



TRAFFORD
COUNCIL

**Inspectors Request for a Council Response
to RLAM Comments on the SA and their
Proposed SL6**

16th September 2011

1.0 Background

1.1 The Inspector has asked the Council to prepare a short written response to 2 matters arising from the responses to the Council's consultation document, CD 12.95, namely:

- a) The continued criticism of the SA as stated by Royal London Asset Management (RLAM) at paragraph 4.7 of CD12.95.15; and
- b) RLAM's suggested new policy SL6 (Appendix F CD12.95.15), both in terms of its planning merits and the procedural implications for the Core Strategy (CS).

1.2 This document has been prepared to answer these two questions and to aid discussion at the forthcoming resumed Hearing sessions (28th and 29th September 2011).

2.0 RLAM Representation on SA - Paragraph 4.7, CD12.95.15

2.1 RLAM considers that there are flaws in the latest SAs which are quite separate from those identified in previous representations (and still unresolved), namely:

- The failure to produce an updated SA report, which explains the revisions to the policy and findings of the new appraisals;
- The lack of reference to the new CS policies and change in Government policy;
- A lack of commentary on how the SA has influenced the CS etc.

3.0 The Council's Response in relation to the continued criticism of the SA

3.1 It is the Council's view that the information produced by way of the recent consultation process forms part of the "Examination process". SEA Regulations (paragraph 5.D.3 page 37 A Practical Guide to the SEA Directive, ODPM, Sept 2005) make it clear that it is for the authority to decide whether a revised Environmental Report is necessary at this stage in the Plan preparation process. The Council did not consider that a separate Environmental Report was necessary to support the consultation process given the level of detail that it provided to consultees within CD12.95 and supporting documentation. This approach is consistent with other similar consultations during the "Examination process". Additionally it should be noted that all the SA documentation produced as part of the CS will be put into an SA statement at adoption.

- 3.2 The revisions to Policies R4 and W1 and their associated SAs were clearly set out in the consultation document CD 12.95. Text detailing the reasons for the revisions was set out in Sections 2 and 3 and more fully in the Council's Executive Report (CD12.83), which was clearly referenced in the consultation document. The conclusions of the SA are clearly summarised in Section 4 of the consultation document.
- 3.3 The SA does reference the revised CS Policies and the new Government policy initiative to establish an Enterprise Zone at Airport City, however because the draft NPPF was not published until after the consultation period began, this document is not referenced within the SA. A summary of how Policy R4 has been revised, together with the role played by the DTZ report (CD 12.86) in the Council's decision to present the amended Policies to the Examination is provided within the introductory text of Appendix C (CD 12.95). For the avoidance of doubt, the DTZ study was commissioned by the Council in direct response to the changing Government policy framework, namely the Plan for Growth and the Government's proposal for an Enterprise Zone at Airport City.
- 3.4 The reappraisal of R4 did not highlight any required mitigation for the revised Policies. Therefore there have not been any revisions to the Policy directly as a result of the SA undertaken in support of the current revisions to the Plan.

4.0 The Council's Response in Relation to RLAM's Suggested New Policy SL6

- 4.1 As detailed during the Hearing Sessions, particularly in relation to the Inspector's Main Matter 3 (CD 12.35.3), the 5 Strategic Locations identified in the CS are broad areas of change and regeneration that set the framework for meeting identified needs and delivering development in a sustainable way within the plan period. The justification and supporting evidence for this is set out in CD 6.3.25, 6.3.26 and 12.12. In this way, the Council considers that the locations presented represent important elements in meeting the CS objectives. As mixed-use, accessible areas with significant amounts of readily available land, they are also capable of being flexible in responding to changing economic circumstances.
- 4.2 The proposed changes presented by the Council (in CD12.95) to the Examination are a direct response to the emergence of new government guidance and with the express aim of ensuring that the CS would be sound in relation to Plan for Growth (CD12.92), the principles of which have been reinforced by the new NPPF (CD 12.98 and 12.99)). The proposed changes have been presented to the Examination by the Council wholly as a direct response to the changes in Government policy.
- 4.3 In making the changes to the Core Strategy the Council has recognised:
- The changing nature of Airport City emerging from the 'Budget Statement' (CD 12.92),

- The fact that there is as yet an unproven need for the development within the Plan period to support the growth of Airport City and at the University Hospital South Manchester,
- That the Council cannot rule out the possibility that it would be needed within this time frame. .

- 4.4 In their submission, RLAM has proposed a new Policy SL6 at Davenport Green. It represents the development of a single site, broadly in single ownership for commercial (single use) floorspace. Given this, the Council does not consider that it fits with the broader concept of Strategic Locations of delivering a range of development to meet multiple needs and objectives (as discussed at the Examination Hearings in to Main Matter 3).
- 4.5 In addition to its lack of “fit” with the Council’s concept for Strategic Locations, the Council considers that documents such as the DTZ study (CD12.86) demonstrate a level of uncertainty as to the need for such a development within the plan period and over its deliverability that it should not be identified within the CS as a development site.
- 4.6 The CS evidence base sets out the need for employment land within Trafford. Trafford Council is required to meet this need and (through Plan for Growth and NPPF) it is also required to be flexible/responsive to changes in circumstances. The Council considers that its Submitted delivery strategy (including Policy W1) is capable of meeting the needs identified within the evidence base. Insufficient evidence has been presented by RLAM to the Examination to justify the introduction of a sixth Strategic Location, which would result in a substantial increase in the office supply, prior to the uncertainties identified in 4.3 above, being resolved.
- 4.7 Instead the Council considers that it is more appropriate and justifiable to promote a unique designation at Davenport Green. This provides the Plan with the necessary flexibility, in economic terms, required by government policy. The results of the revised SA demonstrate that such an approach would not result in the Plan becoming unsustainable.
- 4.8 It is for these reasons that the Council remains of the opinion that it would be more appropriate and justified to identify the land at Davenport Green as “Countryside Land outside the Green Belt, until such time that it can be demonstrated that there is a clear need for the development and that the doubts over deliverability have been removed. This position is consistent with recent work carried out by independent consultants in relation to the Airport City Enterprise Zone.
- 4.9 In addition to the planning case presented above justifying the Council’s preferred position (i.e. to not identify a sixth Strategic Location), there are a number of procedural implications which the Council considers should be presented to the Examination.
- 4.8 If the soundness of the Plan rested on the need to identify a sixth Strategic Location, namely SL6 – Davenport Green, as presented by RLAM in

12.95.15, it is the Council's view that a number of procedural steps would be required, as a minimum, before the CS could be adopted:

- A report would need to be presented to the Council's Executive to endorse this revised position
- A further SA would be required
- A further period of consultation would be required, similar in nature to that carried out in July and August 2011
- A further Hearing session would be required to enable the responses to the consultation to be considered by the Inspector

4.9 It is the Council's view that these necessary procedural steps would have a significantly adverse impact on the preparation of the CS and would result in a conflict with the objective of Plan for Growth and NPPF in terms of the need to have up to date plans. As set out above, the Council does not consider that there are the planning merits to outweigh these delays to the Plan.

5.0 Conclusion

5.1 The Council does not consider that RLAMs criticisms of the SA are supported by the Regulations for this point (i.e. the Examination stage) in the Plan preparation process and that sufficient information has been presented within the consultation document.

5.2 In terms of the proposed SL6, the Council does not consider that it is an appropriate option to follow. However, it should be noted that in view of the fact that RLAM did submit a second option for the Inspector to consider that proposed amendments to Policies W1 and R4, without the inclusion of a sixth Strategic Location. As a result of that submission, the Council is considering some minor revisions to both Policies W1 and R4 and W1. The Council intends to present these to the Examination on 28th September 2011.

5.3 Whilst the detailed wording of these changes is not available at this point in time, and therefore cannot be appended to this document, it is not considered that they would alter the overall thrust of the Council's policy position and would not therefore need to be subject to the procedural matters outlined above in 4.8). As such the Council does not anticipate that, should these further revisions to the Plan be accepted by the Inspector, there would be a need for further consultation once the Examination Hearing sessions have been completed.