

## **TRAFFORD CORE STRATEGY**

### **Comments invited on 10 October 2011 on changes to CD12.4, CD12.104.1 and CD12.104.2**

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### **Additional Comments on Trafford Core Strategy 23 October 2011**

#### **Background**

These comments are provided in response to the written invitation issued by the Programme Officer on 10 October 2011 and an advertisement placed on page 41 of the Manchester Evening News on 7 October 2011 (CD12.105) by Trafford Council.

It addresses the outcome of the Hearing Sessions held on 28 and 29 September 2011, in which Trafford Council announced that it would be consulting upon;

1. "A report that summarises the stages of the sustainability appraisal process for the Core Strategy with particular reference to the changes post submission;
2. All suggested additions to the 'living changes document' CD12.4 made since the hearings held in May 2011. For the avoidance of doubt, this refers to all those changes numbered S300.46 onwards."

#### **Introduction**

Taking these points in turn, first, it will be apparent to the Inspector that the report that summarises the stages of the Sustainability Appraisal (SA) process for the Core Strategy with particular reference to the changes post-submission (CD12.104.2) has produced some different assessments with respect to land at Davenport Green to those that were said to apply at the time of submission. Secondly, the changes appear to have been prepared without full, proper consultation, other, largely, it would appear, than with representatives of Royal London Asset Management (RLAM), and perhaps without careful consideration of possible impacts on the rest of the documentation.

#### **Possible Influence of Enterprise Zone Considerations**

Although the revised sustainability assessment shows, overall, that Davenport Green might be a “better” site for development than was thought by Trafford Council to be the case at the time of submission, it appears to be based on an assessment process that presumes that proximity to the proposed Enterprise Zone at (Manchester) Airport City should somehow carry some additional weight regarding resulting sustainability assessment commentaries on land at Davenport Green. This is apparent despite the fact that Mr R Haslam confirmed, during the Public Examination on 29 September 2011, that land at Davenport Green would not be part of any proposed (Manchester) Airport City Enterprise Zone.

This view is confirmed by:-

Extract (1) from page 18 of CD12.104.1, which reads:-

“Whilst this further SA of the proposals of Davenport Green produced very similar results to the appraisal undertaken in April 2011, a number of changes were made to the commentary contained within this appraisal. These changes to the commentary principally related to the need for the appraisals to take into account changes to Government policy, in particular the identification of an Enterprise Zone at Manchester Airport, and the findings of the recent DTZ study (CD 12.86).”

and Extract (2) from page 19 of CD12.104.1, which reads:-

“On the 23 March 2011, the Government set out a “Plan for Growth” statement (CD 12.92) which outlines the Government’s economic policy objective to achieve strong, sustainable and balanced growth across the country. Amongst other things, the “Plan for Growth” detailed the Government’s intention to establish 21 new Enterprise Zones across the UK. Within Greater Manchester an Enterprise Zone was identified at (Manchester) Airport City. The Government has made it clear that it expects this statement to be a material consideration in planning decisions with immediate effect. The Council therefore instructed independent consultants DTZ to assess the potential opportunities and impacts for Trafford relating to the designation of the Manchester Airport City Enterprise Zone, particularly in terms of the implications for Davenport Green.”

The changes so far proposed by Trafford Council seem to have much of their origin in what RLAM have submitted (e.g. Suggested change S300.108’s originating from CD12.95.15), rather, with the notable exception of evidence contained in CD12.95.1, than the evidence submitted by others participating in this Public Examination.

The weight apparently given by Trafford Council to the observations made by RLAM is typified by the following extracts:-

Extract from page 18 of CD12.104.2:-

“Once the full range of information provided by RLAM in November 2010 was taken into consideration, the SA results show that development at Davenport Green can be sustainable and could have a positive impact on many of the sustainability objectives.”

and

Extract from page 22 of CD12.104.2:-

“In addition, Trafford’s PPS4 assessment concluded that Davenport Green was not suitable for office development in relation to the tests in PPS4. Notwithstanding this, the Commercial Review submitted on behalf of RLAM in November 2010 states that Davenport Green is the only site within Trafford that is capable of attracting large levels of investment from multi-national businesses. As a result, the SA considered that the impact of the policy on the objectives relating to Trafford’s economic performance and its image as a business destination was uncertain.”

### **Possible Evidence of Undue Haste in Drafting Changes**

During the Public Hearing on 29 September 2011, Mr Haslam said that the Council was proposing to substitute the words, “exemplar, very high quality” for the words, “exceptionally high quality” in relation to any possible development at Davenport Green. The basis for such a change, according to Mr Haslam, was that “exceptionally high quality” was less appropriate in the current circumstances than, “exemplar, very high quality”, which, apparently, are terms that are more meaningful to those involved with development and well-understood in the planning/development arena. Whilst this might well be the case and appear to be but a minor change, the words, “exceptionally high quality” permeate the sustainability assessment CD12.104.2 and so it is not clear exactly why Trafford Council should choose to depart from the terminology that was used extensively by its own SA consultants, at this late stage. It should also be noted that the term, “exemplar, very high quality” has its origins in a change suggested by RLAM in CD12.95.15 and is not a term proposed or used by Trafford Council elsewhere, until the very recent changes that have been incorporated in CD12.4.

The following extracts show that the term, “exceptionally high quality” is used throughout CD12.104.2:-

Extract from p.114 of CD12.104.2:-

“In conclusion, the policy would provide protection to the recreational opportunities offered on all sites within the Green Belt, Countryside and on other Protected Open Land. It would only lead to land being released at Davenport Green if it is required for exceptionally high quality business/employment development and would result in the provision of a substantial rural park. It is therefore considered that the policy would have a positive impact on this objective.”

p.117 of CD12.104.2:-

“The policy would provide protection of land at Davenport Green but would lead to land being released at this location if it is required for an exceptionally high quality business/office development.”

p.120 of CD12.104.2:-

“It is however acknowledged that development would only be permitted at Davenport Green if it is required for an exceptionally high quality, deliverable and sustainable B1 business/office employment related development.”

p.121 of CD12.104.2:-

“However, the Assessment of the Potential Opportunities and Impacts Relating to the Manchester Airport City Enterprise Zone and Davenport Green study (June 2011) recognises that development at Davenport Green has the potential to support the proposals for Airport City and the MediPark. Accordingly, the policy has been amended so that it would now allow development to come forward in this location if it is required for an exceptionally high quality development and, amongst other things, there are no sequentially preferable sites in PPS4 terms that are capable of supporting the future expansion of Airport City or the MediPark.”

p.123 of CD12.104.2:-

“Furthermore, the policy has been amended so that development can come forward in this location if it is required for exceptionally high quality business/office employment related development and, amongst other things there are no sequentially preferable sites in PPS4 terms that are capable of supporting the future expansion of Airport City or the MediPark”

p.123 of CD12.104.2:-

“In addition, the policy would allow for some development in the Countryside if it is required for exceptionally high quality development in line with the criteria set out in the policy.”

p.125 of CD12.104.2:-

“The policy does however now allow for development at Davenport Green where it is required for exceptionally high quality business/office employment related development.”

As a consequence, it will be apparent that there is now something of a disconnect between the basis of the SA and recent substitution of the term, “exemplar very high quality”, for the term, “exceptionally high quality”. Whilst the two phrases might well possess some equivalence that is not wholly

apparent to the general public, it seems odd that such a change should be made without reference back to the basis of the SA, that this change should have been suggested by RLAM and, if this particular change is important, that this new terminology should not be used throughout the proposed changes.

## Conclusions

On 28 September 2011 at Quay West, the Inspector stated that she is not under instruction to follow draft National Planning Policy Framework (NPPF) guidance which requires that a plan be:-

- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework,

so the changes proposed in CD12.104.1, CD12.10.4.2 and CD12.4 do not have to be “justified”, “effective” or “consistent” in the sense conveyed by the draft NPPF criteria outlined above, but justified, effective and consistent in the sense that they would be understood by the general public. With respect to Para 2.0 of CD12.104.1, the plan can only be seen to be the most appropriate, given reasonable alternatives, if Trafford Council's line of argument is seen to be justified, effective and consistent with national policy in ways that the general public would understand.

For its part, Trafford Council reports on page 12 of CD12.104.1 that it has been working to address, “the principal concerns raised by the Inspector regarding an apparent lack of consideration of alternative realistic options prior to the selection of a “preferred option” and the apparent lack of sufficient evidence to justify the preferred boundaries, as published in the Publication Core Strategy (CD 6.2.1), particularly with reference to the Inner Areas boundary.” Bearing in mind the fact that the vast majority of changes, since submission, have been in direct response to observations made by RLAM only (e.g. page 18 of CD12.104.2), it would be helpful to know exactly to what criteria for making changes Trafford Council have been working when preparing their documents CD12.104.1, CD12.104.2 and consequential document CD12.4. This is not entirely obvious from what has been drafted.

The changes proposed now depict multiple, composite, mixed use, changes of land use (as confirmed by RLAM during Public Examination), and it should be noted by the Inspector that these may have been created at short notice, and, notwithstanding the existence of CD12.105, without proper, timely, public reference or consultation, with the suggestion, at all times, that they (including changes in terminology) are but minor changes.

The current permitted use of land at Davenport Green is as a, "Strategic High Amenity Employment Site", for which, apparently, there were, in the '90s, "exceptional circumstances", thereby allowing its release from the Green Belt. This permitted use was captured in Policy E13 in the 1996 UDP and the criteria remain explicit in Policy E14 of the Revised Adopted UDP of June 2006 i.e., if applied, they would be for the "development of high quality, prestige sites for modern, major international headquarter business activities" (CD 12.18, p.64). This is no longer the land use that Trafford Council is proposing, nor is there a robust audit trail showing exactly how this significant proposed change of use has come into being.

It may be concluded that some of the proposed changes relating to the implications of (Manchester) Airport City are irrelevant to the proposed revised use of land at Davenport Green and that some apparently small changes of terminology concerning the quality of any possible development at Davenport Green have been invoked for no obvious reason. Not only have these been used inconsistently, but the proposed revised terminology has not been justified and is potentially unsound.

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23 October 2011