2\_11\_CTR\_RLAM\_SA

From: Taylor-Russell, Clare  
Sent: 09 February 2011 16:47  
To: 'Goodwin, Oliver'  
Cc: Le Fevre, Jane; 'Programme Officer (A)'  
Subject: RE: RLAM - Davenport Green Core Strategy

Attachments: Council and UV response to RLAM meth\_9\_2\_11.doc

Dear Oliver,

I understand that Jane has provided you with a response to your letter of today.

She has asked that I supply you with the attached document, in which we have detailed our responses to your proposals.

In order to provide sufficient time for consultation, in line with the Inspector's wishes, we would like to publish the new SA work this week. However before we proceed with this, we would like to offer you the opportunity to consider the attached.

I would be grateful if you could contact me tomorrow once you have had time to consider the contents of the attached response and prior to our releasing it for consultation.

Regards

Clare Taylor-Russell  
Senior Regeneration Officer

Tel: 0161 912 4496

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-----Original Message-----

From: Goodwin, Oliver [mailto:[oliver.goodwin@ssd.com](mailto:oliver.goodwin@ssd.com)]  
Sent: 09 February 2011 14:52  
To: Le Fevre, Jane  
Cc: Smith, Dennis; Taylor-Russell, Clare; Gardner, Charles; Dickinson, Gareth  
Subject: RLAM - Davenport Green Core Strategy

Dear Jane,  
I attach a letter for your attention.

Kind regards

Oliver Goodwin

7\_1\_Email\_9\_2\_11\_CTR\_RLAM\_SA

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**Response by the Council in consultation with Urban Vision to Proposals  
on Methodology for Additional Sustainability Appraisal of Strategic Sites  
/ Strategic Locations suggested by JAM on behalf of RLAM  
February 2011**

**Headline points**

**1.0 Baseline information**

- 1.1 Review baseline to ensure that it is up-to-date and complete e.g., to include draft Manchester City Council Core Strategy.

**Council/Urban Vision Response**

*The appraisal will be updated to ensure it incorporates necessary references to the evidence base and the relevant statutory plans of neighbouring authorities that were available at the time of the original appraisals. This will include appropriate references to Manchester's Core Strategy Proposed Option report. The Manchester Pre-Publication Core Strategy was not issued until August 2010 and was not therefore considered during the original appraisals; appropriate references to this document will however be incorporated into the new appraisal.*

- 1.2. Reflect correct status of Davenport Green i.e., as per saved UDP Policy as opposed to as being within the Green Belt.

**Council/Urban Vision Response**

*The Davenport Green site was reappraised in July 2010 to take into account the fact that the site is not within the Green Belt. This fact will continue to be reflected in the new appraisal work being carried out to inform the Hearing sessions.*

**2.0 Evidence**

- 2.1 Review most up-to-date evidence available and ensure that the findings of the information and studies are accurately represented in the SA results (e.g., scores for the Strategic Locations have changed significantly between 2009 and 2010). Examples include the Land Contamination Prioritisation Study, draft Manchester Core Strategy and the Airport Masterplan. (See Examination of DPD's Soundness Guidance, August 2009 ("Soundness Guidance") 2.9 'Key Questions')

**Council/Urban Vision Response**

*It is acknowledged that, whilst the evidence base documents were used in carrying out the original appraisals, it is not always clear which documents resulted in which comments. The further appraisal will, therefore, make clear references to the evidence base documents, which were available at the time of the original appraisals. This will include appropriate references to Manchester's Core Strategy Proposed Option report and the Airport Masterplan. The Manchester Pre-Publication Core Strategy was not issued until August 2010 and was not therefore considered during the original appraisals; however references to this document will be incorporated into the new appraisal work.*

*Although the Land Contamination Prioritisation Study was mentioned within the initial comments made by the Environment Panel (see CD 6.3.3, page 37), in relation to the February 2008 Sustainability Appraisal of the Draft Options, it was not available to*

*the panel members and its scope was not clear. It did not, therefore, form part of that formal appraisal. Since this initial work was carried out its scope has become clearer, it is only intended as an audit of contaminated land. Additionally and notwithstanding this fact, the study was never completed and published. Consequently this document will not be referred to in the new appraisal work.*

*The scores appropriately changed between 2009 and 2010 given the further detail (and therefore certainty) provided within the draft Core Strategy. This further certainty was supported by information provided by prospective developers and land owners of the proposed Strategic Locations at various stages in the plan making process.*

- 2.2 List all the information relied upon in assessing Sites / Locations, including the latest information relating to Davenport Green (i.e., as contained within RLAM's representations of 1 November 2010); (See Practical Guide to SEA, 2005, Appendix 9).The commentary needs to explain where that information has been used/relied upon in the assessment.

#### **Council/Urban Vision Response**

*The appraisal will be updated to ensure it incorporates necessary references to the evidence base. The latest information received in November 2010, in relation to Davenport Green, will be used to inform the new SA work in order to compare the site against the Strategic Location appraisals.*

#### **3.0 Assessment of effects**

- 3.1 Where the SA relies on assumptions due to limited detail of the evidence base this should be clearly spelt out (2009 SA para. 3.6).

#### **Council/Urban Vision Response**

*This is detailed in the SA Report. For instance, section 3.6 of the Core Strategy: Further Consultation on Preferred Option SA Report (June 2009) states that it was necessary to assume that the proposals would be implemented in accordance with the proposed development phasing contained within the Core Strategy Preferred Option Document. This section of the SA Report also states that at this stage in the plan preparation process there was limited detail in the evidence base in relation to levels of flood risk, the ecological values of a number of Strategic Sites and Locations and limited detail on some of the proposals for the Strategic Locations. Most of these limitations were resolved before the appraisal of the Core Strategy: Publication Document undertaken in June 2010.*

- 3.2 A consistent approach must be taken in the assessment of effects for each Strategic Location: - the results for all the Strategic Locations should be reviewed to ensure that a consistent approach to the assessment has been made. A detailed commentary alongside the results will help the review of the results and show a transparent approach to the reader. Where evidence is not available the fact that it is not available should be documented e.g., infrastructure.

#### **Council/Urban Vision Response**

*The SA Scoping Report (2007) (CD 6.4.1) sets out the Sustainability Objectives, Sub Objectives and Indicators which would be consistently used to appraise the Plan as it evolved. This document was subject to the statutory consultation.*

*Following the initial appraisal work carried out in 2008 (CD 6.3.3), the SA was undertaken in an objective and consistent manner by a team of independent consultants who reached a consensus view on the sustainability of the Strategic Sites/Locations. It is noted that this approach is consistent with guidance on sustainability appraisal that is provided by the Planning Advisory Service (PAS) which recognises that using independent consultants to carry out the SA can ensure that the plan and its impacts are viewed more objectively.*

#### **4.0 Scoring**

4.1 The scoring method used must be set out clearly and include commentary explaining the reasoning behind the score, including why the level of certainty has been applied. Such reasoning must be based upon /derive from the evidence base.

#### **Council/Urban Vision Response**

*The methodology of the SA and a summary of the performance of each Strategic Location against the SA Framework are set out in each of the SA Reports. An explanation of the reasoning behind each score is provided in the appendices document. For example, the SA of the Core Strategy: Publication Document concludes that the development proposals for Pomona have the potential to have a negative impact on the objective of reducing the impact of climate change. At page 15 of the Core Strategy: Publication Document SA Appendices report (CD 6.2.3,) it is explained that the negative scoring is based on the fact that 546 residential units will be provided on this site due to an extant planning permission but that the Level 2 SFRA has demonstrated that a significant proportion of the site is at a high risk of flooding.*

4.2. The score should reflect the impact upon sustainable development WITHOUT mitigation measures and the same approach must be taken for ALL Strategic Locations, despite the level of detail that may be available at this stage.

#### **Council/Urban Vision Response**

*A consistent approach has been taken to the appraisal of all Strategic Locations. The performance of each Strategic Location against the SA objectives was appraised without mitigation measures. Scores reflect the position of the policy without mitigation measures. However as the plan has evolved these mitigation measures have been incorporated into revised versions of the policies so improving their sustainability score. Section 4.5 of the SA Report of the Core Strategy: Publication document (CD 6.2.2) provides a summary of what difference the SA process has made during each stage of the plan preparation process and provides details of mitigation measures that have been introduced. The detailed Appraisal Appendices demonstrate the improvements in the locations sustainability scores; for example in the June 2009 SA appraisal appendices (CD 6.3.12), the scores against objective S3 (which assesses transport infrastructure) for both the Trafford Centre Rectangle and Carrington Locations are negative, due to the lack of public transport in those areas,( pages 63 and 74 respectively). Mitigation comments were made seeking more public transport services. In the June 2010 Appraisal Appendices these measures were*

*incorporated into the development requirements of the Policies so the sustainability scores became positive (see CD 6.2.2, pages 33 and 41).*

- 4.3 The commentary should include mitigation measures that will prevent, reduce or offset significant adverse effects.

#### **Council/Urban Vision Response**

*Mitigation measures are documented in the SA appendices report where the SA produces negative scores. For example, the appraisal of the Trafford Centre Rectangle proposals contained within the Core Strategy: Further Consultation on the Preferred Option Report concluded that the development proposals for this location had the potential to have a detrimental impact on air quality. Accordingly, as a mitigation measure, the SA recommended that there was a need to ensure that public transport offers a viable alternative to the private car and, in particular, improve public transport services from the site to Trafford Park, the Quays and the conurbation core (see CD 6.3.13, page 6) As the iterative process of the Plan preparation evolved, those mitigation measures that were identified previously were incorporated into future revisions.*

#### **5.0 Evidence/Audit trail**

- 5.1 Show how information received during the consultation process, particularly from the statutory consultees, has affected the SA. The results of the consultation process should be clearly documented in the SA report. (The 2009 SA was incomplete in this respect.) (See Soundness Guidance 2.9 'Key Questions')

#### **Council/Urban Vision Response**

*A summary of the main comments received on the SA during the previous consultation period was incorporated within section 2.5 of the Core Strategy: Further Consultation on Preferred Option SA Report (June 2009) (CD.3.12). For example comments were received by GONW requesting an SA to be carried out on the Strategic Sites and comments from Natural England requested closer links to be made between the SA reports and the SA Scoping Report. In addition the Environment Agency requested the SA to be informed by the SFRA. The 2009 SA addressed these comments. In June 2009 only three respondents made comments on detailed scoring and none of these were statutory consultees. These were taken into consideration as appropriate in the March and June 2010 SAs (CD 6.3.23, 6.2.2).*



## Specific Revisions to Methodology adopted in the Council's Sustainability Appraisal

For ease of reference these are identified in relation to the relevant SA objectives listed in the 2009 SA Report. One step in achieving these revisions is to amend/add to the sub-objectives for the relevant objective assessment. Where it is considered that the revision of the methodology has a bearing upon assessment of the specific SA objectives the relevant SA objective(s) is indicated in brackets.

### 1. Deliverability

- 1.1 The deliverability of the sites for economic growth must be considered and given relative scoring. (2009 SA is incomplete) (EC1) (See Soundness Guidance 2.10 'Key Questions').

#### Council/Urban Vision Response

*Section 2.10 of the Planning Advisory Service's Examining Development Plan Documents: Soundness Guidance includes a series of questions to consider when assessing whether a DPD is deliverable. The questions relating to deliverability do not refer to the Sustainability Appraisal, because whilst issues regarding the viability/deliverability of the options are central to the soundness of the Core Strategy, they are outside the scope of the SA. The questions in 2.10 relating to deliverability are designed to establish whether or not the DPD in question clearly identifies the delivery mechanisms and timescales for implementation; , who is intended to implement each section of the strategy and; whether the infrastructure implications of the strategy have been clearly identified.*

*The Council has dealt with matters of deliverability within the Core Strategy Document and other supporting documentation. The role of the SA is to ensure that sustainability considerations have informed the content of the Plan. It is not intended as a site evaluation tool to assess viability of proposals. The SA reports therefore note that when undertaking the appraisal of the Strategic Locations it was necessary to assume that the proposals would be implemented in accordance with the proposed development phasing contained within the Core Strategy (see sections 3.6 of both the Core Strategy: Publication Document SA Report [June 2010] and the Core Strategy: Further Consultation on the Preferred Option SA Report [June 2009]).*

### 2. Economy

- 2.1 The assessment should reflect the net additional activity at both the sub regional and the regional level and not just activity from firms that are attracted to relocation from within Greater Manchester. (EC1)

#### Council/Urban Vision Response

*The appraisal considers the contribution that the Strategic Locations can make to both Trafford's economic performance and regional growth as reflected in the wording of the objective and sub objectives linked to EC1. For instance, the appraisal of Trafford Wharfside against EC1 notes that the Strategic Location, together with the adjacent MediaCity site could form a thriving media and knowledge based centre of international significance (see CD 6.2.2, page 23).*

- 2.2 When considering economic growth in the southern part of the borough the issues of Manchester Airport, Wythenshawe and access to a skilled labour pool should all be included in the evidence base. (EC1)

**Council/Urban Vision Response**

*The impact of cross boundary issues known at the time of appraisal on the performance of the Strategic Locations has been taken into consideration. For example, the appraisal of Trafford Wharfside recognises that the proximity of the site to Salford Quays has a positive impact of the performance of the development proposals against a number of economic objectives (see CD 6.2.2, pages 23 and 24). In addition, the appraisal of the development proposals for Davenport Green carried out in July 2010 noted that the site is well related to areas of deprivation outside the plan area, such as Wythenshawe (see CD 12.3 Appendix 8.3 comments to objective EC2 together with the appendices report of the Trafford Core Strategy: Further Sustainability Appraisal in response to the Inspector's request from the pre-examination meeting). The appraisals will however be updated to ensure that appropriate references are made to the relevant statutory plans of neighbouring authorities.*

- 2.3 Improving accessibility and removing barriers to movement should be assessed and included in the evidence base when assessing the impact. (EC2)

**Council/Urban Vision Response**

*The performance of the Strategic Locations against this objective takes into consideration not just the accessibility of the site but also the proposed measures to improve accessibility to each location. For instance, the appraisal of the development proposals for Trafford Centre Rectangle recognised that measures to enhance the accessibility of the site form an integral part of the development proposals themselves (CD 6.2.2, pages 30 – 31).*

**3.0 Infrastructure**

- 3.1 Services and facilities outside the borough boundary should be taken into account where appropriate e.g. Manchester Airport, University Hospital of South Manchester. (S2)

**Council/Urban Vision Response**

*The impact of services and facilities outside the borough on the performance of the Strategic Locations has already been taken into consideration. The appraisals will however be updated to ensure that appropriate references are made to the relevant statutory plans of neighbouring authorities.*

- 3.2 The impact of providing new infrastructure should be included in the assessment and be linked to the evidence base. (S3)

**Council/Urban Vision Response**

*In relation to SA objective S3, the performance of the Strategic Locations against this objective takes into consideration not just the accessibility of the site but also the proposed improvements to transport infrastructure for each site.*

3.3 The viability and deliverability of providing the new infrastructure should be included (S3)

**Council/Urban Vision Response**

*Issues regarding the viability/deliverability of the options are outside the scope of the SA. Notwithstanding this, the SA reports note that when undertaking the appraisal of the Strategic Locations it was necessary to assume that the proposals would be implemented in accordance with the proposed development phasing contained within the Core Strategy.*

3.4 The assessment should include the capacity of waste management/treatment facilities; forecasts of the likely quantities of waste for each strategic location during the construction and operation of the plan period; the amount of off-site waste treatment that will be needed; the number of vehicle movements that will be generated; the distance from each Strategic Location to waste management facilities. (The neutral results given in all of the SAs are not considered to be accurate.) (E5)

**Council/Urban Vision Response**

*Whilst it is considered that this level of detail is potentially more suited to an appraisal of a specific development proposal rather than a strategic allocation in a Core Strategy, it is noted that information regarding the capacity of waste management/treatment facilities; the likely quantities of waste generated during construction and operation and the amount of off-site waste treatment needed are all considered in the Greater Manchester Waste DPD, Needs Assessment (2010) as referred in paragraph 15.3 of CD 6.2.1. The neutral score is considered to be consistent with the outcomes of the Waste DPD Needs Assessment and its Waste DPD and its associated SA.*

3.5 The assessment should also address the infrastructure requirements with regard to water supply and sewage capacity – both issues are identified within the Infrastructure Plan as potential issues for several of the locations. (The neutral results given in all of the SAs are not considered to be accurate.) (E5)

**Council/Urban Vision Response**

*The issue of infrastructure requirements for each of the Strategic Locations is considered in the Trafford Infrastructure Capacity Assessment (2009). This study identifies the necessary infrastructure requirements for each Strategic Location and a contribution towards the provision of this additional utility capacity is a requirement of the development proposals for each Strategic Location. The neutral scoring is consistent with the outcomes of the LIP.*

**4.0 Cross boundary Issues**

4.1 Relevant statutory plans which may affect, or be affected by, the Core Strategy should be considered (e.g., draft Manchester Core Strategy) (SA does not address) (See (See Practical Guide to SEA, 2005, Appendix 2 and Soundness Guidance 2.10 'Key Questions')

**Council/Urban Vision Response**

*It is acknowledged that, whilst the relevant statutory plans of neighbouring authorities were used in carrying out the original appraisals, it was not always clearly documented. The new appraisal will ensure that appropriate references are made to the relevant statutory plans of neighbouring authorities.*

4.2 Services and facilities that are located outside the borough boundary but which will have a significant impact must be considered in the assessment e.g. Manchester Airport – a multi modal public transport interchange - and University Hospital of South Manchester (S2 and S3)

#### **Council/Urban Vision Response**

*The impact of services and facilities outside the borough on the performance of the Strategic Locations against the SA Framework has already been taken into consideration. For instance, the appraisal of Trafford Wharfside takes into consideration the proximity of the site to MediaCity and Salford Quays. The new appraisal will however be updated to ensure that appropriate references are made to the relevant statutory plans of neighbouring authorities and specifically takes into account more recent information, for example proposals in the Manchester Pre-Publication Core Strategy (August 2010).*

4.3 The impact of options on areas outside the borough boundary should also be considered e.g. Wythenshawe. (S5)

#### **Council/Urban Vision Response**

*The impact of the options on areas outside the borough has already been taken into consideration. For example, the appraisal of Trafford Wharfside recognises that the proximity of the site to Salford Quays has a positive impact on the performance of the development proposals against a number of economic objectives (see CD 6.2.1, pages 23 and 24). In addition, the appraisal of the development proposals for Davenport Green notes that the site is well related to areas of deprivation outside the plan area, such as Wythenshawe (see CD 12.3 Appendix 8.). The new appraisal will include appropriate references to the relevant statutory plans of neighbouring authorities.*

4.4 When considering economic growth in the southern part of the borough the issues of Manchester Airport, Wythenshawe and access to a skilled labour pool should all be included in the evidence base. (EC1)

#### **Council/Urban Vision Response**

*The impact of cross boundary issues on the performance of the Strategic Locations against the SA Framework has already been taken into consideration. For example, the appraisal of Davenport Green in July 2010 makes reference to the proximity of the site to areas of deprivation outside the plan area, such as Wythenshawe, and the public transport interchange at Manchester Airport (see CD 12.3 Appendix 8.3). The appraisals will however be updated to ensure that appropriate references are made to the relevant statutory plans of neighbouring authorities.*

## **5.0 Climate Change**

5.1 Consideration must be given to all relevant elements of climate change impacts (- Climate change impacts include consideration of emissions

generated from the built environment in relation to both construction and operation, not just transport). (E3)

**Council/Urban Vision Response**

*The assessment was based on the information available which did not include information on the predicted energy consumption during both construction and operation. This information was not provided for either the Strategic Locations or Davenport Green. Whilst it is considered that this level of detail is potentially more suited to an appraisal of a specific development proposal rather than a strategic allocation in a Core Strategy, it is considered that the SA should be amended so that the level of certainty of the proposals on objective of E3 is reduced to low and the comment column updated accordingly to explain this.*

5.2 Proper consideration should be given to the impact a site will have on the contributions to climate change (- It is unlikely that any site will have a positive impact on the contributions to climate change). (E3)

**Council/Urban Vision Response**

*The assessment was based on the information available which did not include information on the predicted energy consumption during both construction and operation. This information was not provided for either the Strategic Locations or Davenport Green. Whilst it is considered that this level of detail is potentially more suited to an appraisal of a specific development proposal rather than a strategic allocation in a Core Strategy, it is considered that the SA should be amended so that the level of certainty of the proposals on objective of E3 is reduced to low and the comment column updated accordingly to explain this.*

5.3 The impact on the contributions to climate change should be measured in a logical and meaningful manner. Ideally, objective E3 should be re-phrased to 'reduce additional contribution to/impact of Climate Change' but, at the least, a clear scoring system should be used to show how this is to be measured. (E3)

**Council/Urban Vision Response**

*It is considered that the impact on the contributions to climate change have been measured in a logical and meaningful manner. In the SA report (CD 6.2.2) the appraisal of the impact of a proposal on the contributions to climate change has considered a range of impact dimensions, including the timescale of the impact, the level of certainty of the impact, its geographic scale, permanence and whether there are any secondary, cumulative or synergistic impacts. The phrasing of the SA objectives was set out in the Council's SA Scoping Report (CD 6.4.1). They were agreed with Statutory Consultees following the necessary period of consultation and cover all the key considerations required by sustainability objectives. This approach is consistent with national guidance on both SEA (see sections 3 and 5 of A practical Guide to the Strategic Environmental Assessment Directive [ODPM, 2005]) and Sustainability Appraisal (see section 2.2.20 of Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents [ODPM, 2005]).*

5.4 The results must be linked to the evidence base, in particular the GMTU modelling, and be assessed in a consistent manner. (E1)

### **Council/Urban Vision Response**

*It is acknowledged that, whilst the evidence base documents were used in carrying out the original appraisals, they are not always clearly referenced. The appraisal will be updated to ensure it incorporates relevant references to the evidence base documents.*

5.5 The findings of the SFRA should be used to assess the significance of impacts. Consequential changes to the scoring should be made in this regard. (The results given in the SAs are not considered to be accurate or to reflect/represent the evidence base.) (E4)

### **Council/Urban Vision Response**

*The SA of the Core Strategy: Further Consultation on the Preferred Option Report (June 2009) (CD 6.3.12) states in section 3.6 that there was uncertainty over the impact of some of the proposals on flood risk and adapting to climate change due to the Level 2/Hybrid SFRA having not been completed. The Level 2 SFRA was finalised in February 2010 and the findings of this study were used to assess the performance of the Strategic Locations against objective E4 in the sustainability appraisals of both the Core Strategy: Further Consultation on the Vision, Strategic Objectives and Delivery Strategy Report (March 2010)(CD 6.3.23) and the Core Strategy: Publication Document (June 2010) (CD 6.2.2). One of the key changes as a result of the SFRA findings is detailed in SL1 Pomona ( CD 6.2.1)*

5.6 Contaminated land matters and water table levels should be considered when proposing the use of SUDS. The application of SUDS may be limited in areas where contamination and water table levels are high - scoring should be reviewed accordingly. (E4)

### **Council/Urban Vision Response**

*The development proposals for the Strategic Locations do not make specific reference to the use of SUDS. As such, the Strategic Locations were appraised with the assumption that SUDS would not be incorporated within the proposed development. Where it was considered that the development proposals would have a negative impact on objective E4, due to the level of flood risk at the Strategic Location, the SA noted that in terms of mitigation Core Strategy policy L5 would ensure that appropriate measures to reduce the risk of flooding. These mitigation measures may or may not include the use of SUDS, depending on a range of factors including the appropriateness of SUDS on the particular site, however the suitability of the site for SUDS would not affect the performance of the Strategic Location against objective E4.*

## **6.0 Contamination**

6.1 The impact of contaminated land must be assessed as part of this objective. (The Land Contamination Prioritisation Study was not published or included in the Council's list of key documents. It is not clear that it has been taken into account in the 2009 SA). The findings of this study (if it exists) are likely to have significant implications for the viability and deliverability of development in several locations. (E6)

### **Council/Urban Vision Response**

*In February 2008, the Council's Environmental Protection team began an audit of known contamination in the Borough however the, previously referred to, "Land Contamination Prioritisation Study" was not in fact produced. The issue of land contamination was however taken into account during the appraisal of the Strategic Locations against objective E6. For example, the appraisal of both Pomona and Trafford Wharfside notes that the previous industrial uses of the sites are likely to have resulted in ground contamination and that the development proposals provide the opportunity to tackle this contamination (see CD 6.2.3, pages 16 and 23).*

*The role of the SA is to ensure that sustainability considerations have informed the content of the Plan. It is not intended as a site evaluation tool to assess the viability of proposals. Issues regarding the viability of the options are outside the scope of the SA and the SA reports therefore note that when undertaking the appraisal of the Strategic Locations it was necessary to assume that the proposals would be implemented in accordance with the proposed development phasing contained within the Core Strategy (see sections 3.6 of both the Core Strategy: Publication Document SA Report [June 2010] and the Core Strategy: Further Consultation on the Preferred Option SA Report [June 2009]).*

### **7.0 Air Quality**

7.1 The Guidance on Air Quality and Planning provided by Environmental Protection UK should be followed including the significance of any increase in emissions of local air pollutants and greenhouse gasses and any proposed mitigation measures. (E8)

### **Council/Urban Vision Response**

*The impact of proposals on greenhouse gas emissions is considered through the assessment of the proposals against SA objective E3. The potential implications of development proposals on air quality have been assessed and where these are considered to be negative mitigation measures have been recommended. For example, the appraisal of the Trafford Centre Rectangle proposals contained within the Core Strategy: Further Consultation on the Preferred Option Report concluded that the development proposals for this location had the potential to have a detrimental impact on air quality. Accordingly, as a mitigation measure, the SA recommended that there was a need to ensure that public transport offers a viable alternative to the private car and, in particular, improve public transport services from the site to Trafford Park, the Quays and the conurbation core (see CD 6.3.13, page). This was addressed in later versions of the Core Strategy which incorporated a development requirement in SL4 for significant improvements to public transport infrastructure including an integrated frequent public transit system.*

7.2 The assessment should be based on evidence and include consideration of journey times, catchment areas and existing levels of pollution. (E8)

**Council/Urban Vision Response**

*The impact of the proposals on existing levels of congestion has been considered using the Trafford Transport Impacts of LDF report (CD 8.6.3) For example, the appraisal of the proposals for both Trafford Wharfside and LCCC area make reference to the potential for these proposals to exacerbate existing congestion (see CD 6.2.2, pages 21 and 28). Existing levels of pollution, and specifically Air Quality Management Areas, have been considered. For instance, the SA of the LCCC Area and Trafford Centre Rectangle proposals in the Core Strategy: Publication Document includes a specific reference to the proximity of the sites to Air Quality Management Areas and the potential for the development proposals to have an adverse impact on air quality (see CD 6.2.2, pages 29 and 38).*

7.3 An assessment of the Core Strategy Core Policies will also need to be undertaken to reflect the findings of the SA of the strategic locations. The assessment should be linked to evidence and be consistent with the SA of the Strategic Locations. Where mitigation measures are being proposed through the Core Policies it would be helpful if these measures were reflected in the mitigation measures in the SA of the Strategic Locations.

7.4 Once the SA has been undertaken it will be necessary to review the Core Strategy policies to see if any changes need to be made in light of the results.

**Council/Urban Vision Response**

*This has already been undertaken and, as evidenced by the SA Report of the Core Strategy Publication document (CD 6.2.2), a clear improvement in the emerging strategy's performance against the sustainability objectives can be identified. It is therefore considered that it is not necessary to review the Core Policies.*



**LEGAL SERVICES**

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Director of Legal and Democratic  
Services John Scarborough, Solicitor

**Oliver Goodwin**  
**Squire, Sanders & Dempsey (UK) LLP**  
**7 Devonshire Square**  
**London**  
**EC2M 4YH**

Our ref:JL  
Your ref:OG2/JLJ/ROY.317-0001

Date:9 February 2011

Dear Oliver

**Re: Core Strategy – RLAM Davenport Green**

I thank you for your letter of 9 February 2011 and note your concerns.

The Council is concerned to ensure that the further SA work meets the Inspector's requirements, and agrees that in order to achieve that and to reduce areas of dispute, we should endeavour to reach agreement with you with regard to the methodology for the SA.

Your letter appears to imply that the Council has proceeded with no regard to the Inspector's wishes and that we are intending to publish the further SA without further reference to yourselves.

This is not the case. Given the limited time which is available to complete this new piece of work, the Council did approach Urban Vision on 27 January 2011 to alert them to the fact that this further work would be required and to discuss the timing available. At the same time we did seek your views as to the way in which the SA should be presented. Your detailed proposals as the methodology for the further SA were received on 1/2/11 and we advised you on 4/2/11 that we were considering these with our consultants, and would respond. Given the detailed suggestions which had been made, it was necessary for us to consider these with Urban Vision in order to decide whether the proposals could be agreed, or if not, why such proposals were not considered appropriate.

We have now received Urban Vision's comments, from which it would appear that, with regard to the majority of the proposals, we are either able to agree the proposals or can demonstrate that they have already been met. We will be forwarding a full response identifying areas of agreement as soon as possible. The response will also be appended to the new SA so that it will be publicly available.

Clearly the Council is concerned to ensure that it aids the examination process and meets the Inspectors wishes in this regard. We have proceeded on the above basis simply in order to ensure that the issue can be addressed effectively and within the limited time available,

whilst at the same time being able to reflect your client's concerns with regard to the methodology and soundness of the SA process.

We are sending a copy of this letter to the Inspector.

Yours sincerely

**Jane Le Fevre**  
**Head of Legal Services**

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Dr Shelagh Bussey  
Inspector  
c/o Programme Officer  
Trafford Council  
First Floor  
Waterside House  
Sale  
Waterside  
Sale M33 7ZF

Our ref **OG2/JAL/ROY.317-0001**

Your ref

Date **10 February 2011**

Dear Dr Bussey

**Trafford Borough Council Core Strategy  
RLAM – Davenport Green**

Further to my letter of yesterday, I enclose a further copy of a letter I have today written to the Council's solicitor, together with a copy of my email of today to the Council's planning officer. I thought you should be made aware of their contents at the earliest opportunity.

Yours sincerely

Oliver Goodwin  
Partner  
for and on behalf of Squire, Sanders & Dempsey (UK) LLP

Enc

Copy: Gareth Dickinson, RLAM  
Copy: Charles Gardner, Carter Jonas

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Ground Floor, Room 32  
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Manchester M32 0TH

Our ref OG2/JAL/ROY.317-0001

Your ref

Date 10 February 2011

Dear Jane

### **Core Strategy – RLAM Davenport Green**

Thank you for your letter of yesterday.

I am writing separately to Clare in response to her email of yesterday and to Urban Vision's response to our proposed methodology for the SA, which was attached. Additionally, I would like to respond to a number of the points set out in your letter, and I set these out below.

With regard to your second paragraph, thank you for confirming that the Council should endeavour to reach agreement with us regarding the methodology for the SA. The correspondence which led to me writing to you yesterday, however, does not reflect that approach.

With regard to your third paragraph, we do assert that the Council has not sought to agree methodology with RLAM before undertaking the SA work, as encouraged by the Inspector and as noted as agreed by the Council in the Inspector's notes of the Pre-hearing meeting.

With reference to the second part of your paragraph 3, and your note of the chronology of events in paragraph 4, we comment as follows: It appears to us from Clare's email to me of 4<sup>th</sup> February that the Council did intend for the SA work to be completed without further reference to ourselves. Hence my email to Clare of the same date seeking clarification, to which we only received a response yesterday after I had sent my letter to you. Clare did say to me, when we spoke on 8 February, in response to my question as to when we would next see any material from the Council, that this would be the SA itself which the Council intended to publish on Wednesday night or Thursday, for consultation until the 24<sup>th</sup>.

Clare did not give any indication, either in her email of 4<sup>th</sup> February, or when she and I spoke on 8<sup>th</sup> February, or in her first email to me of yesterday, that Urban Vision were preparing or had prepared a response to our proposals for methodology of 1<sup>st</sup> February and that these would be provided to us prior to publication of the SA. On the contrary, as noted above, Clare stated on Tuesday 8<sup>th</sup> that the next information that we would receive would be formal publication of the SA on either yesterday or today.

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Jane Le Fevre  
Trafford Borough Council  
10 February 2011

With regard to your fifth paragraph, I have responded to Clare separately regarding Urban Vision's response, and the tenor of my response is that we are not satisfied that our proposals have been adopted and accepted, or concerns allayed.

With regard to your sixth paragraph, reference is made to the limited time available in the context of the soundness of the SA process. At the Pre-hearing meeting, the Council was asked by the Inspector to advise how long it would take to agree methodology and carry out a further SA. The Council informed the Inspector, both at the meeting and on the 27<sup>th</sup>, that it anticipated that the SA could be agreed, completed and published by Friday 4<sup>th</sup> February (some 6 working days). The view of our specialist advisors on SAs, JAM, is that a new complete 2009 appraisal (Clare's email of 27<sup>th</sup> January refers) using appropriate methodology would be unlikely to be capable of being achieved within that period. The desire to accommodate the timetable for the Core Strategy determination is a proper aim, but, if it is suggested that this is a valid reason for not seeking to agree methodology with us, or for making some sacrifices to the soundness of the SA, then this is not accepted.

Please note that I am also sending a copy of this letter to the Inspector.

Yours sincerely



Oliver Goodwin  
Partner  
For Squire, Sanders & Dempsey (UK) LLP

10\_Email\_10\_2\_11\_OG\_RLAM\_SA

From: Goodwin, Oliver [oliver.goodwin@ssd.com]  
Sent: 10 February 2011 16:54  
To: Taylor-Russell, Clare; Haslam, Rob  
Cc: Le Fevre, Jane; Programme Officer (A); Gardner, Charles; Osborne, Elizabeth  
Subject: Trafford CS ; RLAM SA

Dear Clare

Thank you for your email of yesterday attaching a response to our proposals for methodology for the additional SA, and for your email today regarding timing. I have been able to obtain the views of our consultants on SA, JAM. We are not satisfied, from the material presented, that our key points have been taken on board and addressed, or that the further SA will be found to be sound.

The difficulties you raise now in relation to timing arise firstly, we suggest, by the Council advising the Inspector, presumably on the advice on Urban Vision, that the new complete 2009 appraisal could be undertaken by 4th February, i.e. in 6 working days including allowing time for the methodology to be agreed. We doubt that an SA using proper methodology could be carried out in this period. Secondly, by not seeking to agree the methodology with RLAM at the outset and by choosing to present this detailed response as late as yesterday, after the SA has been completed, this can only result in delay if addressed.

If the Council wishes to agree the methodology with RLAM now, I suggest the most expeditious way to deal with this would be for JAM to meet with Urban Vision (as originally offered by ourselves) properly to understand each other's approaches and decide whether the further SA requires revisions. Clearly this has implications for the timetable.

If, as indicated in recent correspondence, the Council remains committed to sticking to the timetable it has volunteered, the appropriate course will be for RLAM now to review the further SA on publication tomorrow, and understand fully the methodology has been adopted provide our response during the formal consultation period.

Please do not hesitate to contact me if you wish to discuss.

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11\_Email\_11\_2\_11\_RH\_RLAM\_SA

From: Haslam, Rob  
Sent: 11 February 2011 10:48  
To: 'Goodwin, Oliver'; Taylor-Russell, Clare  
Cc: Le Fevre, Jane; Programme Officer (A); Gardner, Charles; Osborne, Elizabeth; Smith, Dennis  
Subject: RE: Trafford CS ; RLAM SA

Oliver,

Further to yesterday's email, I can confirm that today the Council will publish its further review of the Sustainability Appraisal (CD12.37.3). By doing this it provides sufficient opportunity for consultation ahead of the Hearing Sessions, as requested by the Inspector.

As part of this process we instructed Urban Vision to consider all the points raised by RLAM and take on board those that were considered reasonable, and that would reflect the new information submitted in November 2010. The detailed response that we provided to you, covering all the points raised by your consultants, will be included as an appendix to this consultation material (in document CD 12.39.2).

As part of this additional consultation, we understand that you will consider the revised Sustainability Appraisal and the detailed response to JAM's methodology proposals. But, if you see merit, we are willing to meet with your consultants (JAM) ahead of the Hearing sessions to discuss the process undertaken, and explore any opportunity to produce a statement of common ground that could be presented to aid the Inspector at the Hearings.

Regards,

Rob Haslam

Principal Planning Officer (Strategic Planning) Strategic Planning & Developments  
Trafford Council

Tel: 0161 912 4788  
Fax: 0161 912 3128

-----Original Message-----

From: Goodwin, Oliver [mailto:oliver.goodwin@ssd.com]  
Sent: 10 February 2011 16:54  
To: Taylor-Russell, Clare; Haslam, Rob  
Cc: Le Fevre, Jane; Programme Officer (A); Gardner, Charles; Osborne, Elizabeth  
Subject: Trafford CS ; RLAM SA

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If, as indicated in recent correspondence, the Council remains committed to sticking to the timetable it has volunteered, the appropriate course will be for RLAM now to review the further SA on publication tomorrow, and understand fully the methodology has been adopted provide our response during the formal consultation period.

Please do not hesitate to contact me if you wish to discuss.

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12\_Email\_11\_2\_11\_OG\_RLAM\_SA

From: Goodwin, Oliver [oliver.goodwin@ssd.com]  
Sent: 11 February 2011 16:58  
To: Haslam, Rob; Taylor-Russell, Clare  
Cc: Le Fevre, Jane; Programme Officer (A); Gardner, Charles; Osborne, Elizabeth; Smith, Dennis; Jane Mulcahey; Ian McDonald  
Subject: Trafford CS ; RLAM SA [I-L.FID988286]

Dear Rob,

Thank you for your email of this morning. To confirm our conversation of this afternoon, we welcome the opportunity of a meeting for the purposes you set out. Any way in which we can collectively reduce the need for debate and time spent at the Examination will be time well spent. The first day on which Jane Mulcahey of JAM has availability is next Friday 18th.

I did make the point when we spoke that if our offer of a meeting had been accepted at the outset before the new SA was done, this would have been by far the best way of reaching agreement and reducing the areas of difference. We do have some logistical difficulties on Friday 18th, and you are considering our request in these circumstances that the meeting be held in London.

I look forward to hearing from you once you have checked the availability of your team. Do not hesitate to contact me in the meantime to discuss.

Kind regards

Oliver Goodwin  
Head of Planning (London)  
oliver.goodwin@ssd.com

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-----Original Message-----

From: Haslam, Rob [mailto:Rob.Haslam@trafford.gov.uk]

Sent: 11 February 2011 10:48

To: Goodwin, Oliver; Taylor-Russell, Clare

Cc: Le Fevre, Jane; Programme Officer (A); Gardner, Charles; Osborne, Elizabeth; Smith, Dennis

Subject: RE: Trafford CS ; RLAM SA

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Regards,

Rob Haslam

Principal Planning Officer (Strategic Planning) Strategic Planning & Developments  
Trafford Council

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-----Original Message-----

From: Goodwin, Oliver [mailto:oliver.goodwin@ssd.com]

Sent: 10 February 2011 16:54

To: Taylor-Russell, Clare; Haslam, Rob

Cc: Le Fevre, Jane; Programme Officer (A); Gardner, Charles; Osborne, Elizabeth

Subject: Trafford CS ; RLAM SA

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Please do not hesitate to contact me if you wish to discuss.

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**Oliver Goodwin**  
**Squire, Sanders and Dempsey (UK) LLP**  
**7 Devonshire Square**  
**London**  
**EC2M 4YH**

Our ref:JL/CS  
Your ref:OG2/JLJ/ROY.317-0001

Date:18 February 2011

Dear Oliver

**Re: Core Strategy – RLAM Davenport Green**

I write further to your letter of 9 February and to the various e-mails which have passed between the Council and yourself since that date.

I apologise for any confusion which may have arisen during your earlier correspondence with Clare with regard to the steps taken to ensure that the SA work reflected, as far as was considered reasonable, the representations made by JAM as to the methodology to be adopted.

In your letter you indicate that you have concerns that the Council may have proceeded on the basis that it was more important to accommodate the timetable for the Core Strategy Examination than to seek agreement with your clients as to the methodology for the SA, and suggest that the Council may be making some sacrifices to the soundness of the SA. I would like to reassure you that the Council officers have not proceeded as they have with regard to the further SA simply to ensure that the SA can be provided and the Core Strategy examination timetable maintained, but did so believing that the steps they were taking would also ensure that regard could be had to your clients' views on the methodology and these could be agreed and would therefore inform the further SA. Furthermore, we would not be proceeding as we have if we considered that there was any risk to the soundness of the SA.

However, I am aware that a meeting has been arranged between Council officers, together with a representative from the Council's advisers, Urban Vision and representatives for your client and JAM to consider matters relating to the methodology for the SA. Hopefully this will enable any outstanding areas of concern with regard to the methodology to be addressed, and for a statement of Common Ground to be agreed in this regard.

It was unclear when I spoke with Clare and Rob yesterday whether you or a representative of your firm would also be in attendance. Unfortunately, it was not possible for me to attend the meeting today, but I understand that, notwithstanding the possible attendance of legal representatives on behalf of your client, the meeting is to proceed 'off the record', and that it should proceed without prejudice to the Council's consistent position that the SA work carried



out to date is sufficient and accords with the regulations and that the Council is therefore confident with regard to the soundness of its Plan.

A copy of this letter has been forwarded to the Inspector.

Kind regards  
Yours sincerely

**Jane Le Fevre**  
**Head of Legal Services**

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Our ref OG2/JLJ/ROY.317-0001

Your ref

Date 22 February 2011

Dear Jane

**Core Strategy – RLAM Davenport Green**

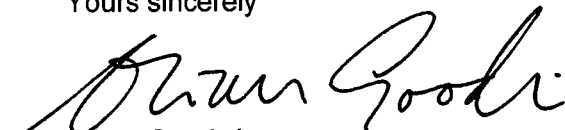
Thank you for your letter of 18 February, the contents of which are noted. As you are aware, the meeting was held on Friday 18 February on the basis as you set out, with the aim of producing a statement identifying areas of common ground regarding the methodology for the Sustainability Appraisal, in order to assist the Inspector.

I should make one point of clarification in relation to the contents of your fourth paragraph. Neither RLAM's representatives nor the Council's officers and advisers, Urban Vision, had any expectation that the meeting would enable all, or even many, areas of concern to be addressed in relation to the methodology. This was inevitable because the meeting took place after the Sustainability Appraisal was finished and published, therefore not providing any opportunity for any suggested changes to be incorporated in the process.

A copy of this letter is being sent to the Inspector.

Kind regards

Yours sincerely



Oliver Goodwin

Partner

for and on behalf of Squire, Sanders & Dempsey (UK) LLP

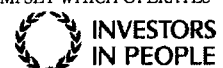
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Our ref OG2/JAL/ROY.317-0001

Your ref

Date 22 February 2011

Dear Jane

**Core Strategy - Royal London Asset Management ("RLAM"), Davenport Green ("DG")**

We have been instructed by our client, RLAM, to write at this stage to summarise our position and to make a proposal, as follows:

- 1 Unsoundness of the Sustainability Appraisal ("SA") in its recent latest form;
- 2 Proposal to remedy the SA;
- 3 Unsoundness of the Core Strategy ("CS");
- 1 **Unsoundness of the SA, including the two reiterations of February 2011.**

We wrote to the (then) Deputy Chief Executive, Dr. Gary Pickering, in June 2010 setting out the main flaws in the process. This summarised the advice of Leading Counsel Mr Martin Kingston QC, Head of No. 5 Chambers, and his conclusion that the process would "end in legal proceedings and the quashing of all or a very substantial part of the Core Strategy". We offered to identify steps to redress the situation. (A copy of our letter of 23 June is attached for reference).

Following the letter of 23 June members of the RLAM team met with senior planning and legal officers of the Council who requested our outline of steps to make the SA sound. A copy of our note on steps to restore soundness to the SA and CS is attached for reference. The Council chose not to take these steps.

The flaws in the SA process are so fundamental and so self evident that the Inspector has raised them as a key issue in advance of the Examination itself. The Inspector at the Pre-Examination meeting on 25 January 2011 expressed concern on the transparency of the SA and commented that there could be legitimate complaint of retro-fitting. The Inspector asked the Council whether it was confident that the process would withstand a legal challenge. The Council answered in the affirmative. The Inspector invited the Council to

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Jane Le Fevre  
Trafford Borough Council  
22 February 2011

consider carrying out a further SA. The Council, having taken time to consider whether the process it had pursued was sound, on reflection decided to carry out a further SA. This all demonstrates that our concerns were well founded.

The Inspector invited the Council, and formally noted that the Council agreed, to discuss and seek to agree the methodology for the further SA with RLAM. The Council failed to do so before carrying out the SA, with the unfortunate but inevitable result that it repeats the flaws we have identified previously.

It is our submission that the re-running of aspects of the SA process in this way cannot "turn back the clock" and correct the fundamental flaws with the SA which have been identified, to bring the result that the Core Strategy has been prepared in a sound and lawful manner.

The attempts to re-run the SA at this stage, without reconsidering the implications for the Core Strategy, fail to address the basic principle that the SA process contributes to, informs and guides the Core Strategy in an iterative process. The process of attempting to "retro-fit" the SA into the Core Strategy – which is what we contend has occurred – is unsound and is not legally compliant. This, together with the Council's recent responses in its Topic Papers, serves only to highlight the flawed process.

Further, the continued absence of a full and detailed SA of the policy proposal to amend the Green Belt boundary is a fundamental flaw which has not been, and cannot be, corrected at this stage.

For the avoidance of doubt RLAM will, through its specialist consultants on the SA, JAM, be submitting representations on the two SA exercises within the formal consultation process by 24 February. This letter does not form part of that submission.

## **2 Proposal to remedy the SA**

We strongly urge the Council to take this opportunity to reconsider as a matter of utmost urgency its position in relation to the SA process and to decide to undertake the further steps which we have identified as necessary in order for the SA to be judged "sound". In summary:

- Immediately to undertake a fresh comprehensive SA with sufficient evidence base and adopting correct methodology in accordance with guidance as we have set out;
- To advise the Inspector of the Council's position, ideally in advance of the first day of the Examination on next Monday 28 February, in the interests of good administration;
- To reconsider the CS policies in light of the outcome of the new SA;
- To request the Inspector to adjourn the public Examination to a fixed date, we would suggest in six months, to enable that process to be carried out.

Jane Le Fevre  
Trafford Borough Council  
22 February 2011

Whilst this will, we recognise, result in some delay to the adoption of the CS, we feel bound to point out that our client has received consistent advice from Leading Counsel, as referred to above, and now from Mr Neil King QC, Head of Landmark Chambers, that the CS is unsound, for the reasons we have put forward on a number of occasions. For convenience we summarise the main points again below.

### **3 Unsoundness of the Core Strategy**

The Core Strategy is unsound on a number of separate and distinct grounds:

- Policy R4 – the Green Belt extension at DG – no evidence to support;
- The economic policies are not effective: they are not capable of delivering the key economic aims. The Strategic Locations relied upon by the policies are unlikely to be deliverable in the manner anticipated by the CS and will not be effective in meeting development needs;
- Even if deliverable, the economic policies are not effective for the achievement of the Objectives and Vision of the CS to contribute to the growth of the economy of the sub-region;
- The Vision and Objectives in the CS are inconsistent with the Sustainable Community Strategy, contrary to guidance;
- The CS fails to have regard to cross border issues and emerging policies in neighbouring authorities, contrary to guidance;
- The CS is unsound because it is built upon and relies upon an unsound SA.

Unsoundness, as we have made clear above, has not been cured by the recent SA process. If the Council chooses not to take the steps outlined in section 2 above, the consequence of this is that we will be inviting the Inspector to make a finding of unsoundness. Alternatively, in the (we think unlikely) event that she finds the Core Strategy to be sound, then as presently advised, albeit subject to consideration of the Inspector's reasoning, it is likely that our client will wish to make a legal challenge to the adoption of the Core Strategy under section 113 of the 2004 Act.

We would respectfully suggest that it would be far better, from the Council's point of view as well as that of our client, to grasp the nettle now and work towards the presentation of a sound Core Strategy at Examination later this year.

You will see that we have not copied this letter to the Inspector as we do not consider it necessary to do so at this stage.

Jane Le Fevre  
Trafford Borough Council  
22 February 2011

We would welcome an urgent response to the contents of this letter.

Yours sincerely



Oliver Goodwin  
Partner  
For Squire, Sanders & Dempsey (UK) LLP

Enc.

Copy: Matthew Colledge

# Hammonds

By Email and Special Delivery

Dr Gary Pickering  
Deputy Chief Executive  
Trafford Council  
Town Hall  
Talbot Road  
Stretford  
Manchester M32 0TH

Our ref OG2/SR

Your ref

Date 23 June 2010

Dear Dr Pickering

## **Royal London Asset Management: Davenport Green**

In your meeting on 20<sup>th</sup> May with Gareth Dickinson of RLAM and Charles Gardner of Carter Jonas about Davenport Green, it was clear that a follow up dialogue was to be facilitated between Dennis Smith and Ian McDonald of SPA before the meeting of the Executive on 28 June. This was to have examined, primarily, a constructive way forward as regards Davenport Green's status within the Council's Core Strategy. Unfortunately, it has transpired that, despite efforts on behalf of RLAM, it has not been possible to hold a meaningful dialogue ahead of 28 June.

In these circumstances, we find it necessary to write to you to explain our position. We address the lawfulness and "soundness" of the draft Core Strategy and the consequences for significant delay of Adoption of the Core Strategy if these matters are not addressed. We wish to continue to engage in dialogue with the Council to find a constructive way forwards and to discuss how to successfully address these issues.

The issues as to soundness are summarised, as you know, in our representations of 30<sup>th</sup> April. As these matters go to the heart of the issue of appropriateness of changes to the Green Belt boundary and selection of strategic sites/locations, we consider it is important that Trafford's officers and members fully understand the significance and strength of the points we are raising, and the implications for major delay of the Core Strategy process.

Since your meeting, RLAM have obtained the advice of leading planning counsel selected specifically for his extensive experience engaged in the development plan process. His conclusions are if anything more emphatic than those of the RLAM team. We very briefly summarise those views below and we ask that these are reported to the Executive on 28<sup>th</sup> June;

- 1 The Council has not conducted its processes in the preparation of its Core Strategy in a sound and lawful manner, as a result of which it is fundamentally flawed. The Council has started from a position whereby the Davenport Green development site is in the Green Belt when, clearly and unarguably, it is not. Subsequently (presumably when this error was noticed) the Council presumed that the land could be put back into the Green Belt without further explanation or justification and proceeded with its Core Strategy on this assumption. It has not as a result prosecuted the process of deciding the future of

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Dr Gary Pickering  
23 June 2010

- Davenport Green on the basis of an appropriate evidence base or in an appropriately iterative manner, either in respect of the Sustainability Appraisal or the Core Strategy;
- 2 In relation to the proposal to re-draw the Green Belt boundary and extend it, Government Policy in PPS2 requires that "exceptional circumstances" be demonstrated (PPS2, para 2.6, 2.7). This is explained by case law in the High Court (*Carpets of Worth Limited -v- Wyre Forest District Council* [1991] 2 PLR 84).
  - 3 The exceptional circumstances which led to the exclusion of land from the Green Belt focused on the overriding economic need for Trafford and the city region to secure the type of investment and jobs proposed at Davenport Green. The Council has not begun to address itself to the right question in relation to exceptional circumstances; there is no evidence base to support the approach adopted. Representations submitted on behalf of RLAM conclude with evidence that the economic need is as strong as when the UDP was originally Adopted in 1996, and indeed when reviewed and confirmed in 2006.
  - 4 The Council has made a series of fundamental errors in its approach to Sustainability Appraisal (SA). The requirements for the SA process are clearly set out in law and in Government Guidance. The SA process is intended to contribute as part of an iterative process in a very real way to inform and guide the formulation of the Local Development Documents, in this case the Core Strategy.
  - 5 RLAM have retained the services of JAM Consult Limited, experts in the preparation of SAs, and we attach a summary note of their findings in relation to the Council's SA process. JAM's findings lead to the conclusion that the way in which the Council has misdirected itself on the approach to SA, and the way the SA has been carried out, results in a position that the SA process itself is unsound. This has inevitably tainted the contents of the Core Strategy, with the result that it too is unsound and unlawful. To pick one example, the SA report of June 2009, when addressing Davenport Green, refers to "the loss of a significant area of natural environment of rural character in the Green Belt". This reveals that the assessors and authors of the report fundamentally misdirected themselves, as the site is not in the Green Belt, with the consequence that the judgements made and the conclusions drawn will inevitably be wrong.
  - 6 Leading counsel's conclusion is that if the Council continues to progress the Core Strategy without addressing these issues now, then it is at risk of spending a great deal of time and money taking the documents through the process of submission to the Secretary of State and debating them through the Independent Examination before an Inspector, and ultimately ending in legal proceedings and the quashing of all or a very substantial part of the Core Strategy.

The RLAM team, having identified the major flaws, has also identified steps which need to be taken to redress the situation and place the Core Strategy back on track. If carried out now we estimate that the work will take a matter of a few months. If, however, the Council continues on its



Dr Gary Pickering  
23 June 2010

current path, the problems and delays for the Core Strategy as outlined above will result in delays well in excess of a year in our estimation.

We wish to have a dialogue with officers about these important issues and discuss constructive ways in which Davenport Green may be included in the Core Strategy. We have clear proposals as to how these issues may be overcome. We would be very happy to meet officers between the meeting of the Executive on 28<sup>th</sup> June and the Full Council meeting on 14<sup>th</sup> July. If it would be helpful for you to have a note of our thoughts on this in advance of a meeting, we would be happy to send this to you.

In view of the implications of the contents of this letter for the content and timing of the Core Strategy, we ask for your confirmation that you will bring the contents of this letter to the attention of the Executive Members who are due to meet on 28 June. You will see that we are sending a copy of this letter to the Leader of the Council, as a matter of courtesy.

Yours sincerely



Oliver Goodwin  
Head of Planning (London)  
Hammonds LLP

Cc Mr M Colledge, Leader of the Council (by post only)

Attachment: Initial Review of Trafford Council's Sustainability Appraisal of the Core Strategy, JAM Consult Limited, June 2010

## RESTORING SOUNDNESS TO THE TBC CORE STRATEGY

### 1 SUSTAINABILITY APPRAISAL

In order to rectify the failings of the Core Strategy, particularly in relation to the Sustainability Appraisal, the following steps would need to be taken:

- Assess the Key Spatial Objectives of the Core Strategy against the Sustainability Objectives to ensure that the objectives are compatible and identify any areas of incompatibility that may need to be considered in the plan making process
- Reassess the options using a consistent method of appraisal and accurate baseline data i.e. Davenport Green is not within the Green Belt
- Ensure that the assessment uses the sustainability indicators identified within the SA framework as set out in the Scoping Report
- Where adverse impacts are identified appropriate mitigation measures should be considered for **all** sites to ensure that the appraisal is consistent in its approach
- The viability and deliverability of options should be included within the SA and be supported by evidence
- If changes to the Green Belt boundary are proposed then the 'exceptional circumstances' for such a change should be demonstrated within the Core Strategy (as required by PPG2) and the options should include an appraisal of Davenport Green both outside and within the Green Belt boundary. The impacts of the site upon sustainability can then be shown clearly with an appropriate audit trail.
- The decisions taken between competing alternatives must be clearly documented, including the reasons for selection or rejection

### 2 THE EVIDENCE BASE AND DELIVERY STRATEGY FOR ECONOMIC DEVELOPMENT

In order to make the essential functional link between the delivery strategy, the vision and strategic objectives e.g. SO3 the Council should have examined at least the following:

- How has Trafford performed in recent years in terms of, for example, "contributing to the growth of the economy of the sub-region and attracting and retaining employment opportunities"? What are the economic development needs and opportunities of the sub-region?
- How have Trafford Park and the sites identified in the Core Strategy as strategic locations performed in the same terms?
- What are the requirements of firms which represent potential sources of growth and inward investment in jobs? What are the patterns of change affecting the types of business investment for which Trafford might be competitive?
- What are the relative advantages and disadvantages of different parts of the Borough for different types of investment in employment, taking account of cross-

boundary issues such as the labour supply in adjoining areas, access to motorways and proximity to the airport?

- What is the locational and property offer being put forward by the towns and cities with which Trafford competes for investment and employment opportunities?
- Does the Trafford property offer need to be improved in order to make it competitive in the above context? If so, how can this be achieved?
- What scale of infrastructure investment has been made in Trafford Park and Carrington in the last ten years and what realistically might be expected in the lifetime of the Core Strategy? Is that scale likely to deliver the quality of property offer that is needed in the context of the preceding questions?

### **3 ALTERATION OF THE GREEN BELT BOUNDARY**

- The local authority must, in order to satisfy the test in PPG2 para 2.6, demonstrate, not simply assert, that the balance between the following key factors is now different from when the UDP Inspector in 1996 addressed that balance and proposed Davenport Green as a High Amenity Employment Site, and removed the development area from the Green Belt:
  - the need arguments surrounding high amenity employment in Trafford and the sub-region;
  - damage to the purposes of the Green Belt as set out in PPG2 para 1.5.
- It is incumbent upon the Local Authority to demonstrate that the current Green belt boundary is no longer logical or defensible in the terms identified by the UDP Inspector.
- The Local Authority need to demonstrate that the benefits of the Rural Park as identified by the UDP Inspector no longer pertain to the same degree or at all.
- The Local Authority need to demonstrate why it cannot remain the case that development will not harm the visual amenities of the green belt, as found by the Inspector, and moreover demonstrate that, in the absence of Davenport Green development, the Green belt amenity will not deteriorate.

# **Statement of Agreement Between Representatives from JAM and Urban Vision In respect of Davenport Green and the Trafford Core Strategy Sustainability Appraisal**

**Arising from Meeting with RLAM and Trafford Council Representatives on 18<sup>th</sup> February 2011**

**RLAM and the Council agree the following point:**

**Item 4, page 7, of the Council's Response to JAM Methodology of 9<sup>th</sup> February 2011**

## **Cross boundary Issues**

It is agreed that, whilst the relevant statutory plans of neighbouring authorities were used in carrying out the original appraisals, it was not always clearly documented. The Council confirms that the new appraisal will ensure that appropriate references are made to the relevant statutory plans of neighbouring authorities.