

**SOUTHAMPTON CITY
COUNCIL**

Statement of Southampton City Council's Response to the Representations on the Proposed Modifications

CITY OF SOUTHAMPTON LOCAL PLAN REVIEW

January 2006

**Southampton.....
A smarter, safer,
cleaner city**

**SOUTHAMPTON
CITY COUNCIL**

**Planning &
Sustainability**

**Ground Floor
Civic Centre
Southampton**





City of Southampton Local Plan Review

Schedule of Southampton City Council’s Response to the Representations on the Proposed Modifications

<i>Contents of the Local Plan Review</i>	<i>Page no in Appendix Schedule</i>
Full Council Report	1-9
<i>Appendix 1: List Of Further Changes Recommended To The Local Plan Review</i>	10
All Sections	11
Strategic Context (STR)	11
Sustainable Development Principles (SDP)	11
Natural Environment (NE)	12
Culture Leisure & Tourism (CLT)	20
Learning (L)	22
Homes & Housing (H)	22
Retailing Enterprise & Innovation (REI)	25
Health & Caring (HC)	38
Transport & Infrastructure (TI)	39
Major Sites & Areas (MSA)	39
Appendix 1	47
Appendix 2	48
Appendix 5	48
Proposals Map	49

FULL COUNCIL REPORT

SUBJECT:	ADOPTION OF THE CITY OF SOUTHAMPTON LOCAL PLAN REVIEW
DECISION-MAKER:	COUNCIL
DATE OF DECISION:	18 TH JANUARY 2006
REPORT VERSION No:	1

FORWARD PLAN No: ET01136 **KEY DECISION?** YES

STATEMENT OF CONFIDENTIALITY

Not applicable

WARDS/COMMUNITIES AFFECTED:

All

SUMMARY

Comment [RT1]: SUBJECT: this is for the title of your report. **NOTE:** for executive reports the title **must** reflect the title originally submitted for publication in the Forward Plan. If the nature of the decision changes, and subsequently the title needs to be changed, you must inform your Policy Co-ordinator and Cabinet Member, as well as inform your Democratic Support Officer, who will be able to make the necessary amendments to the Forward Plan.

Comment [RT2]: DECISION-MAKER: enter the title of the decision-maker, not a person's name e.g. 'CABINET' or 'CABINET MEMBER FOR' (followed by the relevant Portfolio) or the decision-making Committee. If the decision-maker is an officer ... [1]

Comment [RT3]: DATE OF DECISION: add the date in this style: 15TH JULY 2005.

Comment [RT4]: REPORT VERSION No: it is important that this box is updated every time a report is amended. This is particularly important when you send the report out for comment and it is important ... [2]

Comment [RT5]: FORWARD PLAN No: this is for the Forward Plan Reference number linked to every Executive Report. Every item in the published Forward Plan has a number allocated to it ... [3]

Comment [RT6]: KEY DECISION: please select either 'YES' or 'NO' from the drop down box. Key decisions are classified as having a significant financial impact of £200,000 or more (either ... [4]

Comment [RT7]: STATEMENT OF CONFIDENTIALITY: if your report is confidential you must add the relevant paragraph number(s) in the box below. If you are unsure as to which paragraph is ... [5]

Comment [RT8]: WARDS/COMMUNITIES AFFECTED: list the electoral wards affected by the proposal (e.g. Bargate Ward). If an identifiable community is affected by the proposal this should also ... [6]

Comment [RT9]: SUMMARY: provide a brief summary of what you are asking the decision-maker to do and why in PLAIN ENGLISH. This must be kept to a minimum (ideally one paragraph) as the ... [7]

This report sets out a summary of the representations received on the Proposed Modifications to the City of Southampton Local Plan Review which were published for public comment in June and July 2005. The council is required to consider the representations and decide what action to take in respect of each objection. If no — further modifications are made to the Local Plan then it can be adopted as part of the statutory development plan for the city.

RECOMMENDATIONS:

- (i) To consider the representations received on the proposed Modifications to the City of Southampton Local Plan Review as detailed in the schedule of representations received on the proposed Modifications, Cabinet comments and recommendations, available in members meeting rooms and on request from the author.
- (ii) To give notice of intention to adopt the Plan
- (iii) To delegate authority to the Head of Planning and Sustainability to make editorial changes to the text of the Local Plan Review before it is published.
- (iv) To adopt the following documents as Supplementary Planning Guidance to the Local Plan Review:
 North South Spine Strategy,
 Old Town Development Strategy,
 Development Design Guide,
 Streetscape Manual,
 Planning Obligations,
 Public Arts Strategy.

Comment [RT10]: RECOMMENDATIONS: recommendations must set out in full exactly what the decision-maker is being asked to do. It is not usually acceptable to refer to specific paragraphs of the report or appendices. The recommendations should be clear, comprehensible, in a logical order and freestanding. **Make sure you number each recommendation.**

REASONS FOR REPORT RECOMMENDATIONS

- 1. The City Local Plan is a key element of the council's Policy Framework and provides part of the statutory development plan for the future development in the city. The recommendations in this report have been formulated following consideration of the representations received on the Proposed Modifications to the Local Plan Review. If agreed Full Council is recommended to give notice of intention to adopt the Local Plan.

Comment [RT11]: REASONS FOR REPORT RECOMMENDATIONS: here you need to set out full justification for why the recommendations should be approved. These should be an adequate reflection of the main grounds for the decision that is being sought. It is not sufficient to merely refer to specific paragraphs of the report/appendices. **From this point forward each new paragraph must be numbered.**

BACKGROUND

- 2. The Inspector's Report into objections to the Revised Deposit version of the City of Southampton Local Plan Review was received at the beginning of February 2005. Full Council endorsed the Proposed Modifications to each policy and approved them for public consultation on 18th May 2005. The Proposed Modifications were published for public comment between 21st June and 1st August 2005. We have received 111 representations, 36 of which are supporting the Proposed Modifications or where the Council has not accepted the Inspector's recommendations.
- 3. This report sets out the main issues arising from the objections received on the Proposed Modifications and Cabinet's responses to them. A full schedule of all the representations received, Cabinet's comments plus recommendations is set out in the document available in the Members Rooms. Full Council is asked to endorse this schedule and thence adopt the Local Plan Review.

Comment [RT12]: BACKGROUND: provide a brief summary of the history of this matter leading up to the decision, including any historical decisions relating to this matter as appropriate. **Each new paragraph must be numbered.**

CONSULTATION

- 4. The Environment and Transport Scrutiny Panel made no comment when it

Comment [RT13]: CONSULTATION: this section should detail what consultation (both internal and external) has been carried out in preparation for the decision and report any comments that may have been received in response to that consultation and any conclusions that may reasonably be drawn as a result. Any comments raised at or after the Cabinet meeting consultation stage must also be summarised and included within the consultation section of the report. **Each new paragraph must be numbered.**

considered a summary of the main issues arising from the objections on 21st September 2005.

5. The report was received as a consultation item at the executive decision-making on 5th December, 2005 and representations were received from a Member of the Council in relation to the following points:
 - the City Council needs access to up to date strategic studies;
 - the City Council should not be too rigid in dealing with the Ordnance Survey site; and
 - that there was a need to clarify officer comments relating to the proposed location of ferry provision within the Royal Pier site (MSA4).
6. In response to the request for clarification regarding the Royal Pier site, it was noted that ABP's aspirations had changed since the Local Plan Inquiry. It was added that the City Council was not able to address proposals for uses which would not be included in the site boundary under the current MSA4 policy.
7. It was also noted that there had been further studies conducted for the Partnership for Urban South Hampshire in the context of their submission to the South East of England Regional Assembly (SEERA) and the South East Plan submission.
8. ***The Schedule of Representations on the Proposed Modifications, Officer Comments and Recommendations in the Members Room has been changed to clarify the officers response to representations 695/1 and 695/3.***
9. ***As a result of these representations paragraph 28 of this report and the Schedule of Representations on the Proposed Modifications, Officer comments and recommendations in the Members Room have been modified for clarification purposes. The recommendations have not been modified.***

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. This report considers the representations to the Proposed Modifications and considers whether the Local Plan Review should be modified further in response to an objection. The options are to:-
 - not make further modifications to the plan, in response to an objection;
 - make further modifications to the plan, which materially affect the content of the plan, in response to an objection. To do this would mean that we would have to publish further Proposed Modifications for a formal six weeks deposit period. This would cause delay to the timely adoption of the Local Plan and would result in additional expenses being incurred; or
 - hold a further public local inquiry into any of the objections received. This would cause substantial delay to the timely adoption of the Local Plan and would result in additional expenses being incurred. There is also a deadline of 22 July 2006 by when the Plan needs to be adopted otherwise additional environmental procedures and processes need to be adhered to. This would also result in increased costs and delay in having an up to date Local Plan. It would also prejudice the delivery of the policies and objectives of the Plan. Moreover, depending upon the results of the environmental appraisal,

Comment [RT14]: ALTERNATIVE OPTIONS CONSIDERED AND REJECTED: this should comprise a bullet point list of the main alternatives and a summary appraisal of why these are not recommended. Each new paragraph must be numbered.

substantial revision of the plan may be needed.

DETAIL

Comment [RT15]: DETAIL: this section should be used to provide the decision-maker with all other relevant and supporting information s/he needs in order to make his/her decision, including the pros and cons of the proposal. **Each new paragraph must be numbered.**

11. The Council must consider all the objections made to the Proposed Modifications and decide whether it is necessary to hold a further inquiry into any of the objections. We also need to decide whether there are any further modifications that need to be made in response to the objections. If further modifications are proposed which materially affect the content of the plan, then they have to be formally advertised for public comment for 6 weeks. If no further modifications need to be made then the council can give notice of its intention to adopt the Local Plan.
12. Government advice is that the Council has discretion whether to hold an inquiry into any of the objections made to the Proposed Modifications or to the Council's decision not to accept any of the Inspector's recommendations. An inquiry into objections to proposed modifications will not normally be necessary where the matters raised were considered at the previous inquiry or where there are objections to the fact that modifications are not being proposed by the council in response to an inspector's recommendation.
13. Authorities are advised to hold an inquiry where objections raise matters which were not at issue at the previous local inquiry.
14. Two of the objectors, Hammerson UK Properties & WestQuay Shopping Centre Ltd and Ordnance Survey, have requested that a further inquiry is held to deal with the Council's response to the Inspector's recommendations. It is considered that there is no requirement for a Proposed Modifications inquiry, for the reasons discussed below in paragraphs 16 to 26.
15. It is considered that some further changes to the Plan are necessary in response to a number of the objections received; these are set out in the schedule of representations on the proposed modifications available in the Members' Meeting Rooms and on request and listed in Appendix 1. These changes are factual changes, for example to update designations for nature conservation sites, or add further clarification. It has also been realised that the Proposed Modification to the Plan identifying the Primary Shopping Area within the City Centre has been incorrectly drawn at the northern end, in that it does not include the primary retail frontage of the Asda store. This was a drafting error and has been changed. The written text of the Plan makes it clear that the primary and secondary retail frontages comprise the Primary Shopping Area to the city centre, so to leave the Proposals Map incorrectly drawn will cause confusion and a discrepancy between that and the written text. It is considered that these changes are not modifications that materially affect the content of the plan and, therefore, they do not need to be advertised as modifications.
REI 4 Primary Retail Frontages
16. Summary of Objection Hammerson UK Properties Limited and WestQuay Shopping Centre Limited object to the inclusion of West Quay Retail Park (WQRP) being identified as within the Primary Shopping Area (PSA). They say that no time was spent at the Inquiry on the implications of amending the boundary of the PSA. They consider that the Council's rejection of the Inspector's recommendation will restore the allocation as primary retail frontage and result in the landowner avoiding the requirement to demonstrate need/capacity and comply with the sequential test in promoting redevelopment proposals. They set out a list of issues they believe the

- Council should address at a further inquiry prior to the adoption of the Plan to comply with the provisions of PPS6.
17. Cabinet Comment Considerable time was spent at the Inquiry debating a possible extension of the main shopping core westwards to include peripheral sites advanced for retailing (for example Dock Gate 10). The Inspector acknowledges this in her report. The Inspector's reasoning for deleting the WQRP as primary retail frontage was based on her opinion on how it functioned with the rest of the Primary Shopping Area. The City Council has responded in its reasoning for the Proposed Modifications why it does not accept the Inspector's reasoning. The Inspector did not suggest deleting any form of shopping designation from the site. It has always previously been identified for retail. It would be illogical to leave the site unallocated, as no other significant retail area is - even local centres are identified on the Proposals Map. The City Council believes West Quay Retail Park is closely related to and well connected to the PSA. It could have redesignated it as secondary retail frontage, (at the Proposed Modifications stage) given its juxtaposition with the remainder of the City Centre and its ready accessibility, which would have resulted in it still forming part of the PSA and still being within the first area of search for future retail development proposals.
 18. If the City Council chose to redesignate WQRP as secondary retail frontage at this late stage of the Plan process, it would be seen as a material change to the Plan, and result in further modifications having to be published. This would delay the timely adoption of the Plan which is undesirable. The City Council does not believe that Hammerson UK Properties Limited and WestQuay Shopping Centre Limited have raised any issues which have not already been addressed at the inquiry.
- REI 10 Ordnance Survey Site**
19. Summary of Objection Ordnance Survey (OS) has submitted representations trying to rebut the Council's reasoning for not accepting the Inspector's recommendation to delete this site as a major employment site. They also suggest the inclusion of a new policy allocating the site for residential development, except for the retention of Compass House which they propose for office use. The main reason the Inspector recommended deleting the site for employment purposes was due to its low accessibility. The OS note that the Inspector said that the site had poor accessibility which could not be improved through the implementation of a travel plan and state the Council does not adequately state why it disagrees with the Inspector's conclusion. OS are of the opinion that the bus route information in terms of number of service frequency and destinations is the same now as at February 2003 when the Revised Deposit Plan was adopted and that there has been no material change in circumstance.
 20. Cabinet Comment At the time of the Inquiry, OS (the objector) pointed out that in comparison with the other allocated major employment sites, the OS site suffers from poor accessibility as confirmed by the Council's Accessibility Map. On this basis the Inspector considered that it would be "unwise to seek to perpetuate an employment use in such an unsuitable location" (Inspector's Report paragraph 8.14.4). However, the Accessibility Map was incorrectly drawn in this location. The site is (and was in August 2002) served by 22

- buses (each way) per hour. The site is therefore of comparable or better accessibility than the other major employment sites, referred to in Policy REI10. It should correctly be classified as of 'high accessibility' since it is above the 20 buses per hour threshold. The Inspector was therefore misled into concluding that the site was of low accessibility. It is therefore seen as entirely appropriate to allocate the Ordnance Survey site for the same types of employment uses as the Inspector recommended for BAT, as the City Council allocated them for the same uses in the Revised Deposit Plan.
21. The Inspector does state that the Accessibility Map should only be used as a guide, however. Any redevelopment of the site would require a transport assessment, at which time the current situation with bus services can be assessed in detail with supporting travel alternatives. The Council believes that this will show that the site has numerous cycle and bus alternatives and that the site accessibility could be further enhanced by an employees travel plan.
 22. The reference to there being an adequate supply of industrial land was acknowledged by the Inspector in response to representations made to Policy REI11 and related to IKEA's evidence that the City should not just look at the area within the Southampton administrative area, but the wider sub region. The City Council whilst recognising that there may be no quantitative need to retain all existing employment sites does not consider that there is an adequate qualitative appraisal of employment sites undertaken on a comparative basis to justify a permissive approach to non-employment development on the OS site. The City Council believes it is appropriate to continue to safeguard all employment sites until a review of all the employment land supply is assessed and completed. This work, which will form part of the background evidence to the Local Development Framework Core Strategy, is already being progressed jointly with Eastleigh Borough Council. To release employment sites in the short term for alternative uses could also undermine the Partnership for Urban South Hampshire vision for the sub region which is focussing on employment led economic growth concentrating on the two cities in South Hampshire promoting urban regeneration and renaissance.
 23. The Employment Land Supply work currently being undertaken will provide a much more sound basis for decisions on the future of employment sites within the City. This will allow for a proper comparison of all the employment sites within the context of a better understanding of the employment land supply position both in the shorter and longer term. The Council will need to assess the components of the supply and compare the OS site with other sites in the supply such as the Chilworth Science Park which is inaccessible by comparison.
 24. OS have not justified the policy for residential development and B1(a) office use that they propose for the site on Romsey Road. The Policy would not be in accordance with the Inspector's recommendation and would be contrary to PPS6 in terms of allocating an out of centre site for office development where there is no justification for doing so, as there are sequentially preferable sites within the city centre.
 25. There is also no demonstrated need to allocate the site for housing purposes. The City Council made it clear in its evidence to the Local Plan

Inquiry that the site was not required for residential development as there were sufficient housing sites identified in the city to meet its Structure Plan requirement, a point noted by the Inspector in her report. OS also stated in their proof of evidence that they were not requesting an allocation for residential development (paragraph 1.5.3 Supplementary Statement Written representation Feb 2004). The City Council is not in a position to consider a new representation as it is at too late a stage in the Local Plan process to consider any new allocations for land.

- 26. The City Council does not believe that the OS have raised any issues which have not already been addressed at the inquiry, nor any new issues which should make the City Council consider accepting the Inspector’s recommendation or make further modifications to the plan.

MSA 4 Royal Pier

- 27. Summary of Objection Associated British Ports support the principle of the Policy as proposed, but object to the reference in Proposed Modification MSA/PM6 for the requirement to relocate all the existing passenger and vehicle ferries “within the site.” They believe this requirement exceeds the Inspector’s recommendation.
- 28. Cabinet Comment The Inspector makes clear in her recommendation that the passenger ferries should be integrated within the redevelopment scheme of Royal Pier which is defined on the Proposed Map. It would not be appropriate to state that various components of the scheme would be delivered on land which is not within the defined site boundary (and to which the Policy does not apply). It is, therefore, considered that ABP do not have a valid point.
- 29. Due to recent media coverage relating to ABP withdrawing from the current Royal Pier scheme they have been contacted to ascertain if they believe a scheme can still be implemented in the Plan period. This is as a result of the Inspector’s recommendation which stated that the Council had to take appropriate steps to satisfy itself that the mixed-use development envisaged on the site is capable of implementation during the Local Plan period. ABP have subsequently responded stating that they will continue to work with the City Council to explore viable and mutually acceptable redevelopment options. They hope that this will be possible during the Local Plan Review period with the aim of identifying a way forward. As a result of this correspondence, the Policy as Proposed to be Modified is to be kept in the Local Plan.

Timescale

- 30. Providing, it is accepted there is no need to publish further modifications or hold another inquiry, then Full Council is recommended to adopt the Plan. A notice of intention to adopt has to be published in a local paper and after 28 days the local plan can be adopted. There is then a period of six weeks from the date of the notice of adoption for any person aggrieved by the plan and who challenges its validity to apply to the High Court to have the plan or parts of the plan quashed.

FINANCIAL/RESOURCE IMPLICATIONS

Capital

- 31. There are no capital implications.

Revenue

- 32. There is a cost associated with the publication of the adopted Local Plan

Comment [RT16]: FINANCIAL/RESOURCE IMPLICATIONS: this section must address all capital and revenue financial implications arising out of the report proposals (whether in terms of expenditure or savings) including how the proposals will be paid for and from what budget if appropriate. A statement detailing what (if any) **property implications** arise with reference to the **Asset Management Plan** must be included as agreed with the **Property Services Asset Manager**. Any other resource implications should also be reported in this section arising from internal consultations. **Each new paragraph must be numbered.**

Review. The cost to the City Council of £10,000 will be met from the budget provision agreed for Local Planning within the Environment and Transport Portfolio. Copies of the adopted Local Plan will be available on City-Web and a charge will be levied for additional copies of the document requested by stakeholders.

33. There is no budget provision to meet the procedural costs associated with a further inquiry. If a further inquiry is necessary then funding will need to be identified during consideration of the 2006/07 budget.

Property

34. None.

Other

35. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

36. The report is prepared in accordance with s.43 of the Town and Country Planning Act 1990.

Other Legal Implications:

37. The Plan and adoption process has been prepared having regard to the duties and obligations contained within the Human Rights Act 1998 and the Race Relations Act 1976 as amended, together with all other Equalities legislation currently in force.

POLICY FRAMEWORK IMPLICATIONS

38. The City Local Plan is a policy framework document. The Local Plan Review will supersede the Adopted Local Plan when it is adopted.

Comment [RT17]: LEGAL IMPLICATIONS: under the heading: **Statutory Powers to undertake the proposals in the report**, identify those power(s). If you cannot identify those powers the decision cannot be taken. Under the heading **Other Legal Implications**, list any Act or Legislation that affects the proposals contained in your report and how the proposals are affected. Please refer to the **Report Monitoring Form** for legislation which must be considered before completing this section. Also, identify any other legal, contractual or liability issues that may arise from the proposals contained in the report. **Each new paragraph must be numbered.**

Comment [RT18]: POLICY FRAMEWORK IMPLICATIONS: please confirm that the proposals contained in the report are in accordance with the Council's Policy Framework Plans as appropriate. Please refer to the **Report Monitoring Form** for a list of the Council's Policy Framework Plans. **Each new paragraph must be numbered.**

APPENDIX 1

List of further changes recommended to the Local Plan Review

Full text of changes is set out in Schedule of Representations on the Proposed Modifications

Policy / Para Number	Further Change Recommended
Para 2.31	Amendment to text
Para 2.97	Amendment to text and renumbering of paragraph
Policy NE 1	Amendment to criteria (a) and (d) of policy
Policy H 18	Amendment to policy
Para 7.56 & 7.57	Amendment to text
Para 11.19	Amendment to text
Appendix 1	Amendment to table re D2 uses
Appendix 1	Amendment to table re C2 uses
Proposals Map	Amendment to Primary Shopping Area boundary to include the Asda store, Portland Terrace

SUMMARY OF ALL REPRESENTATIONS AND FULL COUNCIL RESPONSE

ALL SECTIONS OF THE PLAN

Proposed Modifications- All Proposed Modifications 1 Representation(s) received

Ref: 976/1 Respondent: Mr Jacobs
 Representation: Support Proposed Modification
 RESPONDENT COMMENT: Support all the Proposed Modifications
 FULL COUNCIL RESPONSE: Welcome support

STRATEGIC CONTEXT (STR)

Proposed Modifications- STR/PM15 - Paragraph 1.54 1 Representation(s) received

Ref: 362/1 Respondent: Southampton University Hospitals NHS Trust
 Representation: Support Proposed Modification
 RESPONDENT COMMENT: Support
 FULL COUNCIL RESPONSE: Welcome support

SUSTAINABLE DEVELOPMENT PRINCIPLES (SDP)

Proposed Modifications - SDP/PM9 - Paragraph 2.31 1 Representation(s) received

Ref: 172/1 Respondent: Government Office For The South East
 Representation: Objection to Proposed Modification
 RESPONDENT COMMENT: The objector is seeking a change to the supporting text of policy SDP 5 so that it conforms with the Inspector's Recommendation.

FULL COUNCIL RESPONSE: This objection is considered to be based on a misinterpretation of the proposed modifications. The objector is seeking a change to the supporting text of policy SDP 5 so that it conforms to the Inspector's Recommendation. The supporting text of Policy SDP 5 should be read as a whole. Proposed modification SDP/PM14 reflects the Inspector's recommendation including the issue of car parking and highways safety within paragraph 2.36 and as such no further change to SDP/PM9 is proposed to avoid over repetition. The Local Plan should be clear, succinct and easily understood. The Council recognises that the change in SDP/PM9 should be entered after the fourth sentence and not the third as stated, this is considered a typographical error.

RECOMMENDATION: Amend paragraph 2.31 to include the text set out in SDP/PM9 after the 4th sentence of the paragraph.

Proposed Modifications- SDP/PM14 - Paragraph 2.36 1 Representation(s) received

Ref: 1557/1 Respondent: Savills (L & P) Limited
 Representation: Support Proposed Modification
 RESPONDENT COMMENT: Support the modification.
 FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- SDP/PM37 - Paragraph 2.97 1 Representation(s) received

Ref: 1503/1 Respondent: BAA
 Representation: Objection to Proposed Modification
 RESPONDENT COMMENT: The objector informs the Local Planning Authority that Aerodrome Safeguarding is the responsibility of the aerodrome operator and not the CAA as

stated in the Proposed Modification.

FULL COUNCIL RESPONSE: The objection is considered to be a statement of fact. Aerodrome Safeguarding is the responsibility of the aerodrome operator and therefore the last sentence of paragraph 2.97 (to become 2.98) will be amended accordingly.

RECOMMENDATION: Amend paragraph 2.97 to read: "The PSZ for the southern end of Southampton International Airport runway is shown on the Proposals Map. The safeguarded areas map covers the whole local authority area; all relevant maps will be consulted as general development control guidance. Aerodrome safeguarding is the responsibility of the Aerodrome Operator."
Paragraph 2.97 to be renumbered 2.98.

NATURAL ENVIRONMENT (NE)

Proposed Modifications-NE/PM1 - Policy NE1

1 Representation(s) received

Ref: 1031/1 Respondent: English Nature
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Solent Maritime Candidate SAC and the River Itchen Candidate SAC have now both been declared full SACs.

FULL COUNCIL RESPONSE: Policy NE1 should be amended to show the up to date designation for these sites. This is a factual change that does not materially affect the content of the plan and does not need to be advertised as a proposed modification.

RECOMMENDATION: Amend criteria (a) and (d) of policy NE1 to read;
'The sites are: a) Part of the Solent Maritime SAC
d) Part of the River Itchen SAC'

Proposed Modifications-NE/PM8 - Policy NE5

3 Representation(s) received

Ref: 363/1 Respondent: RSPB
Representation: Support Proposed Modification

RESPONDENT COMMENT: The RSPB supports the inclusion of intertidal mudflat habitat along the River Test and Southampton Water under the provisions of this policy.

FULL COUNCIL RESPONSE: Welcome support

Ref: 1031/5 Respondent: English Nature
Representation: Support Proposed Modification

RESPONDENT COMMENT: English Nature supports the Council's modifications to extend the areas covered by policy NE5 to include all areas of intertidal mudflat in accordance with Inspector's recommendation in section 3.5 of her report.

FULL COUNCIL RESPONSE: Welcome Support

Ref: 1113/1 Respondent: Associated British Ports
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the inclusion of Intertidal mudflat along the River Test in policy NE5. ABP did not object to policy NE5 when it appeared in the deposit draft because it referred only to the River Itchen and Weston Shore. However, the River Test shore covered by the Southampton Local Plan south of the railway bridge now included in the policy is principally occupied by the commercial port of Southampton, which the deposit Local Plan, the City Council and the Inspector agree is nationally significant. ABP object to the principle of the policy NE5 because it affords a level of protection to undesignated Intertidal mudflat that exceeds that of European sites, SSSI's, and SINCS. Policies for all these designated sites, in carefully defined circumstances, permit a development proposal subject to the need outweighing nature conservation interests. Policy NE5 admits of no exception and also prohibits development which would damage landscape, recreation and leisure interests, which are unrelated to the stated nature conservation reason for the policy. It is impossible for any development proposal to comply with policy NE5. This policy is therefore unreasonable and should be deleted.

FULL COUNCIL RESPONSE: There is no ecological reason why Intertidal habitats of the River Test should be treated any differently in policy terms than those of the River Itchen. The issue of coverage has always stemmed from historical planning policy wording in either the City of Southampton (1991) Local Plan or the initial deposit version of the City of Southampton Local Plan. The Inspector was of the opinion that in view of their national and regional importance the designation should be widened to cover all areas of Intertidal mudflats. Developments that seek to take place on sites designated under European legislation would be required to provide compensation for the loss of habitat due to the development. For example, for a development proposal to be approved the area of mudflats lost as a result would have to be relocated in order to ensure that there is no overall loss of the affected habitat.

This requirement is echoed in policy NE5. Therefore, the council is of the view that the criteria set out in Policy NE5 do not exceed the levels of protection given at the European level. It is acknowledged that the said criteria could be interpreted as providing a greater provision of protection to sites than designated SSSI's and SINC's. The council is of the opinion that due to the sensitivity and rarity of mudflat habitat and the fact that they are under long term threat of being lost from the estuary's biological system, they are more sensitive than other SSSI's and as a result require a higher level of protection from development.

This is a criteria based policy: If development, including reclamation does not result in adverse effects on the criteria listed, development is not prohibited. In terms of assessing the development projects against the criteria it may be possible to satisfy the policy provided mitigation and compensation measures are included that satisfy the criteria. Therefore, the council does not consider the policy to be restrictive to development as there will be opportunity for future developments that are both suitable to the site and in accordance with Policy NE5.

The council considers that it is possible for development proposals to comply with policy NE5 as each individual development proposal will have unique circumstances and be considered on its own merits, provided that the proposal seeks to meet the policy criteria through compensation and relocation of habitat process. Each decision taken on a development proposal will be a result of the interpretation and procedures taken at the time and in light of the individual circumstances surrounding the development proposal.

The objector does not raise any further issues than those already dealt with during the Local Plan Inquiry and therefore no changes will be made to policy NE5 as a result of this objection.

RECOMMENDATION: No further change to the plan.

Proposed Modifications-NE/PM9 - Policy NE5

3 Representation(s) received

Ref: 363/2 Respondent: RSPB

Representation: Support Proposed Modification

RESPONDENT COMMENT: Supports the addition of a fourth criterion to ensure no net loss of intertidal mudflats as a result of development.

FULL COUNCIL RESPONSE: Welcome Support

Ref: 1031/6 Respondent: English Nature

Representation: Support Proposed Modification

RESPONDENT COMMENT: English Nature supports the additional policy criterion, for policy NE 5, that there should be no net loss of intertidal mudflat habitat.

FULL COUNCIL RESPONSE: Welcome support

Ref: 1113/2 Respondent: Associated British Ports

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The addition of a fourth criterion to policy NE5 is unnecessary and therefore request that proposed modification NE/PM9 is not made. ABP's specific concern in respect of the Redbridge intertidal (map 9) is that the area is already a SINC. It is considered that Proposed Modification is more onerous than the requirements set down for international sites, SSSIS and SINCS and that the criterion is unnecessary as policy NE3 permits development if the need for it clearly outweighs the ecological importance of the site. The imposition of Policy NE5 is a more restrictive policy and therefore is unjustified.

FULL COUNCIL RESPONSE: It is considered that the additional wording in policy NE5 to read 'No net loss of mudflats' is up to date with the phrasing used by nature conservation organisations. The strong wording of the policy will ensure that concrete tests are being carried out to ensure that the correct steps are taken on the development of these areas and to ensure that sensitive and threatened habitats, if built upon, are relocated to suitable locations. The wording stems directly from national policy.

Developments that seek to take place on sites designated under European legislation would be required to provide compensation for the loss of habitat due to the development. For example, for a development proposal to be approved the area of mudflats lost as a result would have to be relocated in order to ensure that there is no overall loss of the affected habitat. This requirement is echoed in policy NE5. Therefore, the council is of the view that the criteria set out in Policy NE5 do not exceed the levels of protection given at the European level.

The Inspector supports the additional provision suggested by English Nature that in view of the National and Regional importance of all areas of Intertidal mudflat along the River Test and Southampton Water, additional text should be added to policy NE5 to state that 'there should be no net loss of Intertidal mudflat habitats'. The objector does not raise any further issues than those already dealt with during the Local Plan Inquiry and therefore no changes will be made to policy NE5 as a result of this objection.

RECOMMENDATION: No further change to the plan.

Proposed Modifications- NE/PM13 - Policy NE6 and Paragraph 3.181

1 Representation(s) received

Ref: 56/5 Respondent: Test Valley Borough Council

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Test Valley Borough Council (TVBC) objects to the deletion of Policy NE 6, paragraph 3.18 and the Valley of the River Test Heritage Area (VRTHA) designation from the Proposals Map. The justification for the VRTHA designation as a whole is sound. The part of the VRTHA in Southampton City is of sufficiently high landscape and environmental quality and should be retained within the designated area. If applications were made for development on this land, very little weight would be given to issues such as the loss of countryside and the impact on rural character of the loss of openness in the absence of a 'countryside protection' policy. The omission is contrary to the government's overall aim set out in PPS7 Sustainable Development in Rural Areas. The Inspector's reasoning focuses almost exclusively on the issue of whether or not the designation is needed to provide the necessary protection for the small part of the VRTHA in Southampton. However, this

reasoning has a very narrow perspective and fails to take account of the area's landscape and other environmental characteristics. If the VRTHA designation as a whole is acceptable in principle then the issue of boundary definition should be looked at from a strategic perspective. TVBC consider that the primary factor for determining where the boundary should go should be an assessment of the area's landscape (and other environmental) qualities, rather than an assessment for the need for the small part of the designated area in the City. Since the area concerned forms an integral part of the open valley landscape and is of significant wildlife value, TVBC consider that it is of sufficient landscape and environmental quality to merit inclusion in the VRTHA.

FULL COUNCIL RESPONSE: At the time of the Inquiry GOSE questioned the reason for the designation. Planning Policy Statement 7 'Sustainable Development in Rural Areas', takes the view that 'local designations should be examined critically to see whether they really are justified'. The Inspector agreed with GOSE that the Valley of the River Test Heritage Area designation is unnecessary in Southampton's area due to its ecological importance being highly protected under policy NE1, being part of the Southampton Water Special Protection Area and Ramsar site and the Solent Maritime Special Area of Conservation. The Inspector appreciated that there was considerable support for this policy including by Test Valley Borough Council on the grounds that it complemented policies in its own emerging Local Plan. However, the area in question is much larger and is not all subject to the same high level of protection as the small area in Southampton. The Inspector is of the view that the designation was unnecessary as the area is protected by other policies (NE9, NE1 and SDP12) of the City of Southampton Local Plan review. The proposed modification is being made in response to the Inspector's recommendation.

RECOMMENDATION: No further change to the plan.

Proposed Modifications-NE/PM14 - Policy NE9 received

2 Representation(s)

Ref: 56/3 Respondent: Test Valley Borough Council
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: TVBC objects to the rewording of Policy NE9. The proposed modification would mean that there would be no proper policy framework to assess the impacts of proposed development on the countryside characteristics of land at Bargain Farm or other areas of undeveloped land at the urban fringe. Policy NE 9, which seeks to protect strategic gaps, is worded in a similar way to many 'countryside protection' policies in other local plans. The wording seeks to limit the types of development that would be permitted in strategic gaps to those essential for agricultural or forestry or other uses appropriate in the countryside, such as outdoor recreation. Unfortunately the Inspector has suggested a change to wording of Policy NE 9 as she considers that gap designations should only be concerned with the issue of the separation of settlements and not wider countryside issues. The problem with this proposed modification is that the restraint on the types of development that may be permitted on undeveloped land at the urban fringe, which was implicit in the original wording of Policy NE9, would be lost from the City Local Plan Review. If amended, the policy framework as suggested by the Inspector would give no clear indication of what types of development may or may not be acceptable on undeveloped land at the urban fringe in general, or in the Bargain Farm area in particular. Given the very high levels of housing achieved on brownfield sites in the City in recent years, proposals for greenfield housing could possibly be resisted. However, TVBC is concerned that it would be difficult to resist other forms of development for which there was a clearly identified need. If applications were made for development on this land, very little weight would be given to issues such as the loss of countryside, the impact on rural character or the loss of openness in the absence of a 'countryside protection' policy. TVBC consider that the Local Plan review should contain a policy based on Policy NE9, which seeks to protect the countryside from inappropriate development.

FULL COUNCIL RESPONSE: The proposed modification is in line with the Inspector's recommendation in section 3.9 of her report. The Council is of the view that there are sufficient policies in place within the Local Plan to protect the land as open space and from

any harmful development on the site that may be detrimental to the existing nature of the land and that of the adjoining authority boundaries. The Inspector is of the opinion that a properly applied gap policy can be more restrictive than that applicable to the green belt because there are different purposes and objectives. This is why it is important to ensure that only land that is essential to gap function should be designated. It is too late in the local plan review process to be able to introduce new policies. Where it is considered that additional policies are needed, or where there is need for wording change within policies, this will be addressed within documents produced as part of the Local Development Framework.

RECOMMENDATION: No further change to the plan.

Ref: 1505/1 Respondent: Mrs C Bayco
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support the continued exclusion of land along Bassett Green Road from the strategic gap as proposed by Council and backed by the Inspector.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- Omission Policy NE 9

11 Representation(s) received

Ref: 56/4 Respondent: Test Valley Borough Council
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Test Valley Borough Council (TVBC) objects to the failure of Southampton City Council to accept the Inspector's recommendation to modify the City of Southampton Local Plan Review to include land at Stoneham within the Southampton – Eastleigh Strategic Gap. The strategic gap boundary should be redrawn to include land at Stoneham within the designated area. TVBC consider that considerable weight should be given to the Inspector's recommendation that the land at Stoneham is retained within the gap because the land in question meets the criteria for inclusion in the gap and there is no exceptional need for development to override the gap designation. TVBC considers that the City Council has given too much weight to the views expressed by the Secretary of State in 1994 when rejecting the Inspector's recommendation. These comments were made over 10 years ago and related to a proposal for a football and leisure complex which has now been located elsewhere.

The Borough Council also objects to the failure of Southampton City Council to include land north of Bassett Green Road and at Hardmoor Plantation within the Strategic gap in the light of the Inspector's recommendation in relation to Stoneham, and her suggestion that the strategic gap boundary should include Bassett Green Road and the Hardmoor Plantation, TVBC is of the view that the strategic gap boundary should be redrawn to include land north of Bassett Green Road and at Hardmoor Plantation.

TVBC has written to the Planning Inspectorate and the Government Office for the South East (GOSE) expressing concern that the Inspector failed to take account of all TVBC's the Borough Council's objections to the City Local Plan Review.

FULL COUNCIL RESPONSE: The Stoneham, Bassett Green Road and Hardmoor Plantation sites were allocated as Strategic Gaps in the Adopted City of Southampton Local Plan (1991-2001). These allocations were subsequently removed. In the Initial Deposit Local Plan, Stoneham was allocated for Sports and Playing Fields. In the Revised Deposit Local Plan, Hardmoor Plantation was allocated as Open Space. Both sites are protected by Policy CLT3. Test Valley Borough Council's (TVBC) objection to the removal of land between Bassett Green Road and the M27, and Hardmoor Plantation adjacent to the crematorium as part of the Strategic Gap, is based upon a view that these sites are important in their screening of urban development to the north of the city boundary. The council's view is that this is not the criterion upon which to assess strategic gaps, their objective being to prevent coalescence between urban areas. Similarly, with regard to land south of the M27 at Stoneham, it is the Council's view that it is the land north of the M27 which prevents coalescence between

Eastleigh and Southampton. This accords with the then Secretary of State's view expressed in 1994 following a Public Inquiry into the use of the land as a location for a football Stadium and associated parking.

The Council also considers that the positioning of the M27 forms a natural barrier to a strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the East of the Stoneham site further reduces the visual effectiveness of allocating the land to the South of the M27 as Strategic Gap. This site remains protected as open space under Policy CLT3, so the Inspector's recommendation is not accepted.

It is accepted that the Inspector did not fully take into account TVBC's objection to the removal of the land north of Bassett Green Road, and at Hardmoor Plantation, as strategic gap; this error is not able to be corrected but for the reasons already given there is no prospect of development on the land and the issue of additional levels of protection is academic.

RECOMMENDATION: No further change to plan.

Ref: 327/1 Respondent: Campaign To Protect Rural England (CPRE)
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to Council not accepting Inspector's recommendation, by not including the land at Stoneham as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 500/1 Respondent: Mr Shephard
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Objecting to Council not accepting Inspector's recommendation 5, for the inclusion of Stoneham Lane as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 501/1 Respondent: The Stoneham Association
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to Council not including Inspector's recommendation 5, for not including Stoneham Lane as a strategic gap

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an

integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 559/1 Respondent: Mr George

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Objecting to Council not accepting Inspector's recommendation 5, for the inclusion of Stoneham Lane as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 590/1 Respondent: Mr Saunders

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Objecting to Council not accepting Inspector's recommendation 5, for the inclusion of Stoneham Lane as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 797/1 Respondent: Mrs Maisey

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to Council not including Inspector's recommendation 5, regarding the inclusion of land at Stoneham as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 857/1 Respondent: Mr Dawkins

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to Council not accepting Inspector's recommendation 5, regarding the inclusion of Stoneham as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27

which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 858/1 Respondent: Mrs Dawkins

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to Council not accepting Inspector's recommendation 5, regarding the inclusion of Stoneham as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 1026/1 Respondent: Mr Webster

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Objecting to Council not accepting Inspector's recommendation 5, for the inclusion of Stoneham Lane as a strategic gap.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Ref: 1213/1 Respondent: Cllr Samuels

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Objects to Council not including Inspector's recommendation 5, regarding land at Stoneham to be included as a strategic gap in Policy NE9.

FULL COUNCIL RESPONSE: It is the Authority's view that it is the land north of the M27 which achieves the strategic gap objectives of preventing coalescence between Southampton and Eastleigh. This accords with the then Secretary of State's view in 1994, expressed as part of the Public Inquiry into the location of a Football Stadium for the City. The positioning of the M27 is considered to be the natural barrier to the strategic gap, rather than being an integral part of it. The visual impact of the adjacent factory premises to the east of the site further reduces the visual effectiveness of preventing coalescence with Eastleigh. The land will be protected as Open Space under Policy CLT3.

RECOMMENDATION: No further changes to the Plan

Proposed Modifications- NE/PM15 - Paragraph 3.23 1 Representation(s) received

Ref: 56/2 Respondent: Test Valley Borough Council

Representation: Objection to omission from Plan

RESPONDENT COMMENT: Test Valley Borough Council object to the deletion of the strategic gap between Nursling and Southampton. The deletion of this policy would effectively mean that the land would become an unprotected part of the urban area of the City despite it having an undeveloped agricultural character. In the Revised Deposit Local Plan Southampton City Council proposed deletion of strategic gap south of Nursling in accordance with the Structure Plan review but did not establish a local gap in its place. With the removal of CLT3 designation as well, there is a policy vacuum in this area as countryside land in the vicinity of Bargain Farm, Southwards to lower Brownhill Way, should be designated as countryside.

FULL COUNCIL RESPONSE: The proposed modification is in line with the Inspector's recommendation made in section 3.9 of her report. Proposed modification NE/PM15 is basically a rewording of the first two sentences of paragraph 3.23. It does not change the policy framework in this area. The Inspector is of the view that Nursling and Southampton no longer have separate identities and that they now merge into each other to a considerable degree and as a result the previously designated strategic gap no longer prevents coalescence between the boundary of the local authorities. As a result of this it is not performing the function of a strategic gap and so it is not necessary for the area to be designated as such. Test Valley Borough Council appear to accept this view. It is now too late in the local plan process for additional policies or wording to be introduced. It is considered that this is a matter that should be addressed in the Local Development Framework.

RECOMMENDATION: No further change to the plan.

CULTURE LEISURE TOURISM (CLT)

Proposed Modifications- CLT/PM1 - Policy CLT 1 1 Representation(s) received

Ref: 172/2 Respondent: Government Office For The South East

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Culture, leisure and tourism are included as main town centre uses in PPS6. Paragraph 3.3 of PPS6 states that the key considerations for identifying sites for allocation equally apply to the assessment of planning applications. Proposed Modification CLT/PM1 does not appear to make reference to scale, which is listed in paragraph 2.28 OF PPS6. Paragraph 2.29 of PPS6 says that LPAs should focus primarily on the considerations in paragraph 2.28.

FULL COUNCIL RESPONSE: It is accepted that the Proposed Modification to Policy CLT 1

does not refer to scale in accordance with PPS6 'Planning for Town Centres'. PPS6 was published in March 2005 after the Inspector's report was received although draft PPS6, which was published in December 2003, referred to scale of development. It is considered that it is too late at this stage to propose further changes to the policy to take on board recent government guidance. The South Hampshire town centre study that is currently being carried out by DTZ on behalf of the PUSH authorities is looking at built leisure as well as retailing. The results of this study will feed into the Council's LDF work and it is considered that GOSE'S concerns can be taken on board at that stage. Moreover it is considered that the issue of scale was considered by the Inspector in her consideration of the objections. The Inspector referred to draft PPS6 in her comments on the retail policies and, in her reasoning and conclusions on CLT 1, cross-referred to her recommendations on Policy REI 2 where she set out the sequential approach to site selection. This made reference to the 'relevant centres in which to search for sites will depend on the nature and scale of the development and the catchment it seeks to serve'. In addition any proposal for culture, leisure and tourism uses will also need to be assessed against advice in PPS6.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications- CLT/PM12 - Policy CLT5 1 Representation(s) received

Ref: 846/1 Respondent: SCAPPS
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to words "when this cannot be achieved an appropriate financial contribution will be sought to finance a particular project that by location and type would directly benefit the occupiers of the development". The wording is too vague. Who is to judge what would benefit the occupiers and would they be consulted? The modification should be deleted and the original requirement for open space (2.4 hectares/1000 population) should be strictly adhered to.

FULL COUNCIL RESPONSE: The Proposed Modification is in line with the Inspector's recommendation. The Inspector considered that the policy as written in the Revised Deposit draft did not fully comply with Circular 1/97, specifically in applying a blanket formulation. The Inspector also considered that there needs to be the facility in the policy for a developer to demonstrate that open space does not need to be provided in association with new development and that there is sufficient open space provision in the locality. The Inspector also recommended that the council should carry out an open space audit and review the relevant policies, which would include CLT 5. The Open Space audit has now been completed and the council will be using the results to formulate local standards for open space as part of the work for its LDF.

RECOMMENDATION: No further change to the plan.

Proposed Modifications- - Omission from Policy CLT 8 2 Representation(s) received

Ref: 1260/1 Respondent: Mrs Nugent
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to Council not accepting Inspector's recommendation to amend Policy CLT8 to include the word 'existing' before 'sporting.' Does not wish to see any further building on the sports centre and does not want her views obstructed. Any further development on the Sports Centre should be resisted; intensification will attract too many people.

FULL COUNCIL RESPONSE: The use of the word "existing" which relates to the current sports facilities only, would be extremely restrictive and mean that the city cannot properly contribute to recreational and leisure provision.

RECOMMENDATION: No further change to the Plan

Ref: 1288/1 Respondent: Mr Simons
Representation: Objection to SCC not accepting Inspector's Recommendation
RESPONDENT COMMENT: Object to Council not accepting Inspector's' recommendation to

include the word "existing" before "sporting". Wants the uses of the sports centre to be restricted to what is existing. Feels that any further development of the site will cause problems for parking and safety.

FULL COUNCIL RESPONSE: The use of the word "existing" which relates to the current sports facilities only, would be extremely restrictive and mean that the city cannot properly contribute to recreational and leisure provision.

RECOMMENDATION: No further change to the Plan

LEARNING (L)

Proposed Modifications-L/PM2 - Policy L 6 1 Representation(s) received

Ref: 1554/1 Respondent: Southampton City PCT And Hampshire Ambulance Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification as in line with discussions held with landowners, Southampton Institute and SCC to resolve the issue.

FULL COUNCIL RESPONSE: Welcome Support

Proposed Modifications- L/PM3 - Paragraph 6.14 1 Representation(s) received

Ref: 1554/2 Respondent: Southampton City PCT And Hampshire Ambulance Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification as in line with discussions held with landowners, Southampton Institute and SCC to resolve the issue.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- L/PM5 - Paragraph 6.17 1 Representation(s) received

Ref: 362/2 Respondent: Southampton University Hospitals NHS Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: The Proposed Modification to paragraph 6.17 acknowledges the importance of teaching and research to the functioning of the hospital.

FULL COUNCIL RESPONSE: Welcome Support

HOUSING & HOMES (H)

Proposed Modifications- H/PM11 - Policy H 5 2 Representation(s) received

Ref: 102/1 Respondent: Residents Action Group

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council accepting Inspector's recommendation to remove criterion 3 from Policy H5.

FULL COUNCIL RESPONSE: The Inspector has stated that there is no direct link between the floorspace limitation of 105sq.m, and whether or not an adequate standard of accommodation can be provided. The reason for inclusion of the figure is to provide consistency with policy H7, which is now being deleted. The Inspector's recommendation is accepted.

RECOMMENDATION: No further changes to the Plan

Ref: 367/1 Respondent: Residents Action Group

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council accepting the Inspector's recommendation to remove criterion 3 from policy H5. Reason is that HMO's require a minimum of 105sq m or more to provide facilities and amenity to the occupiers of an HMO for a healthy lifestyle.

FULL COUNCIL RESPONSE: The Inspector has stated that there is no direct link between the floorspace limitation of 105sq.m, and whether or not an adequate standard of

accommodation can be provided. The reason for inclusion of the figure is to provide consistency with policy H7, which is now being deleted. The Inspector's recommendation is accepted.

RECOMMENDATION: No further changes to the Plan

Proposed Modification - H/PM13 - Policy H 6 Paragraph 7.20 1 Representation(s) received

Ref: 367/2 Respondent: Residents Action Group

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to council accepting Inspector's recommendation to remove Policy H6 and Paragraph 7.20. Does not want large houses turned into flats as feels this would lead to an even more unhealthy lifestyle (amenity issues) than existing.

FULL COUNCIL RESPONSE: The Inspector's statement that there is insufficient updated information to justify that there should be no sub-division of larger property which could damage the needs of ethnic minorities is accepted. The properties which lie within the central urban area are under pressure.

RECOMMENDATION: No further change to the Plan

Proposed Modifications-H/PM14 - Policy H 7 and Paragraph 7.21

2 Representation(s) received

Ref: 367/3 Respondent: Residents Action Group

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council accepting Inspector's recommendation to delete Policy H7 and Paragraph 7.21. Concerned that subdivision of houses with less than 105sq m floor area would lead to greater pressure on existing services, greater pressure for parking, overcrowding and reduction of amenity in surrounding environment.

FULL COUNCIL RESPONSE: There is no recent evidence to suggest that there is a shortage of family accommodation, so the Inspector's recommendation is accepted.

RECOMMENDATION: No further change to the Plan

Ref: 1531/1 Respondent: Banister, Freemantle, Polygon CAF

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council accepting Inspector's recommendation to remove Policy H7 and paragraph 7.21 from the Local Plan. Wish to retain Policy H7 as feel that the existing family sized houses will be subdivided to provide greater resale value. Concerned about the increased pressure for parking, services and amenity.

FULL COUNCIL RESPONSE: There is no recent evidence to suggest that there is a shortage of family accommodation, so the Inspector's recommendation is accepted.

RECOMMENDATION: No further changes to the Plan#

Proposed Modifications- H/PM15 - Policy H 9 1 Representation(s) received

Ref: 1185/1 Respondent: Southampton University Hospitals NHS Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: The Proposed Modification will enable the SGH and RSHH to be developed for the provision of healthcare in an efficient manner maintaining functional relationships

FULL COUNCIL RESPONSE: Welcome Support

Proposed Modifications-H/PM16 - Paragraph 7.24 1 Representation(s) received

Ref: 1185/2 Respondent: Southampton University Hospitals NHS Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: The proposed modification will enable the SGH and RSHH to be developed for the provision of healthcare in an efficient manner maintaining functional relationships.

FULL COUNCIL RESPONSE: Welcome Support

Proposed Modifications- H/PM38 - Policy H 18 received

2 Representation(s)

Ref: 572/1 Respondent: Southampton Institute

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the reference "affordable" residential accommodation. Council's proposed change to the Inquiry agreed the word "affordable" should be deleted from the policy.

FULL COUNCIL RESPONSE: Proposed Change 99 was not included in the published "Proposed Modifications" document, as a clerical error. The two objectors, the University and the Institute, have recognised this as an unintended omission.

RECOMMENDATION: Delete the word "affordable" from the policy.

Ref: 573/1 Respondent: University Of Southampton

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the reference "affordable" residential accommodation. Council's proposed change to the Inquiry agreed the word "affordable" should be deleted from the policy.

FULL COUNCIL RESPONSE: Proposed Change 99 was not included in the published "proposed changes" document, as a clerical error. The two objectors, the University and the Institute, have recognised this as an unintended omission.

RECOMMENDATION: Delete the word "affordable" from the policy.

Proposed Modifications- H/PM46 - After Paragraph 7.54

1 Representation(s) received

Ref: 172/3 Respondent: Government Office For The South East

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: GOSE objects to the Proposed Modification not removing the word "Transit Sites". GOSE feels Council has not justified the reason why only transit sites are required. The Policy is not clear on how a planning application for sites other than transit sites would be dealt with. The Inspector recognised this in her report but did not recommend the words "Transit Sites" to be removed or altered.

FULL COUNCIL RESPONSE: Circular 1/94 is intended to be superseded by revised guidance which amends the advice relating to the three types of site. The ODPM published draft guidance in December 2004. The revised text in paragraph 7.56 and 7.57 refers to the need to provide accommodation for nomadic as opposed to settled gypsies and figures are quoted, which are sufficient justification in a local plan to support this. A more detailed justification is in the council's 'Gypsy Strategy'. This answers the question raised by the Inspector about why we need transit sites and not others. The Inspector has stated that investigations into the degree of need should be considered as part of the preparation for the Local Development Framework. Para 7.57 explains the future requirement for the local housing assessment process to take into account gypsy requirements. This is not a material change of policy but factual information added to the text.

RECOMMENDATION: Amend paragraphs 7.56 and 7.57 to read:

7.56 The City Council has now adopted a Strategy for Meeting the Needs of Nomadic Gypsies and Travellers. The city possesses one settled site for gypsies and travellers capable of accommodating thirty six caravans. The Strategy illustrates that the trend in the number of unauthorised encampments has risen from only 3 involving 45 people in 2000, to 10 with 274 people in 2003 and up to 20 with 482 people involved in 2004. Unauthorised encampments attract rapid responses to move occupants but in order to comply with the

Human Rights Act this will only be possible if an established Transit Site is available. The City Council using criteria set out in its strategy is assessing sites which would prove suitable to accommodate nomadic groups.

7.57 Following government guidance, the current Housing Needs Survey is assessing the level of provision required for nomadic gypsies and travellers. This will be the key source of relevant information.

RETAILING ENTERPRISE & INNOVATION (REI)

Proposed Modifications REI/PM2 - Paragraph 8.3 1 Representation(s) received

Ref: 1556/1 Respondent: Day Lewis Ltd

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support deletion of "There is a qualitative need for a new high quality foodstore at Portswood District Centre" under paragraph 8.3 as recommended by the Inspector.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications REI/PM4 - Paragraph 8.3 1 Representation(s) received

Ref: 1556/2 Respondent: Day Lewis Ltd

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification of addition to end of paragraph 8.3. Also mentions that 'new development must prove need and be of an appropriate scale for the centre taking into account its role and function'.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications-REI/PM5 - Policy REI 1 received 3 Representation(s)

Ref: 352/1 Respondent: WestQuay Shopping Centre Ltd And Hammerson UK Properties Ltd

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification to remove Policy REI 5 and Paragraph 8.4 to 8.9.

FULL COUNCIL RESPONSE: Welcome support

Ref: 1552/1 Respondent: Sainsburys Supermarkets Ltd

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Proposed Modification to remove Policy REI1 and supporting text as recommended by the Inspector. Request that Policy REI1(iii) remain as currently worded.

FULL COUNCIL RESPONSE: The Inspector was made aware of all the issues relating to the Bus depot and the need for convenience retailing in Portswood at the time of the Local Plan Inquiry. No application had been submitted at that stage. Any retail proposal will be considered against the criteria under revised Policy REI2.

RECOMMENDATION: No further change to the Plan.

Ref: 1556/3 Respondent: Day Lewis Ltd

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support deletion of REI 1.

FULL COUNCIL RESPONSE: Welcome Support

Proposed Modifications- REI/PM7 - Policy REI2 received

1 Representation(s)

Ref: 1552/2 Respondent: Sainsburys Supermarkets Ltd

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Proposed Modification of Policy REI2 as recommended by the Inspector as it is not in accordance with PPS6. Policy REI2 (ii) should be reworded to read "sequential test analysis has been undertaken within the centre(s) where identified need is to be met". Recommend that paragraph 8.10 also be reworded accordingly.

FULL COUNCIL RESPONSE: It is accepted that PPS6 makes reference to the need for a sequential test to be applied to centres where an identified need is to be met. The Proposed Modifications were made in accordance with the Inspector's recommendations, who was aware of draft PPS6 at the time she made her recommendations. PPS6 in its final form was published in March 2005, which was late in the Local Plan process. PPS6 will be addressed as part of the review of retail policies in the LDF process. Any planning application, which is submitted, will be judged against both the Local Plan and national planning policy statements. It is not considered necessary therefore to propose further modifications.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications- REI/PM8 - Policy REI2 received

1 Representation(s)

Ref: 172/4 Respondent: Government Office For The South East

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: GOSE oppose the Proposed Modification to delete the fifth criterion of Policy REI2 as recommended by the Inspector. This criterion required the scale of the development to be appropriate to the size of the relevant centre. GOSE are saying that the Proposed Modification is not in accord with the advice set out in PPS6.

FULL COUNCIL RESPONSE: It is accepted that Policy REI 2 does not accord with the 5 criteria including the appropriate scale of development which PPS6 states LPAs should focus on. The Proposed Modifications were made in accordance with the Inspector's recommendations, (and GOSE's original objection) who was aware of draft PPS6 at the time she made her recommendations. PPS6 in its final form was published in March 2005, which was late in the Local Plan process and after the Inspector's report was received. PPS6 will be addressed as part of the review of retail policies in the LDF process. Any planning application, which is submitted, will be judged against both the Local Plan and national planning policy statements.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications REI/PM9 - Paragraph 8.10 3 Representation(s) received

Ref: 172/5 Respondent: Government Office For The South East

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: GOSE oppose the Proposed Modification of paragraph 8.10 as it does not fully accord with the advice of PPS 6 paragraph 3.29, which states that the sequential approach is only a relevant consideration where proposed retail extensions exceed 200m2. They seek for this matter to be clarified.

FULL COUNCIL RESPONSE: It is accepted that paragraph 8.10 relating to the extension of existing retail premises does not fully accord with PPS6, which states that the sequential approach is only a relevant consideration where the gross floor area of the proposed extension exceeds 200m2. Although the last sentence of paragraph 8.10 which refers to extensions of existing premises is mentioned as a Proposed Modification the text is the same as in that in the Revised Deposit Local Plan Review (the whole text of the paragraph 8.10 was included in the Proposed Modification document to aid clarification and understanding). The Proposed Modifications were made in accordance with the Inspector's recommendations, who was aware of draft PPS6 at the time she prepared her report. PPS6 in its final form was published in March 2005, which was late in the Local Plan process and after the Inspector's report was received. PPS6 will be addressed as part of the review of retail policies in the LDF

process. Any planning application, which is submitted, will be judged against both the Local Plan and national planning policy statements.

RECOMMENDATION: No further change to the Plan.

Ref: 352/2 Respondent: WestQuay Shopping Centre Ltd And Hammerson UK Properties Ltd

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the Proposed Modification to the inclusion of West Quay Retail Park being identified as within the Primary Shopping Area (PSA), as the Council has not adhered strictly to the Inspector's recommendations and has not provided clear and cogent reasons for this diversion. Hammerson UK Properties Limited and West Quay Shopping Centre Limited object to the inclusion of West Quay Retail Park being identified as within the Primary Shopping Area (PSA) on the Proposals Map. The justification provided by SCC only serves to endorse the Inspector's conclusion and demonstrate that the site is an edge-of-centre location as defined in PPS6. The Council has provided no new additional evidence to alter the Inspector's conclusion. The Council has not provided evidence to substantiate that the rental levels in WQRP are comparable to other parts of the city centre. By extending the PSA to include the retail park the city council is giving the site the status of a retail allocation. This will have wide ranging implications for the retailing in Southampton and the region and is contrary to the Inspector's recommendation that a full retail capacity and sequential analysis be undertaken within the PSA. At the Inquiry it was advanced that the redevelopment of part of the retail park could accommodate 30,000 sq m of retail floorspace, which is significant in a local and regional context, exceeding the level of retail capacity for Southampton in the whole plan period and takes no account of other opportunity sites that lie within the existing retail core of the centre, which the City Council acknowledges have not yet been investigated. They state that the City Council rejects the Inspector's recommendation that the WQRP should not be included within the PSA. They say that no time was spent at the Inquiry on the implications of amending the boundary of the PSA. They consider that the council's rejection of the Inspector's recommendation on the PSA will restore the allocation and result in the landowner avoiding the requirement to demonstrate need/capacity and comply with the sequential test in promoting redevelopment proposals. They set out a list of issues they believe the council should address at a further Inquiry prior to the adoption of the Plan to comply with the provisions of PPS6. To comply with PPS6 an Inquiry must consider the following uses none of which have yet been considered by the City Council in respect to WQRP:

- A proper assessment of need taking account both quantitative and qualitative factors
- Identification of the appropriate scale of development
- A sequential assessment of retail development sites
- The implications for impact on Southampton City Centre and the other major centres regionally
- Accessibility, sustainability and environmental effects.

FULL COUNCIL RESPONSE: The Inspector did not recommend that the WQRP should not be included within the PSA. Her recommendation was that it should be deleted as primary shopping frontage. The Inspector's reasoning for deleting the West Quay Retail Park as primary retail frontage was based on her opinion on how it functioned with the rest of the Primary Shopping Area, with which the City Council has responded in its reasoning for the Proposed Modifications why it does not accept her reasoning. The Inspector did not suggest deleting any form of shopping designation from the site. It has always previously been identified for retail. It would be illogical to leave the site unallocated, as no other significant retail area is - even local centres are identified on the Proposals Map. The City Council believes West Quay Retail Park is closely related to and well connected to the PSA. It could have redesignated it as secondary retail frontage, given its juxtaposition with the remainder of the City Centre and its ready accessibility, which would have resulted in it still forming part of the PSA and still being within the first area of search for future retail development proposals. This is a point clarified by the Inspector in paragraph 8.7.3 of her report where she states the

PSA should comprise all of the primary and secondary retail frontages as suggested in the draft PPS 6, which is contrary to evidence submitted by WQSC. The City Council does not believe it is appropriate to remove the PSA designation of WQRP and has set out its reasons for disagreeing with the Local Plan Inspector, these are:

- Contrary to the John Lewis building, which is part of the West Quay Shopping Centre (WQSC), being a substantial visual and psychological barrier, that store has its second main entrance at ground level in the north –east corner of the WQSC building with lifts providing an easy transition through the change of level. It enables the retail units in WQRP to provide comparison shopping complimenting the goods offered by the John Lewis department store, most obviously for furniture, children's and electrical goods.
- In addition to the John Lewis department store lifts there are five large lifts provided in the ASDA/Marlands car park complex and further lifts in the WQSC Multi Storey Car Park which is accessed by a bridge over Harbour Parade. All these lifts and the ramp along the south side of the WQSC, link to the footpath and cycle way which runs alongside Harbour Parade, across the Toys R Us car park and across Western Esplanade by a pelican crossing to the southern entrance of the Central Station. This route is the most direct pedestrian route from the Above Bar, High Street, East Street and Debenhams parts of the city centre, to the Central Station. The lifts overcome the perception of separation caused by the change of levels.
- The Inspector also states that the site comprises a collection of comparison retail sheds. Whilst it cannot be disputed that this is what currently resides on the site, these units were erected in the early 1990s to instigate retail development in the city centre, which is now known as West Quay Shopping Centre. The retail shed format does function as part of the city centre and therefore it is considered that this should continue to be included in the primary retail frontage designation and consequently within the PSA.
- The Inspector also considers that all the designated shop frontages – both primary and secondary, should be incorporated into the Primary Shopping Area. This results in areas in the lower High Street as being appropriate for alternative city centre uses (including a greater amount of retail development), which are a much greater walking distance than WQRP is to the John Lewis department store, and therefore further away from the city centre retail core.
- The fact that the land is reclaimed does not alter how it operates as part of the city centre as the reclamation took place over 80 years ago. Its role as part of the city centre is well established in the perceptions of the community and frequent visitors to Southampton.

Although rental values were referred to in the Council's earlier reasons it is the way in which the WQRP functions with the rest of the retailing in the City Centre which persuades the Council that it should be in the PSA and on that it strongly disagrees with the Inspector. Although no support for that view beyond that already debated at the inquiry is required, recent evidence of rental values indicates that the Council's view is a fair one.

Whilst it is acknowledged that at the Inquiry it was discussed that the comprehensive redevelopment of WQRP could accommodate significant levels of floorspace. The City Council is only drawing the boundary of the PSA around the existing retail units and not the wider WQRP area. Any further development, including a wider area outside the PSA will therefore be expected to comply with the requirements for site selection as set out in paragraph 2.28 of PPS6.

The reference to the redevelopment of part of the retail park accommodating at least 30,000 sq m of retail floorspace, relates to the evidence presented to the Inquiry by Mr Wilks on behalf of Pirelli. He indicated that the development of the Pirelli site and part of the WQRP

together could accommodate 40,000 sq m (which would involve the loss of 6 existing units of 6,000 sq m approx resulting in a net increase of 34,000sq m.) The level of redevelopment of just the footprint of the existing units at WQRP as identified as Primary Retail Frontage is therefore significantly lower than that suggested by the objectors of 30,000 sq m.

Considerable time was spent at the Inquiry debating extending the main shopping core westwards to include peripheral sites advanced for retailing (for example Dock Gate 10). The Inspector acknowledges this in paragraph 8.7.1.

It is not considered necessary to hold a further Inquiry prior to the adoption of the Plan, as the City Council believes all the issues were adequately addressed through the Local Plan Inquiry. The WQRP functions as part of the core shopping area of Southampton. Therefore for the reasons stated above, the Council considers that it should be identified as part of the PSA.

RECOMMENDATION: No further change to the Plan.

Ref: 1556/4 Respondent: Day Lewis Ltd
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification of paragraph 8.10 as recommended by the Inspector. Mentions that the modification better reflects the advice in PPS6, the requirement to demonstrate a quantitative need and that a sequential analysis has been undertaken.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- REI/PM10 - Policy REI 3

1 Representation(s) received

Ref: 172/6 Respondent: Government Office For The South East
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: GOSE object to Proposed Modification of Policy REI3 as recommended by the Inspector as it does not fully accord with the advice in PPS6 (paragraph 1.8).

FULL COUNCIL RESPONSE: It is accepted that the Policy does not fully accord with PPS6 which sets out the main town centre uses which lists warehouse clubs and factory outlet centres. The Proposed Modifications were made in accordance with the Inspector's recommendations, who was aware of draft PPS6 at the time she made her recommendations. PPS6 in its final form was published in March 2005, which was late in the Local Plan process and after the Inspector's report was received. PPS6 will be addressed as part of the review of retail policies in the LDF process. Any planning application, which is submitted, will be judged against both the Local Plan and national planning policy statements. It is not considered necessary therefore to proposed further modifications.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications - Omission not deleting WQ Retail Park as PSF

3 Representation(s) received

Ref: 352/3 Respondent: WestQuay Shopping Centre Ltd And Hammerson UK Properties Ltd
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to the Proposed Modification to the inclusion of West Quay Retail Park being identified as within the Primary Shopping Area (PSA), as the Council has not adhered strictly to the Inspector's recommendations and has not provided clear and cogent reasons for this diversion. Hammerson UK Properties Limited and West Quay

Shopping Centre Limited object to the inclusion of West Quay Retail Park being identified as within the Primary Shopping Area (PSA) on the Proposals Map. The justification provided by SCC only serves to endorse the Inspector's conclusion and demonstrate that the site is an edge-of-centre location as defined in PPS6. The Council has provided no new additional evidence to alter the Inspector's conclusion. The Council has not provided evidence to substantiate that the rental levels in WQRP are comparable to other parts of the city centre. By extending the PSA to include the retail park the city council is giving the site the status of a retail allocation. This will have wide ranging implications for the retailing in Southampton and the region and is contrary to the Inspector's recommendation that a full retail capacity and sequential analysis be undertaken within the PSA. At the Inquiry it was advanced that the redevelopment of part of the retail park could accommodate 30,000 sq m of retail floorspace, which is significant in a local and regional context, exceeding the level of retail capacity for Southampton in the whole plan period and takes no account of other opportunity sites that lie within the existing retail core of the centre, which the City Council acknowledges have not yet been investigated. They state that the City Council rejects the Inspector's recommendation that the WQRP should not be included within the PSA. They say that no time was spent at the Inquiry on the implications of amending the boundary of the PSA. They consider that the council's rejection of the Inspector's recommendation on the PSA will restore the allocation and result in the landowner avoiding the requirement to demonstrate need/capacity and comply with the sequential test in promoting redevelopment proposals. They set out a list of issues

they believe the council should address at a further Inquiry prior to the adoption of the Plan to comply with the provisions of PPS6. To comply with PPS6 an Inquiry must consider the following uses none of which have yet been considered by the City Council in respect to WQRP:

- A proper assessment of need taking account both quantitative and qualitative factors
- Identification of the appropriate scale of development
- A sequential assessment of retail development sites
- The implications for impact on Southampton City Centre and the other major centres regionally
- Accessibility, sustainability and environmental effects.

FULL COUNCIL RESPONSE: Response is the same as for 352/2.

RECOMMENDATION: No further change to the Plan.

Ref: 1523/1 Respondent: Pirelli General Plc

Representation: Support SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Support Council's decision not to accept Inspector's recommendation to delete West Quay Retail Park as Primary Shopping Frontage from proposals map. Agree with Council's reasons that the WQRP is an important part of the primary shopping area and has a key role in broadening the range and choice of shopping in the city centre.

FULL COUNCIL RESPONSE: Welcome support

Ref: 1524/1 Respondent: CGNU Life Assurance Limited

Representation: Support SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Support Council's decision not to accept Inspector's recommendation to delete West Quay Retail Park as Primary Shopping Frontage from proposals map. Agree with Council's reasons that the WQRP is an important part of the

primary shopping area and has a key role in broadening the range and choice of shopping in the city centre.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- REI/PM16 - Policy REI 6

1 Representation(s) received

Ref: 1556/5 Respondent: Day Lewis Ltd
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification of Policy REI6 as recommended by the Inspector. Agrees that development in District Centres should remain in scale with the centre and maintain and enhance its vitality and viability.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- REI/PM17 - Policy REI 7

1 Representation(s) received

Ref: 1556/6 Respondent: Day Lewis Ltd
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification of Policy REI7 as recommended by the Inspector. Mentions that it is important that any new retail development in the centre (local centre) is of an appropriate scale and the floorspace limit in the policy should ensure this.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications-REI /PM26 - Policy REI 10

4 Representation(s) received

Ref: 695/1 Respondent: Ordnance Survey
Representation: Objection to omission from Plan

RESPONDENT COMMENT:

1. Object to Proposed Modification of Policy REI10 by allowing only class B1(b) and B1(c) and ancillary office use on the Ordnance Survey site. Whereas previously it was proposed for employment led mixed-use development.
2. The Proposed Modification is a highly material change of Policy which should be heard at a further public Inquiry.
3. Ordnance Survey feel that Council has not justified the reasons why it has changed the policy from B1 uses to B1(b) and B1(c) uses. It believes there is an adequate supply of industrial land i.e. 14 years supply as acknowledged by the Inspector. It is therefore not legitimate, nor logical for the LPA to seek to add a further 9.91 Ha by including the OS site.
4. OS believes there is an adequate supply of land already available for research and development B1(b), which the Council did not rebut at the Public Inquiry, therefore have concluded that the LPA agrees that there is an adequate supply of land for B1(b). The Council has given no reason as to why they now consider it a viable when there is an adequate supply of such land.
5. It is not logical to designate the site for employment when the Inspector has stated the site is unsuitable due to problems on accessibility.
6. By allocating the OS site for B1(b) and (c) like the British American Tobacco site as it was allocated for similar uses in the Local Plan Review Revised deposit version ignores the fact that in terms of accessibility the evidence before the Inspector at the public Inquiry drew a comparison between the OS site and BAT.
7. Ordnance Survey request Council accept Inspector's recommendation and remove reference to the Ordnance Survey site and replace it with a site specific policy which better reflects the reality of the situation. They propose a new policy for the site identifying it for residential development except for the retention of Compass House for office (B1a) use.

FULL COUNCIL RESPONSE:

1. Policy REI10 of the Revised Deposit Local Plan did not allocate the site for employment led mixed-use development. It was allocated as a major employment site for B1 uses. If the objection is referring to the previous reference in paragraph 8.45 of the Revised Deposit Local Plan Review which referred to employment led mixed use development if the site came forward for comprehensive redevelopment, this issue of the confusion between paragraphs 8.44 and 8.45 was addressed at the Inquiry.

2. The proposed modification is not a highly material change of Policy. The Council has just clarified the exact type of employment uses in the Policy (that it had previously only stated in the supporting text) that would be suitable on the site, as the Inspector recommended for the other major employment sites identified under Policy REI 10.

3. The reference to there being an adequate supply of industrial land was acknowledged by the Inspector in response to representations made to Policy REI11 and related to IKEA's evidence that the city should not just look at the area within the Southampton administrative area, but the wider sub region. The City Council whilst recognising that there may be no quantitative need to retain all existing employment sites does not consider that there is an adequate qualitative appraisal of employment sites undertaken on a comparative basis to justify a permissive approach to non-employment development on the OS site. The City Council believes it is appropriate to continue to safeguard all employment sites until a review of all the employment land supply is assessed and completed. This work, which will form part of the background evidence to the LDF Core Strategy, is already being progressed jointly with Eastleigh Borough Council. To release employment sites in the short term for alternative uses could also undermine the Partnership for Urban South Hampshire vision for the sub region which is focussing on employment led economic growth concentrating on the two cities in South Hampshire promoting urban regeneration and renaissance.

4. The Employment Land Supply work currently being undertaken will provide a much sounder basis for decisions on the future of employment sites within the City. This will allow for a proper comparison of all the employment sites within the context of a better understanding of the employment land supply position both in the shorter and longer term. The ODPM guidance note "Employment Land Reviews" (published December 2004) makes it clear that employment land reviews should cover:

1. The whole range of B-class business uses, including: offices, light and general industry, research, business and science parks (e.g. – paragraph 2.25 and Box 5.2). It is therefore appropriate for the Council to consider the Ordnance Survey site (existing use offices; proposed use light industry / research) in-terms of the employment land supply position.
2. All key sites. It refers to sites of 0.25 hectares or more (paragraph 4.18); and large free standing units and large existing employment areas (paragraph 6.20 and box 6.3). It states that "for some large 'urban' authorities, much of their future land supply will come from existing employment areas" (paragraph 6.20). The Ordnance Survey site falls into these categories and it is therefore appropriate for it to be considered in terms of the employment land supply position.

The Council will need to assess the components of the supply and compare the OS site with other sites in the supply such as the Chilworth Science Park which is inaccessible by comparison.

5. Whilst the City Council identified on the Accessibility Map that the site was of low accessibility, in fact the site was served by 22 buses (each way) per hour. The site was therefore of high accessibility and as it is currently still being served by above the 20 buses per hour threshold it remains in the high accessibility category. Although the site was classified under policy SDP 5 as proposed to be modified as being of 'medium accessibility'. This is because it was deemed to be served by between 10 - 19 buses per hour (weekday daytime). This was an error. The Inspector was therefore misled into concluding that the site was of low accessibility. The current level of daytime (Monday-Friday) bus services passing past the site is:-

First Bus Services 8/8A (Cross City: Lordshill - City Centre - Bitterne) " 10 min frequency in each direction = 12 buses per hour (Same level in August 2002) First Bus Service 17A (Cross City: Lordshill - Aldermoor - Millbrook - City Centre - Woolston) "20 min frequency in each direction = 6 buses per hour (Same level in August 2002) Blue Line Service BS4 (Romsey - City Centre) " 30 min frequency in each direction= 4 buses per hour (Same level in August 2002- previously service 15) The stops for these services in relation to the site are in the vicinity of the Maybush Corner at the intersection of Romsey Road, Wimpson Lane, Rownhams Road and Coxford Road. At the time of formulating the Accessibility Map for the Revised Deposit Version (August 2005) there was an extra service in the area of three buses each way per day on Blue Line service 15A, this service was withdrawn in June 2004.

6. As already stated the Inspector was incorrect in her assessment in the accessibility of the site. It is therefore seen as entirely appropriate to allocate the Ordnance Survey site for the same types of employment uses as the Inspector recommended for BAT. As the City Council allocated them for the same uses in the Revised Deposit Plan.

7. The City Council does not believe that the Ordnance Survey have raised any new issues which should make it consider accepting the Inspector's recommendation. There is no justification to allocate the site for residential development and B1(a) office use. This would not be in accordance with the Inspector's recommendation and would be contrary to PPS6 in terms of allocating an out of centre site for office development where there is no justification for doing so as there are sequentially preferable sites within the city centre. There is also no demonstrated need to allocate the site for housing purposes. The City Council made it clear in its evidence to the Local Plan Inquiry that the site was not required for residential development as there were sufficient housing sites identified in the city to meet its Structure Plan requirement. Ordnance Survey also stated in their proof of evidence that they were not requesting an allocation for residential development (paragraph 1.5.3 Supplementary Statement Written representation Feb 2004). The City Council is not in a position to consider a new representation at this stage of the Local Plan process.

RECOMMENDATION: No further change to the Plan.

Ref: 695/2 Respondent: Ordnance Survey

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Ordnance Survey request Council accept Inspector's recommendation and remove reference to the Ordnance Survey site by deleting Proposed Modification RE1/PM26 Issues raised same as 695/1, although no reference is made to the inclusion of a new policy

FULL COUNCIL RESPONSE: Response the same as for 695/1 apart from reference to inclusion of a new policy.

RECOMMENDATION: No further change to the Plan.

Ref: 695/3 Respondent: Ordnance Survey

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT:

a. The Inspector notes that poor accessibility of the site was confirmed by the Accessibility Map. She concluded that this is an unsuitable site for inclusion within Policy RE110 and that accessibility could not be improved through the implementation of a travel plan. The LPA does not address the fact that they and the OS have been grappling with the issues of poor accessibility since 1996 without success, does not deal with government planning advice set out in the written presentation and quoted by the Inspector and does not explain why the LPA disagrees with the Inspector's conclusion that the site is unsuitable for employment uses.

b. The Inspector made no reference to a "city-wide region view" of employment land in respect of sites within Policy RE110, nor did she cross-reference her conclusions and recommendations relating to Policy RE110 to any other part of her report. This reference

relates to Policy REI11. The LPA is seeking to treat this site as if it were 100% employment by referring to reasoning relating to Policy REI11. A transfer of the OS site from Policy REI10 to REI11 was not considered at the Inquiry and an Inspector has not therefore examined it. It believes there is an adequate supply of industrial land i.e. 14 years supply. It is therefore not legitimate, nor logical for the LPA to seek to add a further 9.91 Ha by including the OS site. OS believe the LPA are seeking to enlarge the Inspector's recommendation by enlarging the supply of industrial land and not safeguarding. They believe this is a material change, which objectors must be able to consider and tested at a new public Inquiry. The LPA fails to consider the suitability of the site as considered by the Inspector. The LPA states that the OS site has a higher degree of accessibility than peripheral sites, but this does not overcome the unsuitability of the site for employment purposes as recognised by the Inspector. The reason for rejecting the Inspector's view is not legitimate. Object to Proposed Modification of Policy REI10 by allowing only class B1(b) and B1(c) uses on the Ordnance Survey site.

c. The bus route information including service frequency and destination is the same now as in February 2003 and between November 2003 and February 2004. There has been no such material change of circumstance.

d. The LP Inspector made no reference to Millbrook in respect of Policy REI 10 nor did she cross-reference her conclusions and recommendations on Policy REI 10 to any other part of her report.

e. The Inspector notes that the sites with Policy REI 10 are major employment sites but she concluded that the OS site was unsuitable for major employment. The basis for her conclusion was quite separate and unrelated to the comment quoted on safeguarded industrial sites, which is made in relation to REI 11, and her comments on housing land.

f. The Local Plan Inspector made no reference to further reassessment in respect of Policy REI 10 nor did she cross reference her conclusions and recommendations on Policy REI 10 or any other part of her report. The reference to further assessment relates to land currently safeguarded for industrial use under Policies REI 11 and REI 12 and is unrelated to Policy REI 10 so it is unjustified, unfair and unlawful. Ordnance Survey request the Council accepts Inspector's recommendation and remove reference to the Ordnance Survey site by deleting Proposed Modification REI/PM26.

FULL COUNCIL RESPONSE:

a. The Inspector was misled into concluding that the site was of low accessibility. Whilst the City Council identified on the Accessibility Map that the site was of low accessibility at the time of the Local Plan Inquiry, in fact it was served by 22 buses (each way) per hour (i.e. at August 2002 when the Accessibility Map was drawn up). The site is therefore of 'high accessibility' currently still being served by above the 20 buses per hour threshold. The Inspector does state that the Accessibility Map should only be used as a guide, however. Any redevelopment of the site would require a transport assessment, at which time the current situation with bus services can be assessed in detail with supporting travel alternatives. The Council believes that this will show that the site has numerous cycle and bus alternatives and that the site accessibility could be further enhanced by an employees travel plan. The Council does not, therefore, accept the Inspector's conclusions on the accessibility of the site.

b. Although the Inspector did not cross reference to REI 10 it is considered sensible and appropriate to read her report as a whole, particularly in relation to similar issues. When looking at the employment needs of the city it is entirely appropriate to look at all sites and not just those designated for specific use classes. To not undertake a thorough analysis of all sites would undermine a comprehensive analysis of employment sites. Policy REI10 allocated the site for 100% employment, so there is no change in circumstance in relation to this point. The City Council is not attempting to transfer the site to Policy REI11, and has made no Proposed Modification to that effect. The reference to there being an adequate supply of industrial land was acknowledged by the Inspector in response to representations made to Policy REI11 and related to IKEA's evidence that the city should not just look at the area within the Southampton administrative area, but the wider sub region. The City Council whilst recognising that there may be no quantitative need to retain all existing employment sites does not consider that there is an adequate qualitative appraisal of employment sites undertaken on a comparative basis to justify a permissive approach to non-employment

development on the OS site. It believes it is appropriate to continue to safeguard all employment sites until a review of all the employment land supply is assessed and completed. This work, which will form part of the background evidence to the LDF Core Strategy, is already being progressed jointly with Eastleigh Borough Council. To release employment sites in the short term for alternative uses could also undermine the Partnership for Urban South Hampshire vision for the sub region which is focussing on employment led economic growth concentrating on the two cities in South Hampshire promoting urban regeneration and renaissance. The City Council is not attempting to enlarge the supply of industrial land; none of the major employment sites listed in Policy REI 10 were included in the previous employment land supply.

c. There was in fact an extra service in the area (in August 2002 when the accessibility map was drawn up) of 3 buses each way per day on Blue Line service 15A, which was withdrawn in June 2004. The site is actually served by a total of 22 buses per hour. The Inspector was therefore misled when she was informed that the site was of low accessibility as in fact in it of high accessibility.

d. The Inspector's report should be read as a whole. The area where the OS site is located at Romsey Road is part of the Outer Shirley Regeneration Area. This is a statement of fact. It is important to retain local employment opportunities to serve this area of deprivation.

e. The City Council believe it is appropriate to make reference to having sufficient housing land and the need to safeguard existing industrial sites as referred to the Inspector in paragraphs 8.15.3, as her recommendation would result in the Ordnance Survey site having no allocation and could result in development proposals, which command higher land values, coming forward which would undermine the employment opportunities of the site, prior to the City Council undertaking a comprehensive analysis of its employment sites. The Inspector's reasoning for the site being unsuitable for major employment was based on her understanding that the site was inaccessible. As stated previously the Inspector was misinformed on this point. The City Council therefore believes it is appropriate to retain the site for employment purposes as it is in fact highly accessible and not of low accessibility as previous indicated in the accessibility map, which was the evidence submitted before the Inspector. The comparative accessibility of the site will be a matter to be addressed as part of the Employment Land Review.

f. Although the Inspector did not cross reference to REI 10 it is considered sensible to read her report as a whole, particularly in relation to similar issues. When looking at the assessment of employment sites serving the city it is entirely appropriate to look at all sites and not just those designated for specific use classes. To not undertake a thorough analysis of all sites would undermine a comprehensive analysis of employment sites. The ODPM guidance note "Employment Land Reviews" (published December 2004) makes it clear that employment land reviews should cover:

1. The whole range of B-class business uses, including: offices, light and general industry, research, business and science parks (e.g. – paragraph 2.25 and Box 5.2). It is therefore appropriate for the Council to consider the Ordnance Survey site (existing use offices; proposed use light industry / research) in-terms of the employment land supply position.
2. All key sites. It refers to sites of 0.25 hectares or more (paragraph 4.18); and large free standing units and large existing employment areas (paragraph 6.20 and box 6.3). It states that "for some large 'urban' authorities, much of their future land supply will come from existing employment areas" (paragraph 6.20). The Ordnance Survey site falls into these categories and it is therefore appropriate for it to be considered in terms of the employment land supply position.

The City Council does not believe that the Ordnance Survey have raised any new issues which should make it consider accepting the Inspector's recommendation.

RECOMMENDATION: No further change to the Plan.

Ref: 695/4 Respondent: Ordnance Survey
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Ordnance Survey request Council accepts Inspector's recommendation and remove reference to the Ordnance Survey site by deleting Proposed Modification REI/PM26. The issues raised are the same for 695/3. They propose replacing the Policy with a site specific policy which better reflects the reality of the situation. They propose a new policy for the site identifying it for residential development except for the retention of Compass House for office (B1a) use.

FULL COUNCIL RESPONSE: The City Council does not believe that the Ordnance Survey have raised any new issues which should make it consider accepting the Inspector's recommendation. Response is the same as for 695/3. There is no justification to allocate the site for residential development and B1(a) office use. This would not be in accordance with the Inspector's recommendation and would be contrary to PPS6 in terms of allocating an out of centre site for office development where there is no justification for doing so as there are sequentially preferable sites within the city centre. There is also no demonstrated need to allocate the site for housing purposes.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications-REI /PM30 - Policy REI 11 2 Representation(s) received

Ref: 1553/1 Respondent: La Salle Investment Management
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support

FULL COUNCIL RESPONSE: Welcome support.

Ref: 1553/2 Respondent: La Salle Investment Management
Representation: Objection to omission from Plan

RESPONDENT COMMENT: The objector wishes to allocate Policy REI 11 (iii) for office uses Class B1(a) and B1(b).

FULL COUNCIL RESPONSE: The objector wishes to allocate Policy REI 11 for office uses Class B1(a) and B1(b). The issues raised by the objector were not raised at the Inquiry. Other issues relating to the City Industrial Park have been discussed at the Inquiry. The Inspector had concluded that no modification to the Local Plan was necessary and consequently provided no recommendation for the City Industrial Park. There is no proposed modification for that site and as such the City Council cannot accept representations on changing the land use allocation this late in the Local Plan Review process. No change is proposed as the objection is considered not duly made.

RECOMMENDATION: No further change to the plan.

Proposed Modifications- Omission REI 12

1 Representation(s) received

Ref: 1508/1 Respondent: Mursell Limited
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: The objector request that the Local Planning Authority accept the Inspector's Recommendation to delete reference to Richmond Works in policy REI 12 (xiv), thus removing the land allocation on the proposals map.

FULL COUNCIL RESPONSE: The objector requests that the Local Planning Authority accept the Inspector's Recommendation to delete reference to Richmond Works in policy REI 12 (xiv), thus removing the land allocation on the proposals map and splitting the site leaving Liners Industrial Estate for light industrial purposes.

The objector points to the following: -

1. That the LPA has not adequately addressed the findings of the Inspector or given clear

reasons for not accepting the recommendation

2. That no specific justification has been provided for not accepting the recommendation.
3. The policy is not reasonable or capable of implementation.
4. A recent approval of a MOT testing station (app no 04/01249/FUL) near the site is a relevant material consideration as the use is B2 (general industrial)
5. The policy is unreasonable as it does not provide the owner with the flexibility of other employment uses.
6. The Council's policy will continue unsuitable uses on the site and would likely blight residential on the adjacent site.

Further to the comments made in the Schedule of Response to the Inspector's Recommendations the City Council provides further specific justification in response to the points made by the objector and reasoning for retaining site REI 12 (xiv) and therefore for not accepting the Inspector's Recommendation included in section 8.16 of her Report.

1 & 2 Southampton as a more accessible location should be retaining sites close to a potential workforce, thus reducing the need for further commuting outflow from the City (shown at 28,879 per day by the 2001 census, although this is relatively new evidence).

Accessibility is relevant when allocating the light industrial use near a potential workforce. Light industry is identified by PPG3 as appropriate uses next to residential. The present allocation seeks light industrial close to residential as preferable to B2 or B8 uses. This is supported by other Local Plan Review policies SDP 1 (quality of development); SDP15 (air quality); SDP16 (noise). The proposed allocation would limit further inappropriate B2 uses on the whole site allowing these to move to more appropriate sites in the city (which are allocated by the Local Plan).

The City Council disagrees with the Inspector's stance on splitting the REI 12 (xiv) site. The City Council is concerned that such a split would allow for part of the site to be developed for residential resulting in a loss of employment land and allowing for new residential dwellings directly adjacent to industrial units that are presently B2 (at Liners Industrial Estate).

The land adjoining the site that faces Payne's Road was removed at the Revised Deposit Stage as it was considered a separate planning unit and of insufficient size to allocate as a separate employment site. The land has direct access to Payne's Road, whereas the remaining site is accessed from Park Road.

The access issues are therefore relevant and the most pertinent points; these do not seem to have been addressed by the Inspector. The City Council cannot see how a split site can be accessed given that a development would have to feed from Park Road along Pitt Road. The road is also the access route for Industrial Units at Liners Industrial Estate. A similar light industrial use to that allocated for Richmond works is sought at Liners. Similar uses would allow for a consistent use that maintained the access route for light industry and business (this could be achieved via a comprehensive development of the whole site allocation). An over expansion or use by heavy industry or alternative use at Richmond Works would cause adverse highways and access issues. Given the width and character of the highway other uses should reasonably be deemed inappropriate. It is also of relevance that the land accessed from Payne's Road is no longer included in the site allocation as is considered a separate planning unit (as intended by permission 01/00476FUL at 113 Payne's Road for a Garage/MOT use). The Inspector states in paragraph 8.16.13 of the Report that a consideration for alternative uses on the site must consider the Liners Industrial Estate.

3. As far as the City Council is aware no other significant or realistic proposals have been forwarded for the site, this is converse to another site that was removed at Portswold Road (REI 12 (ii)). An affordable housing scheme was forwarded that was considered a more suitable and sustainable use in that instance. It is therefore not clear that there would be any advantage in terms of implementation for changing the principle of land use on the site; in fact given the access issues outlined a change in allocation may worsen an alternative scheme's

prospects. The City Council consider that a redevelopment of the whole site for light industry is possible over the plan period particularly given the emerging PUSH (Partnership for Urban South Hampshire) economic work, although it is again accepted that the Inspector was not aware of this evidence at the Inquiry.

4. In terms of recent history the planning application reference 04/01249FUL was not a departure from the Adopted Local Plan (1995-2001) that does not allocate the land for any specific use. The City Council granted permission for the use subject to strict conditions including planning conditions preventing (A) paint spraying, (B) panel beating, and, (C) any use of premises on Sundays, Bank and other recognised public holidays. Further to this, consideration was had of the large back gardens in the area acting as sufficient separation between light industrial uses and residential. It is accepted that the permission was contrary to the safeguarding in the Local Plan Review as motor vehicle repair & maintenance establishments are considered B2 uses. However, on a case-by-case basis development may be acceptable via the imposition of strict conditions on certain B2 uses that could reasonably be considered light industrial in character. Development in keeping with light industry is encouraged on these particular sites in order to allow for sites further away from residential to be retained by B2 and B8 uses.

5. The owner's private commercial concerns have to be balanced with the overriding public interest and as we have mentioned there is local need to balance appropriate industry in a residential area. In line with recent government guidance an 'Employment Land Review' industrial and employment study will be conducted later this year with a sub-regional context. Early work has begun with Eastleigh Borough Council. It is therefore our view to remain cautious over the use of the site. It is presently industrial in character, and given the Local Plan Review policies and site constraints a light industrial character is justified. To lose the site may prejudice the findings of the forthcoming study. It must be emphasised that if the forthcoming Employment study shows that the site REI 12 (xiv) is not needed for light industry then that not only acts as a consideration for the new Local Development Framework, but as a major and significant material consideration for any planning application seeking a departure from the Local Plan Review (once adopted). If however the study shows a need then this would further justify our cautious position and retain an important employment site.

6. The City Council does not believe that safeguarding a site for light industry will in any way continue unsuitable uses on the site. Instead over time B2 uses will convert to lighter industrial uses on the whole site resulting in a more appropriate local environment whilst ensuring that sufficient local land is available for employment use. Modern light industry with sufficient safeguards is an appropriate and sustainable use in residential areas.

To conclude the City Council believes that it has acted reasonably in the decisions over the future land use for the site. It is sound and rational to await the publication of forthcoming studies before removing a safeguarding that acts to ensure sufficient employment land in sustainable locations. There are also major access issues to the site. The City Council proposes no further changes to policy REI 12.

RECOMMENDATION: No further change to the plan.

HEALTH & CARING (HC)

Proposed Modifications- HC / PM1 - Policy HC 1

1 Representation(s) received

Ref: 1185/3 Respondent: Southampton University Hospitals NHS Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support the Proposed Modification

FULL COUNCIL RESPONSE: Welcome Support

TRANSPORT INFRASTRUCTURE (TI)

Proposed Modifications-TI / PM7 - Paragraph 10.18 1 Representation(s) received

Ref: 98/1 Respondent: Mr Harrison-Watts
Representation: Support Proposed Modification
RESPONDENT COMMENT: Support the Proposed Modification
FULL COUNCIL RESPONSE: Welcome Support

Proposed Modifications-TI / PM8 - Policy TI 6 1 Representation(s) received

Ref: 1555/1 Respondent: Mobile Operators Association
Representation: Support Proposed Modification
RESPONDENT COMMENT: Support the Proposed Modification
FULL COUNCIL RESPONSE: Welcome support

MAJOR SITES AND AREAS (MSA)

Proposed Modifications-MSA/PM3 - Policy MSA 3 1 Representation(s) received

Ref: 1554/3 Respondent: Southampton City PCT And Hampshire Ambulance Trust
Representation: Support Proposed Modification
RESPONDENT COMMENT: Support Proposed Modification as in line with discussions held with landowners, Southampton Institute and SCC to resolve the issue.
FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications-MSA/PM4 - Policy MSA 3 1 Representation(s) received

Ref: 1554/4 Respondent: Southampton City PCT And Hampshire Ambulance Trust
Representation: Support Proposed Modification
RESPONDENT COMMENT: Support Proposed Modification as in line with discussions held with landowners, Southampton Institute and SCC to resolve the issue.
FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications-MSA/PM5 - Policy MSA 3 1 Representation(s) received

Ref: 1554/5 Respondent: Southampton City PCT And Hampshire Ambulance Trust
Representation: Support Proposed Modification
RESPONDENT COMMENT: Support Proposed Modification as in line with discussions held with landowners, Southampton Institute and SCC to resolve the issue.
FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- MSA/PM6 - Policy MSA 4 6 Representation(s) received

Ref: 341/1 Respondent: Hampshire And Isle Of Wight Wildlife Trust
Representation: Objection to Proposed Modification
RESPONDENT COMMENT: Object to Proposed Modification. The alterations to Policy MSA4 do not fully cover the Trust's original concerns. The Trust's original concerns are to remain applicable to any forthcoming proposals for the site.
FULL COUNCIL RESPONSE: The reference to a lack of information to adequately address the significant effects of the allocation on nature conservation interests will be addressed as part of any environmental impact assessment and the appropriate assessment which will be

required under the Habitat Regulations to support any planning application in due course. The City Council has addressed and accepted the Inspector's recommendations to Policy MSA4, apart from an omission to cross reference to Policy NE1 and NE2 in relation to the criteria (iii) relating to the provision of a water basin/s. However this is subject to a separate representation from the Wildlife Trust 341/3.

RECOMMENDATION: No further change to the Plan.

Ref: 341/3 Respondent: Hampshire And Isle Of Wight Wildlife Trust
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to wording of Proposed Modification, Policy MSA4(iii). Requests provision (iii) of Policy MSA4 should be subject to Policies NE1 and NE2.

FULL COUNCIL RESPONSE: This lack of cross reference to Policy NE1 and NE2 in relation to the criterion (iii) relating to the provision of a water basin/s was an omission on behalf of the Council. However, it does not materially affect the content of the Plan, as it should be read as a whole, so there is no need for a cross reference. The omission makes no difference to the application of the Policy.

RECOMMENDATION: No further change to the Plan.

Ref: 363/3 Respondent: RSPB
Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: RSPB object to the omissions of a cross- reference to policies NE1 and NE2 against point iii) 'the provision of a water basin or basins that provides a visual and physical link between the Old Town and the Waterfront' RSPB suggest revising Policy MSA 4 to make clear the council's requirements to the areas of reclamation and the provision of a water basin that provides a visual and physical connection between the Old Town and the Waterfront, to ensure that any such development is subject to compliance with policies NE1 and NE2. It is suggested that the following additional text is added to the end of MSA 4 iii) 'Subject to policies NE1 and NE2'

FULL COUNCIL RESPONSE: This lack of cross reference to Policy NE1 and NE2 in relation to the criterion (iii) relating to the provision of a water basin/s was an omission on behalf of the Council. However, it does not materially affect the content of the Plan, as it should be read as a whole, so there is no need for a cross reference. The omission makes no difference to the application of the Policy.

RECOMMENDATION: No further change to the Plan.

Ref: 1031/2 Respondent: English Nature
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the wording in Policy MSA4(iii). English Nature object to the wording in criterion iii not including a cross reference to policies NE1 and NE2 as recommended by the Inspector. English Nature recommend rewording criterion iii to read, 'The provision of a water basin or basins that provides a visual and physical link between the Old Town and the waterfront subject to policies NE1 and NE2.' It appears that Council may have missed this cross reference for criterion iii as recommended by the Inspector. There is no mention in the Response to the Inspector's Recommendations or in the List of Recommendations not Accepted by Council recognising that this cross reference for water basins should not be included in the Proposed Modifications.

FULL COUNCIL RESPONSE: This lack of cross reference to Policy NE1 and NE2 in relation to the criterion (iii) relating to the provision of a water basin/s was an omission on behalf of the

Council. However, it does not materially affect the content of the Plan, as it should be read as a whole, so there is no need for a cross reference. The omission makes no difference to the application of the Policy.

RECOMMENDATION: No further change to the Plan.

Ref: 1113/4 Respondent: Associated British Ports
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Proposed Modification of Policy MSA4(vi). ABP object to the wording of criterion vi requiring the relocation and integration of all existing passenger and vehicle ferries to be located within the site. ABP feel that the wording "within the site" exceeds the Inspector's recommendation as she did not mention these should be located within the site and unnecessarily precludes the examination of other options that could prove equally or more acceptable. Recommend the wording for Policy MSA4(vi) be changed to read, 'relocation and integration of all existing passenger and vehicle ferries.'

FULL COUNCIL RESPONSE: The Inspector (as the objector points out) quite clearly states that there is a need to integrate the passenger ferries into any redevelopment scheme and should be mentioned in the Policy. As the site is defined on the Proposals Map it would be difficult to say that a scheme included any other land (not within the defined site boundary). The Policy only refers to a redevelopment scheme at Royal Pier and therefore it is implicit that the Inspector was stating that the passenger ferries should be located within the site boundary to which the Policy refers and the Council has interpreted the Inspector's recommendation correctly.

RECOMMENDATION: No further change to the Plan.

Ref: 1532/1 Respondent: Town Quay Marina Berth Holders Association
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council including Policy MSA4 in Local Plan. Feels that Council has not satisfied the reasons why it should be included and that it should be removed in accordance with the first part of the Inspector's recommendation. Also object to Policy MSA4 as included in the Proposed Modifications as feel it unnecessary to fill (Reclaim) the Royal Town Harbours.

FULL COUNCIL RESPONSE: The Council has taken appropriate steps to satisfy itself that mixed use development is likely to be capable of implementation during the local plan period and is not likely to be unduly compromised by present or future operational needs of the port. Correspondence regarding the latter has been received from ABP. The reference to 'being capable of implementation,' relates to the feasibility of receiving planning permission and commencement of development on site within the plan period and not completion of the scheme as referred to be the objector. The detailed issues relating to the various components of the scheme will be addressed as part of any environmental impact assessment and the appropriate assessment, which will be required under the Habitat Regulations to support any planning application in due course.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications- MSA/PM8 - Paragraph 11.1 2 Representation(s) received

Ref: 363/4 Respondent: RSPB
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The RSPB remains concerned by proposals to reclaim areas of Intertidal habitat as part of policy MSA 4 (paragraph 11.15). The RSPB does not consider that the proposed changes to policy MSA 4 reflect the council's view that the development is not dependant on the reclamation. RSPB consider that this point was significant in the Inspector's

recommendation that the policy should be deleted from the plan and therefore support English Nature's suggested additional text to paragraph 11.15, as follows: '...although this will be developed on the final scale of mixed use development. Development without reclamation will also be considered.'

FULL COUNCIL RESPONSE: The Inspector's Recommendation was for the Council to make clear the requirements on the extent of reclamation. The Proposed Modification has clarified the issue in terms of the amount of reclamation, which could be considered as part of any redevelopment within the defined Policy area as previously indicated on the Proposals Map, which will also be considered by an Environmental Impact Assessment.

RECOMMENDATION: No further change to the Plan.

Ref: 1031/3 Respondent: English Nature
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to proposed rewording of Paragraph 11.15 regarding reference to reclamation. English Nature feels that it is unclear how this additional sentence to Paragraph 11.15 relates to the Inspector's recommendations and that the Policy now hinges around reclamation. Recommend this sentence of the paragraph include additional wording to read, 'Development without reclamation will also be considered.'

FULL COUNCIL RESPONSE: The Inspector's Recommendation was for the Council to make clear the requirements on the extent of reclamation. The Proposed Modification has clarified the issue in terms of the amount of reclamation, which could be considered as part of any redevelopment within the defined Policy area as previously indicated on the Proposals Map, which will also be considered by an Environmental Impact Assessment.

RECOMMENDATION: No further change to the Plan

Proposed Modifications-MSA/PM9 - Paragraph 11.15

1 Representation(s) received

Ref: 363/5 Respondent: RSPB
Representation: Support Proposed Modification

RESPONDENT COMMENT: The RSPB supports the additional proposed text that recognises that an appropriate assessment under the Habitats Regulations will be required.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications-MSA/PM11 - Paragraph 11.19

3 Representation(s) received

Ref: 341/2 Respondent: Hampshire And Isle Of Wight Wildlife Trust
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the Proposed Modification as they believe paragraph 11.19 should be rewritten to address the Inspector's concerns and make it compliant with the Policy. Have recommended changing wording to "The Royal Pier Waterfront Development Brief will be reviewed to support the Policy." It will identify constraints and set out clear development guidelines for prospective developers."

FULL COUNCIL RESPONSE: Accept that the Proposed Modification could be strengthened in relation to the reference to reviewing the Royal Pier Waterfront Development Brief to make it more compliant with the Inspector's recommendation. Delete the first part of the sentence of Proposed Modification MSA/PM11 so that it reinforces the Council's commitment to reviewing the brief.

RECOMMENDATION: Amend the final sentence of paragraph 11.19 to read: "The Royal Pier Waterfront Development Brief will be reviewed to support the Policy, and to provide further guidance to prospective developers."

Ref: 363/6 Respondent: RSPB

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The RSPB objects to the changes to paragraph 11.19 in respect of the Royal Pier Waterfront

Development Brief as it is considered that they reflect the Inspector's considerable concerns regarding the content of the development brief and its compliance with policy MSA 5. The RSPB support comments from English Nature, The Environment Agency and the Wildlife Trust regarding the re-writing of the development brief to ensure consistency with Policy MSA 5.

FULL COUNCIL RESPONSE: Accept that the Proposed Modification could be strengthened in relation to the reference to reviewing the Royal Pier Waterfront Development Brief to make it more compliant with the Inspector's recommendation. Delete the first part of the sentence of Proposed Modification MSA/PM11 so that it reinforces the Council's commitment to reviewing the brief.

RECOMMENDATION: Amend the final sentence of paragraph 11.19 to read: "The Royal Pier Waterfront Development Brief will be reviewed to support the Policy, and to provide further guidance to prospective developers."

Ref: 1031/4 Respondent: English Nature

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Proposed Modification of Paragraph 11.19. English Nature feels that the proposed modification does not satisfy the Inspector's recommendations. The Inspector has highlighted concerns with the current development brief and that it does not satisfactorily relate to the policy. English Nature recommends the development brief be rewritten to address the Inspector's comments and the subsequent proposed modifications.

FULL COUNCIL RESPONSE: Accept that the Proposed Modification could be strengthened in relation to the reference to reviewing the Royal Pier Waterfront Development Brief to make it more compliant with the Inspector's recommendation. Delete the first part of the sentence of Proposed Modification MSA/PM11 so that it reinforces the Council's commitment to reviewing the brief.

RECOMMENDATION: Amend the final sentence of paragraph 11.19 to read: "The Royal Pier Waterfront Development Brief will be reviewed to support the Policy, and to provide further guidance to prospective developers."

Proposed Modifications-MSA/PM18 - Policy MSA6

1 Representation(s) received

Ref: 352/4 Respondent: WestQuay Shopping Centre Ltd And Hammerson UK

Properties Ltd

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to wording of Proposed Modification as Council has not included reference to a cinema.

Reference to a cinema should be added to the wording as this would reflect the agreed development mix set out in the West Quay Phase III Masterplan.

FULL COUNCIL RESPONSE: The mix of uses defined under Policy MSA6 is a clarification of those uses that were considered appropriate and mentioned in the supporting text (namely paragraph 11.24) of Policy MSA 6 of the Revised Deposit Local Plan Review. Whilst it may be appropriate to locate a cinema on this site, should the need arise, this use is not excluded from the current policy as it identifies leisure uses and is a city centre site in PPS6 terms.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications-MSA/PM26 - Policy MSA 14 & Paragraph

3 Representation(s) received

Ref: 352/5 Respondent: WestQuay Shopping Centre Ltd And Hammerson UK Properties Ltd

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification to remove Policy MSA14 and paragraph 11.43 from the local plan as recommended by the Inspector.

FULL COUNCIL RESPONSE: Welcome support

Ref: 1523/2 Respondent: Pirelli General Plc

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council removing Policy MSA14 and paragraph 11.43 from the Local Plan as recommended by the Inspector. Request that this site remain allocated for mixed use development as feel it would result in an important opportunity being lost or a delay in its successful redevelopment. PG have recommended a reworded Policy MSA14 and paragraph 11.43

FULL COUNCIL RESPONSE: The deletion of this Policy was in accordance with the Inspector's Recommendation as there was insufficient information relating to it being allocated for retail and in the absence of a leisure assessment it was not possible to judge whether this allocation was justified. Since the publication of PPS6 in March 2005 it is now suitable for city centre uses and is an edge of centre site in retail terms. Any application will be judged against PPS6, and revised Policies REI2 and CLT1 as appropriate until the relevant component of the LDF is progressed.

RECOMMENDATION: No further change to the Plan.

Ref: 1524/2 Respondent: CGNU Life Assurance Limited

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council removing Policy MSA14 and paragraph 11.43 from the Local Plan as recommended by the Inspector. Request that this site remain allocated for mixed use development as feel it would result in an important opportunity being lost or a delay in its successful redevelopment. CGNU have recommended a reworded Policy MSA14 and paragraph 11.43

FULL COUNCIL RESPONSE: The deletion of this Policy was in accordance with the Inspector's Recommendation as there was insufficient information relating to it being allocated for retail and in the absence of a leisure assessment it was not possible to judge whether this allocation was justified. Since the publication of PPS6 in March 2005 it is now suitable for city centre uses and is an edge of centre site in retail terms. Any application will be judged against PPS6, and revised Policies REI2 and CLT1 as appropriate until the relevant component of the LDF is progressed.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications-MSA/PM28 - Paragraph 11.44

2 Representation(s) received

Ref: 98/2 Respondent: Mr Harrison-Watts

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support the deletion and replacement of Paragraph 11.44 as recommended by Inspector. In particular support the last sentence of the proposed modification on page 114 of the proposed modification document.

FULL COUNCIL RESPONSE: Welcome support

Ref: 843/1 Respondent: MDL Developments Limited
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Proposed Modification in that it appears to be a contradiction. The area is deemed high accessibility on Council's accessibility maps but the wording requires development in this area to be more car reliant.

FULL COUNCIL RESPONSE: The accessibility map has been updated following the receipt of the Inspector's report, as noted by her. Whilst parts of Ocean Village appear to be more accessible this is due to the number of buses passing over the River Itchen Bridge and going on in various dispersed directions, in close proximity to Ocean Village and not actually entering the site. Therefore, it would be wrong to state that the actual site is highly accessible. The current level of bus services in the local area could be subject to change and any planning application will be judged in its merits and the sites level of accessibility at the time an application is submitted. It is still recognised by the City Council that Ocean Village is not well integrated, or connected with the rest of the city centre, particularly by pedestrians and that improvements need to be made as part of development proposals.

RECOMMENDATION: No further change to the Plan

Proposed Modifications- MSA/PM34 - Policy MSA 18 1 Representation(s) received

Ref: 515/1 Respondent: Rank Hovis Limited
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support proposed modification as recommended by the Inspector to include an additional sentence in Policy MSA 18. This requires attenuation measures within the south part of the site to protect the Flour Mill and other established businesses within the Western Dock area.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- MSA/PM37 - Policy MSA 19 & Paragraph 1 Representation(s) received

Ref: 1556/7 Respondent: Day Lewis Ltd
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification deleting Policy MSA19 and paragraph 11.53 as recommended by the Inspector.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications-MSA/PM39 - Policy MSA 22 2 Representation(s) received

Ref: 327/2 Respondent: Campaign To Protect Rural England (CPRE)
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support the proposed modification to delete Policy MSA22

FULL COUNCIL RESPONSE: Welcome support

Ref: 1191/1 Respondent: The Highways Agency
Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Council accepting Inspector's recommendation to remove Policy MSA 22 from the Local Plan for a Park and Ride at Stoneham.

FULL COUNCIL RESPONSE: Welcome Support

Proposed Modifications- MSA/PM40 - Paragraph 11.67 **1 Representation(s) received**

Ref: 693/1 Respondent: Southampton Coalporters Amateur Rowing Club

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the wording of proposed modification of Paragraph 11.71 as it does not specifically require full consultation with the Rowing Club for future developments at Drivers Wharf.

FULL COUNCIL RESPONSE: The objectors have misinterpreted what the Inspector has stated. Although she refers to the rowing club in her comments, the proposed change 54, which relates to consultation with all those directly affected by any future proposals, has been agreed by her. The rowing club would automatically form part of the numbers consulted.

RECOMMENDATION: No further changes to the Plan

Proposed Modifications- MSA/PM44 - Policy MSA 25 & Paragraph **1 Representation(s) received**

Ref: 1364/1 Respondent: South East Of England Development Agency (SEEDA)

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to Council accepting Inspector's recommendation to remove the references to retail use in the text. SEEDA feel that the removal of a small amount of retail from the Policy would reduce the amenity of future developments on the site, especially for high density residential use.

FULL COUNCIL RESPONSE: It has always been envisaged that a high-density residential development was proposed for the Woolston Riverside site. This was reflected in the proposed change submitted to the Inspector prior to the commencement of the Inquiry, to which SEEDA supported and subsequently withdrew their objection. It is acknowledged that the redevelopment will lead to an increased population that will generate additional expenditure in the Woolston area. This however is not a justification for identifying retail development at the Woolston Riverside site. There were approximately 15 vacant units within the Woolston District Centre (as identified in the Annual Monitoring Report 2004/05). The City Council would wish to see these units brought back into retail use before looking at retail developments at out of centre sites, to help maintain the vitality and viability of the centre. Under Policy REI 2 retail development less than 750 sq .m can be proposed outside exist shopping centres, so this does not preclude the development of a chemist/small convenience store or chandlery as suggested. The reference to the creation of a significant number of jobs, which will create additional expenditure to support the continued regeneration of the district centre, is acknowledged. However, it should be noted that the site was a previous employment site and previously employed hundreds of people who created expenditure in the District centre. The provision of job opportunities on the site is not a justification for a retail allocation, without any supporting information as to how much expenditure can be accommodated in the district centre first before any out of centre allocations are made. The Inspector states that there should be no retail allocations across the city, until further work on capacity of existing centres had been undertaken. It would not be appropriate to recommend this amount of floorspace in this location, when there is no supporting justification for doing so. There is no clarification of the current deficiencies within the Woolston area which the proposed development will remedy. As stated there are vacant units within Woolston district centre, which are better located in planning terms to fulfil any requirements in retail terms. The site adjoins the district centre therefore the site could not be more suitably located in terms of its future residents and employees having easy access to services and shops not having to rely on the use of the private car to travel. As stated there is the opportunity to provide up to 750 sq. m of retail development outside existing shopping centres.

RECOMMENDATION: No further change to the Plan.

Proposed Modifications- MSA/PM46 - Policy MSA 26 **1 Representation(s) received**

Ref: 1032/1 Respondent: Southampton And Fareham Chamber Of Commerce And Industry

Representation: Support SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Supporting Council not excepting Inspector's recommendation to allow only B1(b) and B2(c) uses for Test Lane South. Supports the inclusion of B8 uses into the Policy

FULL COUNCIL RESPONSE: Welcome support

APPENDIX 1

Proposed Modifications- APP1/PM1 - APP1

4 Representation(s) received

Ref: 172/7 Respondent: Government Office For The South East

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Part of this objection appears to be a minor typing error. The objector highlights a typographical or drafting error in Appendix 1 concerning D2 Sports Hall parking standards.

FULL COUNCIL RESPONSE: The objection raises a typographical error in that the figures were not added to the table from the Revised Deposit Stage to the Proposed Modifications stage. The change is considered minor. The figures from the Revised Deposit Version are to be added.

RECOMMENDATION: Add in the parking standards table of Appendix 1 under D2 uses: - Sports Hall 1 per 10 sq m

Ref: 172/9 Respondent: Government Office For The South East

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The objector is seeking clarification over the parking standards for health clubs.

FULL COUNCIL RESPONSE: The standards for Health Clubs reflect those given in the Hampshire Parking Strategy and Standards (2002). The Inspector's Report, paragraph 2.5.4 was clear that the Local Planning Authority should adopt those standards and as such no further change is proposed.

RECOMMENDATION: No further change to the Plan

Ref: 362/3 Respondent: Southampton University Hospitals NHS Trust

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The objector highlights a typographical or drafting error in Appendix 1 concerning C2 Hospital parking standards.

FULL COUNCIL RESPONSE: The objection raises a typographical error in that the figures were not added to table from the Revised Deposit Stage to the Proposed Modifications stage. The figures from the Revised Deposit Version are to be added.

RECOMMENDATION: Add in the parking standards table of Appendix 1 under C2 'Residential Schools: - C2 Hospital

Ref: 1199/1 Respondent: Trustees Of Portswood Residents' Gardens

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The objector is seeking changes to the Parking Standards for places of worship.

FULL COUNCIL RESPONSE: The objector is seeking changes to the Parking Standards for places of worship. The present standards are in accordance with the Hampshire Parking Strategy and Standards (2002). The Inspector's Report, paragraph 2.5.4 was clear that the Local Planning Authority should adopt those standards and as such no further change is proposed.

RECOMMENDATION: No further change to the plan.

Proposed Modifications- APP1/PM2 - APP1 1 Representation(s) received

Ref: 1199/2 Respondent: Trustees Of Portswood Residents' Gardens

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The objector is seeking changes to the requirement for Transport Assessments for places of worship.

FULL COUNCIL RESPONSE: The objector is seeking changes to the requirement for Transport Assessments for places of worship. The Inspector recommended that the need for Transport Assessments be clarified. This approach has been undertaken in the Proposed Modifications within policy SDP3 (SDP/PM4) and Appendix 1 (APP1/PM2). Those standards conform to those given by the Hampshire Standards and make it clear that the City Council will seek a transport assessment for proposals that given rise to significant transport implications. There is not considered the need to make the need for a transport assessment for places of worship explicit in the Appendix. Policy SDP 3 of the Local Plan is clear in that the need for a transport assessment should be established on a case-by-case basis.

RECOMMENDATION: No further change to the plan.

APPENDIX 2

Proposed Modifications - Omission to Appendix 2 1 Representation(s) received

Ref: 172/8 Respondent: Government Office For The South East

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: The objector is seeking a change to the cycle standards in Appendix 1 so that it conforms to the Inspector's Recommendation.

FULL COUNCIL RESPONSE: The cycle standards in the Hampshire Parking Strategy and Standards (2002) were considered unreasonable given the viability of schemes and design issues. An overly strict cycle requirement may jeopardise development and create large areas of redundant cycle storage on areas otherwise used for uses such as landscaping or housing units. The

Local Planning Authority was therefore minded to reject the Inspector's recommendation in paragraph 2.5.5 of her report on the grounds that the Hampshire cycle standards are unreasonably strict.

RECOMMENDATION: No further change to the plan.

APPENDIX 5

Proposed Modifications - Omission from Appendix 5 1 Representation(s) received

Ref: 846/2 Respondent: SCAPPS

Representation: Objection to omission from Plan

RESPONDENT COMMENT: There is an omission in Appendix 5, Protected Open Spaces, of

1. Land between Avenue and Inner Avenue

2. Land west of Avenue

3. Land between Avenue and Cavendish Grove

FULL COUNCIL RESPONSE: This objection does not relate to a Proposed Modification to the plan or to an Inspector's recommendation for modification that has not been accepted by the council. It is therefore invalid. The areas referred to are protected as open space.

RECOMMENDATION: No further change to the plan.

PROPOSALS MAP**Proposed Modifications PRM/PM5 - Citywide Proposals Map, City Centre Inset Map****1 Representation(s) received**

Ref: 1113/3 Respondent: Associated British Ports
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The objector considers that policy NE5 is unreasonable and its provisions should not be extended to the River Test, therefore it requests that the changes to the proposals map shown through proposed modification PRM/PM5 are not made. Also see ABP's objections to NE/PM8 and NE/PM9.

Specific concern in respect of the Redbridge Intertidal mudflat (map 9) is that the area is already a SINC. Policy NE3 permits development if the need for it clearly outweighs the ecological importance of the site. The imposition of policy NE5, considered a more restrictive policy, is unjustified.

In addition, the application of policy NE5 to the Intertidal mudflat at Royal Pier (map 8) would make it impossible to implement proposals for MSA4, which in any form are bound to contravene the requirements of policy NE5. MSA4 allows for reclamation subject to policies NE1 and NE2, which in effect summarise the requirements of the habitats regulations and the government's policy for SSSI's.

FULL COUNCIL RESPONSE: The objector is of the view that it is impossible for any development proposal to comply with policy NE5 and therefore it is unreasonable. The Council considers that it is possible for a well-designed development to satisfy the criteria, the interpretation of no net loss is that provided compensation measures are provided within the scheme or elsewhere, the no net loss criterion can be satisfied. Each decision taken on a development proposal will be a result of the interpretation and procedures taken at the time and in light of the individual circumstances. The Redbridge SINC area is among the sites highlighted by the Inspector as a site of importance on a national level; it is therefore seen as appropriate for it to be designated under policy NE5. In terms of the application of applying policy NE5 for MSA4 sites, as elsewhere, the plans will be read in their entirety with each individual development proposal having its own unique circumstances and being considered on its own merits, provided that the proposal seeks to meet the policy criteria through compensation and relocation of habitat process. Each decision taken on a development proposal will be down to the process taken by those submitting the proposal and the interpretation of policy.

The objector does not raise any further issues than those already dealt with during the Local Plan Inquiry and therefore no changes will be made to policy NE5 or the proposal map as a result of this objection.

RECOMMENDATION: No further change to the plan

Proposed Modifications- PRM/PM8 - Citywide Proposals Map,**1 Representation(s) received**

Ref: 56/1 Respondent: Test Valley Borough Council
Representation: Objection to Proposed Modification

RESPONDENT COMMENT: Object to the deletion of the Policy CLT 3 designation from land

either side of Brownhill Way and Lower Brownhill Road. Together with the deletion of the strategic gap between Nursling and Southampton, it means that the land would become an unprotected part of the urban area of the city despite it having an undeveloped agricultural character. The land in the vicinity of Bargain Farm, southwards to Lower Brownhill Way, should be designated as countryside. This objection is linked to objections to Proposed Modifications NE/PM14 and NE/PM15.

FULL COUNCIL RESPONSE: The Proposed Modification is in line with the Inspector's recommendation. It is acknowledged that with the removal of the CLT 3 and SINC designations on this land there will be no policy designations applying to this area. However, the Inspector did not recommend that the council should write a countryside protection policy that would apply to this area. It is now too late in the local plan process to introduce new policies. It is considered that this is a matter that should be addressed in the Local Development Framework. It should be noted that part of the area that Test Valley Borough Council (TVBC) request be defined as countryside is allocated for MSA 27 Combined Heat and Power Generation at Redbridge Lane. TVBC has not objected to any of the Proposed Modifications relating to MSA 27.

RECOMMENDATION: No further change to the plan.

Proposed Modifications- PRM/PM16 - Citywide Proposals Map 1 Representation(s) received

Ref: 1185/4 Respondent: Southampton University Hospitals NHS Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- PRM/PM18 - Citywide Proposals Map 1 Representation(s) received

Ref: 1535/1 Respondent: St Edmund's Roman Catholic Church

Representation: Objection to Proposed Modification

RESPONDENT COMMENT: The area demarcated for police / office use is deficient in that it does not take into consideration the 2002 Tree Preservation Order (TPO) for the site. The map should be replaced by the TPO plan with the relevant demarcated area added or the text of the policy be amended to reflect the importance of the TPO applicable to this site.

FULL COUNCIL RESPONSE: The Proposals Map does not show any of the TPO's in the city and it is not intended to do so. The policy and the text already refer to retaining the mature landscaped boundary along The Avenue. It is now too late to add new text to the plan.

RECOMMENDATION: No further change to the plan.

Proposed Modifications- PRM/PM21 - City Centre Inset Map 1 Representation(s) received

Ref: 1554/6 Respondent: Southampton City PCT and Hampshire Ambulance Trust

Representation: Support Proposed Modification

RESPONDENT COMMENT: Support Proposed Modification as in line with discussions held with landowners, Southampton Institute and SCC to resolve the issue.

FULL COUNCIL RESPONSE: Welcome support

Proposed Modifications- PRM/PM22 - City Centre Inset Map 1 Representation(s) received

Ref: 352/6 Respondent: WestQuay Shopping Centre Ltd And Hammerson UK

Properties Ltd

Representation: Objection to SCC not accepting Inspector's Recommendation

RESPONDENT COMMENT: Object to the Proposed Modification to the inclusion of West

Quay Retail Park being identified as within the Primary Shopping Area (PSA), as the Council has not adhered strictly to the Inspector's recommendations and has not provided clear and cogent reasons for this diversion. Hammerson UK Properties Limited and West Quay Shopping Centre Limited object to the inclusion of West Quay Retail Park being identified as within the Primary Shopping Area (PSA) on the Proposals Map. The justification provided by SCC only serves to endorse the Inspector's conclusion and demonstrate that the site is an edge-of-centre location as defined in PPS6. The Council has provided no new additional evidence to alter the Inspector's conclusion. The Council has not provided evidence to substantiate that the rental levels in WQRP are comparable to other parts of the city centre. By extending the PSA to include the retail park the city council is giving the site the status of a retail allocation. This will have wide ranging implications for the retailing in Southampton and the region and is contrary to the Inspector's recommendation that a full retail capacity and sequential analysis be undertaken within the PSA. At the Inquiry it was advanced that the redevelopment of part of the retail park could accommodate 30,000 sq m of retail floorspace, which is significant in a local and regional context, exceeding the level of retail capacity for Southampton in the whole plan period and takes no account of other opportunity sites that lie within the existing retail core of the centre, which the City Council acknowledges have not yet been investigated. They state that the City Council rejects the Inspector's recommendation that the WQRP should not be included within the PSA. They say that no time was spent at the Inquiry on the implications of amending the boundary of the PSA. They consider that the council's rejection of the Inspector's recommendation on the PSA will restore the allocation and result in the landowner avoiding the requirement to demonstrate need/capacity and comply with the sequential test in promoting redevelopment proposals. They set out a list of issues they believe the council should address at a further Inquiry prior to the adoption of the Plan to comply with the provisions of PPS6.

To comply with PPS6 an Inquiry must consider the following uses none of which have yet been considered by the City Council in respect to WQRP:

- A proper assessment of need taking account both quantitative and qualitative factors
- Identification of the appropriate scale of development
- A sequential assessment of retail development sites
- The implications for impact on Southampton City Centre and the other major centres regionally
- Accessibility, sustainability and environmental effects.

FULL COUNCIL RESPONSE: Response is the same as for 352/2.

RECOMMENDATION: No further change to the Plan.

END OF DOCUMENT

Page 3: [1] Comment [RT2] Guidance - Report Template 20/01/2006 15:29:00

DECISION-MAKER: enter the title of the decision-maker, not a person's name e.g. 'CABINET' or 'CABINET MEMBER FOR' (followed by the relevant Portfolio) or the decision-making Committee. If the decision-maker is an officer then you must enter their post title, e.g. 'HEAD OF HOUSING STRATEGY AND DEVELOPMENT'.

Page 3: [2] Comment [RT4] Guidance - Report Template 20/01/2006 15:29:00

REPORT VERSION No: it is important that this box is updated every time a report is amended. This is particularly important when you send the report out for comment and it is important that any further amendments made are reflected by the change in the version number.

Page 3: [3] Comment [RT5] Guidance - Report Template 20/01/2006 15:29:00

FORWARD PLAN No: this is for the Forward Plan Reference number linked to every Executive Report. Every item in the published Forward Plan has a number allocated to it. At the top of the details page (for your item) in the relevant Forward Plan you will find a 7 digit reference, e.g. CS00989 – this is the reference you must type into this box. **NOTE:** this only refers to executive decision making reports - please type 'N/A' if your report is not for the executive.

Page 3: [4] Comment [RT6] Guidance - Report Template 20/01/2006 15:29:00

KEY DECISION: please select either 'YES' or 'NO' from the drop down box. Key decisions are classified as having a significant financial impact of £200,000 or more (either incoming or outgoing) or having a significant impact on two or more wards, or having a significant impact on an identifiable community. **NOTE:** this only refers to Executive decision making reports. Please select 'N/A' from the drop down box if your report is not for the Executive.

Page 3: [5] Comment [RT7] Guidance - Report Template 20/01/2006 15:29:00

STATEMENT OF CONFIDENTIALITY: if your report is confidential you must add the relevant paragraph number(s) in the box below. If you are unsure as to which paragraph is applicable to your report, please check the **Access to Information Procedure Rules in Part 4** of the **Council's Constitution**. If this is not applicable then please type 'NOT APPLICABLE'. This box can also be used to state reasons for confidentiality for both the report and/or its appendices.

Page 3: [6] Comment [RT8] Guidance - Report Template 20/01/2006 15:29:00

WARDS/COMMUNITIES AFFECTED: list the electoral wards affected by the proposal (e.g. Bargate Ward). If an identifiable community is affected by the proposal this should also be listed. If this is not applicable then please type 'NOT APPLICABLE'. **NOTE:** 'not applicable' does not apply to executive reports. There are only three options for executive reports: ALL, NONE or a list of the wards that are affected.

Page 3: [7] Comment [RT9] Guidance - Report Template 20/01/2006 15:29:00

SUMMARY: provide a brief summary of what you are asking the decision-maker to do and why in PLAIN ENGLISH. This must be kept to a minimum (ideally one paragraph) as the background and other details concerning this decision will need to be included under the relevant headings below. **NOTE: from this point forward up to and including the Policy Framework Implications section, your report should not exceed any more than 4 sides of A4 pages.**