

7. CHAPTER SEVEN - HOMES AND HOUSING

7.1 POLICY H 1: HOUSING SUPPLY

(Proposed Change 95)

Representations

The Herald Ltd Partnership	H01-122/2-ID-O
GOSE	H01-172/68-ID-O
GOSE	H01-172/80-ID-O
Hawthorne Kamm Planning Consultancy	H01-361/10-ID-O
Hawthorne Kamm Planning Consultancy	H01-361/26-ID-O
HBF Southern Region	H01-365/9-ID-O
Persimmon Plc	H01-446/3-ID-O
Consortium of Registered Social Landlords	H01-526/28-ID-O
Trustees of the Barker Mill Estate & the late Mrs Harvey	H01-575/1-ID-O
Trustees of the Barker Mill Estate	H01-576/1-ID-O
Portswood Primary School	H01-927/1-ID-O
The Highways Agency	H01-1191/7-ID-O
BT plc	H01-1194/4-ID-O
Councillor Samuels	H01-1213/7-ID-O
McKenzies Ltd	H01-1230/1-ID-O

Issues

- a. Whether the housing supply is realistic in order to meet Structure Plan commitments.
- b. Whether individual housing allocations are justified.
- c. Whether additional housing allocations are necessary.
- d. Whether the policy should refer to the need for a Transport Assessment in relation to some allocations.
- e. Whether the accompanying text should refer to affordable housing provision.

Inspector's Reasoning and Conclusions

Introduction

7.1.1 Planning Policy Guidance Note 3: *Housing* (PPG 3) states that one of the roles of the planning system is to ensure that new homes are provided in the right

place and at the right time, whether through new development or the conversion of existing buildings. This should ensure the twin objectives of ensuring that everyone has the opportunity of a decent home whilst maintaining the pace of economic growth. The guidance goes on to say that in preparing development plans local planning authorities should adopt a systematic approach to assessing development and redevelopment opportunities for housing.

7.1.2 The Council undertook an Urban Capacity Study¹ (UCS) in 2001. This is intended as Supplementary Planning Guidance (SPG) to the Plan, which should be made clear in the text. The study looked at various sources of capacity as advised in the government's good practice guidance², including not only new sites but also other opportunities such as flats above shops and subdivision of existing housing. However, I have some reservations about the reliability of the UCS, which is intended to underpin the housing policies in the Plan. I comment further on this below when I consider the issue of housing supply over the Local Plan period.

Housing Supply: Identified Sites

7.1.3 The identified sites were classified as those that are capable of providing 10 or more dwellings. The UCS identified 116 sites and a further 7 allocated as part of a mixed use. For the sites that did not already benefit from a planning permission the "potential yield" was calculated on the basis of a density multiplier. It seems to me that the guideline of 35, 50 and 100 dwellings per hectare, according to location, is in line with PPG 3 objectives that seek to encourage higher density development in sustainable locations and avoid the profligate use of land.

7.1.4 The density multiplier is though a relatively unsophisticated device and does not take account of factors such as individual site characteristics or the need for supporting facilities. Larger sites yield lower net densities than smaller sites. Whilst I appreciate that in Southampton many of the sites are relatively small (0.4 hectares or below), it is not clear whether the density multiplier has been varied to reflect the fact that on larger sites the gross to net ratio decreases. If that has not been done then the yield on larger sites may have been overestimated.

7.1.5 The UCS was updated in 2003 in the Housing Background Proof³ (HBP) and those sites that had been built out (including one MSA site) were removed from the list. In addition, three sites were deleted and one was added. There are now 80 identified sites and 6 MSA sites yielding an estimated 3337 dwellings until 2011. This may be slightly too low because there are some MSA sites (MSA 3 and MSA 5 for example) where residential is included in the mix of uses but not recorded in the UCS. Also, it appears that the 32 units on the MSA 15 site are likely to be replaced by a higher allocation of

¹ See Core Document CD15/2

² *Tapping the potential – Assessing urban housing capacity: towards better practice* (2000). DETR.

³ See Core Document CD12/3

around 125 units⁴. The list of housing sited in Appendix 6 and the allocations on the Proposals Map needs to be updated to reflect the current position.

- 7.1.6 I agree with those Objectors who are sceptical that the identified sites will all come forward for development during the Local Plan period. Indeed the UCS recognises this and identifies a number of constraints that may impede development in the future⁵. However, there has been no attempt to go further and apply any form of discounting procedure to the unconstrained capacity figures. I share the concern of the House Builder's Federation (HBF) and Persimmon Plc on this point although they have offered no suggestion as to what level of discount would be appropriate.
- 7.1.7 I appreciate that the update in the HBP indicates a high rate of completions since the UCS was undertaken in 2001. On the figures produced in the HBP, 1726 new dwellings were built over a period of about 2.5 years. However, this would have resulted in an annual completion rate of 690 dwellings, which is significantly higher than the past average annual rates recorded by Hampshire County Council of 424 dwellings⁶. The Council's figures in the HBP have been derived from the "potential housing" estimates in the UCS and for those sites without the benefit of planning permission a density multiplier was used. There appears to have been no assessment of whether the estimated yield was actually achieved.
- 7.1.8 I find it very unlikely indeed that the actual numbers accorded with the predictions in every case, especially bearing in mind that a density multiplier is a relatively unsophisticated predictive tool. My concerns are confirmed in Hampshire County Council's monitoring information for 2002⁷, which shows that for individual sites the estimates were indeed not always a true reflection of what actually ended up on the ground.

Housing Supply: Unidentified Sites (Windfalls)

- 7.1.9 According to the Council's estimates in the UCS, windfall sites would account for over a third of the total capacity. The UCS identifies a number of different sources including property subdivision, empty property and conversions. It also includes small sites capable of accommodating less than 10 dwellings. PPG 3 advises that the windfall allowance should be based on examination of past trends. However, some caution needs to be exercised in that yield will be sensitive to changing circumstance, such as a variation in market conditions or a new government policy initiative.
- 7.1.10 The HBF and Persimmon Plc consider that the projected rates are too high and are unlikely to be sustained. Hampshire County Council's monitoring information for 2001 gives a net housing completion figure for small sites of

⁴ See Paragraph 11.17.6 of this Report.

⁵ See Paragraphs 7.6-7.9 of the *Urban Capacity Study* (Core Document CD15/2).

⁶ See Table One in *Housing Land Supply in Hampshire: Monitoring Information 2001* (Hampshire County Council) (Core D 6/1).

⁷ *Housing Land Supply in Hampshire: Monitoring Information 2002* (Hampshire County Council) (CD 6/2)

623 dwellings between 1996 and 2000⁸. This would result in a historic annual rate of some 156 dwellings. This is substantially less than the Council's projected annual rate of 276 dwellings. It is unclear how the Council's figure has been derived but there may have been an element of double counting, particularly in the "conversion/ change of use" source. Furthermore, the data source for the 80 dwelling figure in the "empty property into residential use" category is unclear as it cannot derive from the monitoring of planning permissions.

7.1.11 In Table 4 of the UCS the completions on all sites between 1996 and 2000 has been taken as 2261 dwellings. This is derived from the Hampshire County Council's monitoring information for 2001⁹. This figure must be made up of the contribution from identified sites and the contribution from windfalls. If the Council's windfall figure is correct it would amount to 1104 dwellings between these dates (276 x4). This would leave 1157 dwellings to be provided from identified sites, which would result in a rate of 289 dwellings per annum over the 4 year period. This seems inexplicably low, leading me to the conclusion that the Council's projected yield from windfalls is unrealistically high.

7.1.12 The HBF is concerned that the supply of small sites is likely to decrease with time and so the annual rate from this source will not be sustained. Persimmon Plc considers that subdivision rates, conversion and change of use rates will also significantly reduce. As I have said, I believe that the overall annual windfall rate in the UCS is unrealistically high. However, I am not convinced that there is evidence that the supply from these sources is likely to reach a critical stage during the Local Plan period, especially in view of government policy to make most efficient use of previously developed land in urban areas.

7.1.13 The Hampshire County Council's monitoring information shows that Southampton has been one of the most important providers of small sites in Hampshire over a consistent period and there is no reason why this should not continue over the next 5 years or so. In any event, the situation will be kept under review in accordance with the Plan, Monitor and Manage approach to housing provision. I shall deal with the review process under Policy H 2.

Housing Supply against Structure Plan Commitments

7.1.14 For the reasons I have given above I have serious doubts about the reliability of some of the data about housing supply in the UCS and HBP. From the information I have available, the most up to date assessment I can make is that in 2002 there was an outstanding Structure Plan housing commitment for 3896 dwellings¹⁰. The residual requirement over a 9 year

⁸ See Table Two in *Housing Land Supply in Hampshire: Monitoring Information 2001* (Hampshire County Council) (Core Document CD6/1).

⁹ See Table Three in *Housing Land Supply in Hampshire: Monitoring Information 2001* (Hampshire County Council) (Core Document CD6/1).

¹⁰ Inspector's Note – This is derived from the 2001 Hampshire County Council Monitoring Information (Core Document CD6/1) and evidence of the House Builder's Federation in relation to Policies H 1 and H 2 (Appendix 6D, WR29).

period equates to a required average annual completion rate of 433 dwellings per year. On the basis of actual performance between 1996 and 2001 over that same period, Southampton has been considerably exceeding that annual rate¹¹.

7.1.15 Between 2002 and 2011 the HBP shows a total of 3,337 dwellings capable of being provided on MSA and identified sites. However, as I have said this is unconstrained capacity and hence likely to be unrealistically high. The UCS projects a windfall yield of 2484 dwellings but again this is probably an overestimate for the reasons I have given. Notwithstanding that the total of 5821 dwellings is thus, in my opinion, overly optimistic it is nevertheless considerably in excess of Structure Plan requirements. In the circumstances, I consider that the Council is likely to be able to meet its commitments without the need to release other sites, including greenfield land. My conclusions do though come with a "health warning". It seems to me essential that careful and regular monitoring is undertaken to ensure that sufficient land remains available to meet requirements during the latter part of the Local Plan period.

7.1.16 PPG 3 states that development plans should provide clear guidance as to how the Council intends to meet its housing requirements. Neither Policy H1, Policy H2 nor the supporting text does this. Whilst the detail may be provided in the UCS as SPG (following revision to take account of the concerns I have raised above), I agree with GOSE and the HBF that in order to provide certainty the analysis should be included in the Plan itself. I consider that Policy H1 needs to spell out the housing requirement and that a table is needed in the supporting text setting out the residual commitment (as at the date of adoption) and how it will be met by each supply source.

Housing Allocations

Former Allotments, The Grove, Newtown

7.1.17 All of the identified sites for new houses are on previously developed land. GOSE objected to the inclusion of a greenfield site but this has now been developed and should therefore be deleted from the Plan. Councillor Samuels made a similar point and the reliance on brownfield land to meet housing requirements satisfies these objections. I note Hawthorne Kamm's comment that more positive encouragement should be given to redevelopment of sites in the city and local centres. The UCS has identified a considerable amount of land in such areas and confirms in Paragraph 6.4 that here should be the focus upon which significant residential development can take place. The highest of the three density multipliers has been applied (100 dwellings per hectare) ensuring that the contribution from these sites would be substantial.

Between 15-49 Brickfield Road, Portswood

7.1.18 Portswood Primary School objects to the allocation for 18 dwellings on land at Brickfield Road. This land is an area of rough ground that I understand is

¹¹ Inspector's Note – See Table 3 of *Housing Land Supply in Hampshire: Monitoring Information 2001* (Hampshire County Council) (CD 6/1)

managed by the school who consider that it should be available for future expansion. However, the School Organisation Plan (SOP)¹² identifies no large residential developments likely to result in demand for additional school places at Portswood Primary School. The Portswood Bus Depot site mentioned by the Objectors falls within the area that would be served by schools in the Bitterne Park area. Within the group of primary schools serving the Portswood/ Bassett area the SOP identifies diminishing rolls so that it may be necessary to remove surplus places during the Plan period. In the circumstances I do not consider that there would be justification for removing this housing allocation from the Plan.

Mayfield Road/ Portswood Road, Portswood

7.1.19 The Herald Ltd Partnership object to the allocation of the B&Q site at Portswood Road for housing. They say that there is no realistic prospect of it being brought forward for this purpose. This allocation was removed at Revised Deposit stage and this satisfies the objection.

Fruit and Vegetable Market, Briton Street/ Bernard Street

7.1.20 This is a city centre site with a secondary shopping frontage at the western end, fronting onto High Street. McKenzie Ltd would like to see this extended along the Bernard Road frontage and round the corner into Queensway to provide small units for butchers, bakers and the like who are not represented elsewhere in the centre and may not be able to afford High Street rents. It is considered that such provision would provide a circular route for shoppers between High Street, Queensway and East Street and also link to Oxford Street as recommended in the Urban Design Strategy¹³. This latter area is a focus for restaurants and pubs and is a demarcated area under Policy CLT 14 for the night time economy.

7.1.21 Whilst I agree that links between different parts of the city centre are important I do not concur with the Objectors that this need be facilitated by extending the shopping frontages in the direction envisaged. Bernard Street is at the southern edge of the shopping centre and the main focus of retail activity is to the north and west. If there is a demand for the type of shops suggested by McKenzie Ltd there are other existing secondary frontages off the main High Street where they could establish and there will also be new provision in the next phase of the West Quay development. It seems to me important that the city centre is a place where people live as well as a where they work, shop and enjoy leisure activities. The Consultants in their report on Southampton's night time economy¹⁴ pointed out that residential uses help provide a more mature environment. This is a relatively large housing allocation that adjoins existing new housing development and I see no reason why it should be reduced in size as suggested by this Objector.

¹² See Core Document CD17/4.

¹³ *Southampton City Centre Urban Design Strategy* – EDAW March 2001 (CD18/2).

¹⁴ *Southampton Night Time Economy – Five Year Strategy and Plan* – Locum Destination Consulting July 2001 (CD25/2).

Housing Omissions

Land at Botley Road, Scholing¹⁵

7.1.22 This land is part of a larger site that is within the strategic gap between Southampton and Netley. Although the area proposed for housing is at the western end and adjoins an existing residential development it is separated by a thick screen of trees and greenery. For the reasons I have given I find no requirement for greenfield land releases within the Local Plan period and I do not support this as a housing allocation.

Land at Redbridge Lane, Brownhill Way and Lower Brownhill Way, Nursling¹⁶

7.1.23 The area of land in question is part of a larger site that lies to the south of a residential area known as Hillyfields and partly falls within Test Valley District Council's area. The land at present comprises open farmland intersected by Brownhill and Lower Brownhill Way. Although it has no particular landscape quality or nature conservation value it does provide a pleasant tract of countryside adjacent to the northern built up edge of the city. For the reasons I have given I find no requirement for greenfield land releases within the Local Plan period and I do not support this as a housing allocation.

Land at St Mary's College, Bitterne

7.1.24 PPG 17 makes clear that the development of playing fields for other purposes should be subject to very careful consideration. As I have said in relation to Policy CLT 3¹⁷ the Council has yet to undertake an Open Space Assessment and there is no independent evidence from the Objectors that the land is surplus to open space requirements. I have commented under Policy L 1 that there are a number of alternative options for the funding of school improvements other than the sale of educational land. I appreciate that the site is in a relatively sustainable location but I find no overriding justification for including this site as a housing allocation.

Land at Alder Moor Farm

7.1.25 I have supported the designation of this land as a SINC under Policy NE 3¹⁸, on account of its nature conservation importance. Alder Moor Farm comprises a greenfield site and for the reasons I have given I am satisfied that there are sequentially superior options that make the requirement for such land releases unnecessary. In the circumstances, I do not therefore support this as a housing allocation.

General Points

7.1.26 BT Plc suggested that the word "redevelopment" should be added to criterion three in relation to redundant commercial premises. Although the objection has been pursued it has been satisfied by a change in wording in

¹⁵ Inspector's Note – I have also made comments on this site in relation to Policy NE 9 (Paragraph 3.9.13) and Policy CLT 7 (Paragraphs 5.7.8 and 5.7.9).

¹⁶ Inspector's Note – I have also made comments on this site in relation to Policy NE 3 (Paragraph 3.3.12) and Policy CLT 3 (Paragraph 5.3.11).

¹⁷ See Paragraph 5.3.3 of my Report.

¹⁸ See Paragraph 3.3.15 of my Report.

the Revised Deposit version of the Plan.

7.1.27 The Highways Agency has commented that development proposals on allocated sites close to the motorways may require a Transport Assessment. A similar point has been made to a number of allocations under Policies REI 10 and REI 11. As I pointed out there I have recommended changes to Paragraph 2.20 of the Local Plan to the effect that a Transport Assessment will be required alongside planning applications for proposals that are likely to give rise to significant transport implications. The Plan should be read as a whole and this text supports Policy SDP 3. The Council has suggested Proposed Change 95 to meet the Highway Agency's objection, but this is inconsistent with its response to similar points made in respect of Policies REI 10 and REI 11. There the Council commented that extra text would be superfluous and that Local Plans should be as short and succinct as possible. I agree, and do not therefore endorse Proposed Change 95.

7.1.28 The Consortium of Registered Social Landlords consider that the number of affordable dwellings required should be set out in this part of the Local Plan. However, it seems to me that this information is better provided as it is in Paragraph 7.33 of the Plan, which relates to the section on affordable housing.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By referring in the first line of Policy H1 to the total number of dwellings that will be provided and the number that will come forward on allocated sites.**
- ◆ **By revisiting the UCS having particular regard to:**
 - ◆ **Applying a discounting procedure to identified sites;**
 - ◆ **Reviewing windfall provision to eliminate double counting and to make sure that projections are realistic and transparent.**
- ◆ **By revising the supporting text to incorporate the following information:**
 - ◆ **That the UCS has been revised and provides SPG to the Plan.**
 - ◆ **A table showing the Structure Plan requirement, completions and residual requirement and the updated situation regarding housing capacity from each supply source.**
- ◆ **By updating Appendix 6 to reflect the current position in terms of housing allocations and making any necessary changes to the Proposals Map.**

I recommend that no modifications be made to the Plan in respect of Proposed Change 95.

7.2 POLICY H 2: PLAN, MONITOR AND MANAGE

Representations

GOSE	H02-172/69-ID-O
HBF Southern Region	H02-365/10-ID-O
Consortium Of Registered Social Landlords	H02-526/29-ID-O

Issues

- a. Whether the Plan deals adequately with the "*plan, monitor and manage*" approach to housing provision.
- b. Whether the policy facilitates appropriate provision of affordable housing.

Inspector's Reasoning and Conclusions

7.2.1 I agree with GOSE that Policy H2 is largely a statement of intent and is not very helpful in terms of determining planning applications. The Council will need to undertake a monitoring exercise anyway¹⁹ to make sure that the planned level of provision is being translated into reality on the ground. The policy also has limited utility in that the rate at which homes are built is largely a matter outside the Council's control. Whilst it could control the release of sites and hold back land for later release, this is not the intention. As I have said in the previous section, the residual Structure Plan requirement as at 2002 requires an annual rate of 433 dwellings²⁰. Southampton has been significantly exceeding this and on that basis the commitment is likely to be met before 2011. For the reasons I have also given in the previous section, I do not consider that the supply of housing land within Southampton is as optimistic as the Council believes. Whilst I am satisfied that the capacity is likely to be sufficient, the situation needs to be kept under careful review.

7.2.2 The House Builder's Federation (HBF) believe that Policy H2 is vaguely worded and does not clarify those matters that should be included in a policy dealing with the "*plan, monitor and manage*" approach to housing provision. As the Local Plan will have little more than 5 years to run by the time it is adopted and as no greenfield releases are anticipated, a phasing programme does not seem to me to be appropriate in this case. The Council points out in its response that annual completions are already monitored on an annual basis. I would encourage the Council to publish this information in accordance with the government's best practice advice²¹. Although I consider it unlikely that there will be a shortfall of sites to meet housing

¹⁹ Inspector's Note – This is covered in Chapter Twelve of the Local Plan.

²⁰ See Paragraph 7.1.14 of my Report.

²¹ Section 3 of *Monitoring Provision of Housing through the Planning System: Towards Better Practice* – DETR October 2000.

targets during the remainder of the Local Plan period, if that situation were to occur the Council would need to instigate a Review of the Plan. This is likely to take place within the context of a Local Development Framework. However, unlike the HBF I am not convinced that this eventuality needs to be made explicit in the text itself.

7.2.3 The Consortium of Registered Social Landlords objects to the phasing of residential development, which could hold back sites that are suitable for affordable housing provision. Notwithstanding that I am recommending deletion of the policy anyway, it does not include a phasing clause.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By deleting Policy H2.**
- ◆ **By making clear in the supporting text how, and with what frequency, the monitoring exercise will be undertaken to ensure that adequate information is available on dwelling completions, planning permissions and delivery rates.**

7.3 POLICY H 3: PREVIOUSLY DEVELOPED LAND

(Proposed Change 63)

Representations

GOSE	H03-172/70-ID-O
GOSE	H03-172/98-RD-O
Ms O'Dell	H03-828/6-ID-O

Issues

- a. Whether the policy provisions are clearly expressed.
- b. Whether adequate provision is made for the protection of nature conservation interests.
- c. Whether the Council's own recycling targets should be clarified in the text.

Inspector's Reasoning and Conclusions

7.3.1 GOSE considers that the fifth criterion is not clearly expressed and is thus contrary to advice in PPG 12. In the Revised Deposit version supporting text has been added in (Paragraph 7.15), which seems to me to provide sufficient explanation and meet GOSE's point. The Council has not, however, responded to the point made by GOSE that local planning authorities should adopt their own recycling targets. Paragraph 7.14 refers to the national target but in fact Southampton aim to provide all of its additional housing on

brownfield sites. This should be made explicit in Paragraph 7.14 of the Plan.

7.3.2 GOSE is also concerned that the last criterion does not specify what is meant by "significant" wildlife/ nature conservation interests. This has been dealt with in Proposed Change 63, which suggests additional text in Paragraph 7.16. This explains that "significant" means sites that meet SINC criteria or sites supporting habitats or species identified in national or local bio-diversity action plans. This seems to me to satisfy GOSE's objection and also that of Ms O'Dell who was concerned that the wildlife value of land should be taken into account. Accordingly, I support the proposed change.

RECOMMENDATIONS

I recommend that the Plan be modified in accordance with Proposed Change 63 and also as follows:

- ◆ **By adding the following text to the second part of the third sentence in Paragraph 7.14:**

"the council's Urban Capacity Study establishes that all additional housing can be accommodated on previously developed land within the city boundary....."

7.4 POLICY H 4: SPECIAL HOUSING NEED

(Proposed Change 91)

Representations

GOSE	H04-172/71-ID-O
Hawthorne Kamm Planning Consultancy	H04-361/24-ID-O
Consortium Of Registered Social Landlords	H04-526/30-ID-O

Issues

- a. Whether the policy duplicates the provisions of other legislation.
- b. Whether the policy should be established in the context of government advice on planning obligations and conditions.
- c. Whether the policy is unduly onerous.
- d. Whether the different groups requiring supported housing should be listed in the Plan.

Inspector's Reasoning and Conclusions

7.4.1 Proposed Change 91 rewords the policy to delete reference to wheelchair users and amends Paragraph 7.17 to include reference to the relevant provisions in the Building Regulations. I support this change in principle, which meets GOSE's objection regarding repeating the provisions of other

legislation. However, I have suggested other wording for the policy itself, for the reasons given below. GOSE has also commented that clarification is needed to establish the policy in the context of Circular 1/97: *Planning Obligations* and Circular 11/95: *The Use of Conditions in Planning Permissions*. It is likely that the mechanism by which the provisions of the policy will be brought about will be through the use of a planning obligation or planning conditions. This should be made clear in the policy itself and I recommend a further change to accommodate this.

7.4.2 The Council in its response has indicated that the first three sentences of Paragraph 7.17 will be replaced by the new text in Proposed Change 91. However, this would remove the explanation of “*Lifetime Homes*”, which is necessary in order to clarify the policy. I do not agree with Hawthorne Kamm Planning Consultancy that further clarification of this term is needed. It is based on the reasonable premise that everyone should have the opportunity of a decent home that is capable of being adapted to meet their particular needs and requirements not only now but also in the future.

7.4.3 I agree with the Council that it is unnecessary to list all of the groups of people that this policy is aiming to accommodate as suggested by the Consortium of Registered Social Landlords. The Objectors also feel that the requirement for all residential development to be capable of adapting to the necessary standards to be unduly onerous. Whilst in many cases the incorporation of the necessary design standards should present little difficulty there may be circumstances where such adaptations may not be practicable. The policy should be reworded to cater for such an eventuality.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By deleting Policy H 4 and replacing it with the following new policy:**

“Residential development will be expected to be capable of being adapted to conform with “Lifetime Homes” principles wherever practicable. Where necessary this will be achieved through the use of planning conditions or seeking to secure an appropriate planning obligation”.

- ◆ **By deleting the first two sentences in Paragraph 7.17 and replacing them with the second part of Proposed Change 91 (ie relating to the text).**

I recommend that no modifications be made to the Plan in respect of the first part of Proposed Change 91.

7.5 POLICY H 5: SHARED HOUSES

(Proposed Change 62)

Representations

Residents Action Group	H05-102/1-ID-O
Southampton Federation of Residents Associations	H05-231/2-ID-O
Hawthorne Kamm Planning Consultancy	H05-361/11-ID-O
Residents Action Group	H05-367/13-RD-O
University of Southampton	H05-573/12-ID-O
University of Southampton	H05-573/13-ID-O
Miss K R Longman	H05-815/3-ID-O
Banister Freemantle Polygon CAF & Fitzhugh RA	H05-1531/3-RD-O
Hawthorne Kamm Planning Consultancy	H05-361/28-PC-O

Issues

- a. Whether the policy protects the quality of life of existing residents as well as tenants.
- b. Whether the Plan should refer to the new draft Housing Bill.
- c. Whether houses in multiple occupation should either be concentrated in or excluded from specific areas.
- d. Whether the term “shared houses” should be replaced by the term “houses in multiple occupation”.

Inspector's Reasoning and Conclusions

7.5.1 The policy refers to “*shared houses*” but I agree with Hawthorne Kamm Planning Consultancy that the term “*houses in multiple occupation*” is the commonly accepted term and should be used here. It is recognised in the Council’s Housing Strategy²² that houses in multiple occupation (HMO) often exhibit some of the worst housing conditions. Furthermore, they often have an adverse impact on established communities, especially within the central areas where the proportion of HMO’s is very high. Proposed Change 62 states that there should be no net increase of HMO’s in the worse hit wards. This would satisfy a number of objections, including those made by the Southampton Federation of Residents Associations (SFRA), Bannister, Freemantle, Polygon CAF & Fitzhugh RA and the Residents Action Group.

7.5.2 However, the Housing Strategy also points out that this type of accommodation meets an important need by those people who cannot afford to enter the owner occupied sector, including the city’s large student population. The University of Southampton opposes the blanket restriction imposed by Proposed Change 62. This Objector considers that the criteria of the policy apply an appropriate balance between further provision and control. I am however concerned about the third criterion. I can find no link between the floorspace limitation of 105m² and whether or not an adequate

²² See *Southampton Housing Strategy 2003-2007* (Core Document CD15/6).

standard of accommodation can be provided. I note the point made by Miss Longman that conversions to bedsits and small flats should have better internal space standards and safe cycle storage. This is a matter that can be dealt with through the development control process and there are also policy requirements about cycle storage under Policy SDP 5. The purpose of this criterion seems solely to provide consistency with Policy H 7 and has no other rationale. As I have recommended deletion of Policy H 7, it follows that criterion three should also be deleted.

- 7.5.3 It seems to me that there are two main problems with HMOs. The first involves the condition of the properties themselves and the second involves the people who live in them. These are often students, some of whom have a different lifestyle and value system to the host community. I have little doubt that in certain parts of the city the concentration of HMOs is so high that it has led to a deterioration in the character of the area and considerable harm to the living conditions of long term residents. Nevertheless, it has to be recognised that there is a continuing need for such accommodation and that it will have to be provided somewhere. If it is prevented from establishing in one area it will relocate to another.
- 7.5.4 I am not convinced that the Council's approach of imposing a moratorium in certain areas is the solution. It seems to me that the requirement that the quantity of HMO accommodation should not increase beyond a pre-ordained level would be extremely difficult to establish either way. I do not though agree with the University that specific HMO areas should be identified. This to an extent has happened already in areas such as the Polygon and seems to me to be socially divisive and creates considerable levels of friction between the transient population and long term residents²³. I am not sure what infrastructure and services the University think could be put in place to dispel such problems but I am doubtful that such an approach would be effective. In the circumstances, I do not support Proposed Change 62. I agree with the University that the criteria, providing they are properly applied, are sufficient to ensure that the character and amenity of the area and its residents are not unduly harmed.
- 7.5.5 The policy will only apply to those circumstances where planning permission is required. Class C of the *Town and Country Planning (Use Classes) Order* includes dwelling houses that are used by a family (regardless of the number of individuals involved) or by up to six people residing as a single household. In the circumstance where a group of people are not occupying the property as a single household, the use of the property would no longer fall into Class 3. However, whether or not a change of use requiring planning permission has taken place as a result, would have to be determined as a matter of fact and degree taking all the circumstances into account. It is not a matter of simply looking at the number of people involved. The second part of Paragraph 7.19 in the Local Plan is thus incorrect. In any event, it seems to me that the Local Plan is not an appropriate place to attempt to determine whether or not planning permission is necessary. This is a matter of law.

²³ Inspector's Note – I discuss this further under Policy CLT 14 relating to the Night Time Economy.

Changes in this regard are not proposed to be introduced through the new draft Housing Bill²⁴. I see no reason to refer to this Bill in the Plan as suggested by the SFRA but I have proposed changes to Paragraph 7.19 to take account of my other concerns.

7.5.6 In order to try and improve conditions for tenants, the Council has adopted a city-wide HMO Registration Scheme and has also entered into partnership with the University and Southampton Institute to run a voluntary accreditation scheme for landlords. The latter aims to improve conditions of student housing and would apply to smaller households also. It seems to me that these are positive steps although the Council acknowledges that it has insufficient resources to do other than try and tackle the worse affected areas.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ By changing the reference to "*shared houses*" in the policy and text to "*houses in multiple occupation*".
- ◆ By deleting criterion three from Policy H 5.
- ◆ By deleting Paragraph 7.19 from the third sentence onwards and replacing it with the following new text:

"Planning permission is likely to be required in most cases for the change of use of a dwelling house occupied in accordance with Class C3 in the Town and Country Planning (Use Classes) Order to use for a different form of residential occupation, including houses in multiple occupation. Provision should be made to ensure fire safety, security and adequate provision for rubbish disposal. Houses in multiple occupation not requiring planning permission may still require registration under the city wide registration scheme. There is a clear requirement for such accommodation in the city and the depletion of such homes should be avoided wherever possible".

I recommend that no modifications be made to the Plan in respect of Proposed Change 62.

7.6 POLICY H 6: SUB-DIVISION OF LARGE HOUSES

Representations

Hawthorne Kamm Planning Consultancy

H06-361/12-ID-0

²⁴ Inspector's Note – Subject to the satisfactory passage of the draft Housing Bill through Parliament, it is expected to receive Royal Assent by the end of 2004.

Issues

- a. Whether the policy accords with national planning guidance.
- b. Whether the policy would serve to meet the needs of extended families.

Inspector's Reasoning and Conclusions

- 7.6.1 The aim of the policy is to protect the stock of larger (four plus bedrooms) houses within central parts of the city to accommodate the needs of the ethnic community. Hawthorne Kamm Planning Consultancy consider that the policy is contrary to PPG 3 and that such properties could in any event be redeveloped at a much higher density. PPG 3 says that local authorities should undertake local assessments of housing needs and consider ways that new housing and existing stock may be better utilised to meet the needs of the community.
- 7.6.2 A survey of the housing conditions and future housing needs of the black and ethnic community was conducted in 1997. At that time about 40% of ethnic minority groups lived within the Bargate and St Luke's wards with the remainder dispersed throughout the city. However, it was within these central areas that problems of poor housing and overcrowding were most serious along with the inability of individuals to resolve them. It seems to me that the policy will do little to improve this situation in fact it could make it worse by seeking to retain the status quo.
- 7.6.3 The study indicates that whilst the extended family tradition remains strong in some sectors of the ethnic minority population it is weakening in other sectors. There is no up to date information on current trends but it seems to me likely that it is the inability to be able to afford to exercise alternative housing choices that often keeps families under one roof. Although some private landlords or developers may wish to subdivide a four or five bedroom house into smaller units I have no evidence to suggest that this causes a widespread problem in terms of the housing available to the ethnic population. In the circumstances, I am not convinced that placing an embargo on conversions in the inner city areas would improve the housing situation for most black and ethnic minority families.
- 7.6.4 Hawthorne Kamm Planning Consultancy also made the point that redevelopment of larger dwellings could occur at higher densities. The Council would find it difficult to resist such proposals, which would not fall within the terms of the policy and would comply with the principles of PPG 3.

RECOMMENDATION

I recommend that the Plan be modified by deleting Policy H 6.

7.7 POLICY H 7: SUB-DIVISION OF SMALL HOUSES

Representations

Hawthorne Kamm Planning Consultancy

H07-361/13-ID-O

Issues

- a. Whether the policy accords with national planning guidance.
- b. Whether it is necessary to protect family housing and, if so, whether the policy would be effective.

Inspector's Reasoning and Conclusions

7.7.1 The Council has indicated in its Housing Background Proof²⁵ that a large proportion of new residential planning permissions are for flats. It is concerned about the decline in family housing and therefore has introduced Policy H7 which seeks to protect small family accommodation. I agree with Hawthorne Kamm Planning Consultancy that the figure of 105 m² appears somewhat arbitrary. There is no indication where this figure was derived or whether it is a gross or net calculation. Many family houses are larger than this and some smaller houses may not be suitable for families. I also find the requirement for the starting point to be the original construction rather strange. Apart from the fact that this may be difficult to assess in the case of older property it is surely the situation as it exists at the time of the planning proposal that is relevant.

7.7.2 I can find no evidence that there is an unwarranted or absolute decline in the numbers of houses that were constructed with a floor area of 105 m² or less. Furthermore, there is no evidence that there is a dearth of accommodation suitable for families. It seems to me that the fact that a high proportion of recent planning permissions or indeed completions have been for flats is a largely unrelated matter, unless the redevelopment involved the material loss of houses of 105 m² or less. Without far greater justification I cannot support Policy H 7. Whilst I appreciate that it is government policy to widen housing opportunity and choice and plan for mixed and inclusive communities there is no evidence that the policy in the Local Plan will further this objective.

RECOMMENDATION

I recommend that the Plan be modified by deleting Policy H 7.

²⁵ See Core Document CD12/3

7.8 POLICY H 8: CONVERSION TO RESIDENTIAL USE

Representations

GOSE	H08-172/72-ID-O
Consortium Of Registered Social Landlords	H08-526/31-ID-O

Issues

- a. Whether the parking provisions accord with government guidance.
- b. Whether the policy should prioritise the provision of affordable housing.

Inspector's Reasoning and Conclusions

7.8.1 Policy H 8 has been amended at Revised Deposit stage to refer to maximum parking standards and this satisfies GOSE's objection. The Consortium of Registered Social Landlords consider that the provision of affordable housing in such cases should be prioritised. Affordable housing policies would apply to such conversion proposals. Also, the Revised Deposit version has included text that this type of accommodation is especially suitable for those unable to compete in the private housing market. I consider that the point made by the Objectors have been met.

RECOMMENDATION

I recommend that no modifications be made to the Plan in response to these objections.

7.9 POLICY H 9: HOUSING RETENTION

(Proposed Changes 41 and 42)

Representations

Southampton University Hospitals NHS Trust	H09-1185/8-RD-O
Southampton University Hospitals NHS Trust	H09-1185/9-RD-O

Issue

- a. Whether the policy would prejudice the necessary expansion of healthcare provision.

Inspector's Reasoning and Conclusions

7.9.1 The Southampton University Hospitals Trust (SUHT) is concerned that there is residential property at Laundry Road within the area identified for hospital expansion under Policy HC 1. There are further residential properties on the

site at the corner of Coxford Road, Laundry Road and Warren Avenue that I have recommended be included within the hospital development area. Also there is nurses' accommodation within the development area of the Royal South Hants Hospital under Policy HC 2. The SUHT considers that as with the University Development Area, the hospital sites should also be excluded from the provisions of the policy.

7.9.2 The Objector's points have been met through Proposed Changes 41 and 42. These include a further provision to the policy and also to Paragraph 7.24. I support these changes, which will ensure that the expansion of healthcare facilities can be undertaken in the most efficient manner within the boundaries of the designated hospital sites.

RECOMMENDATION

I recommend that the Plan be modified in accordance with Proposed Changes 41 and 42.

7.10 POLICY H 10: THE RESIDENTIAL ENVIRONMENT

(Proposed Change 89)

Representations

GOSE	H10-172/79-ID-O
Hawthorne Kamm Planning Consultancy	H10-361/15-ID-O
Hawthorne Kann Planning Consultancy	H10-1520/3-RD-O
Banner Homes Ltd	H10-447/4-ID-O
Consortium of Registered Social Landlords	H10-526/32-ID-O
English Nature	<u>H10-1031/33-RD-O</u>

Issues

- a. Whether the policy criteria would help achieve high standards of quality and design in new development.
- b. Whether the Bassett Avenue Planning Brief should be retained as supplementary planning guidance.

Inspector's Reasoning and Conclusions

7.10.1 I agree with GOSE that the policy is worded as a statement of intent. I made similar comments in relation to some of the SDP policies, including Policy

SDP 7²⁶. Proposed Change 89 aims to rectify this by changing the wording of the introductory sentence. I support this change. Hawthorne Kamm Planning Consultancy has objected to a number of the criteria. I do not agree that the first criterion is not a land use planning matter. Ensuring the use of appropriate materials is a legitimate planning concern but this has already been dealt with in Policy SDP 9. It seems to me unnecessarily repetitive to refer to it again. The second provision seeks to encourage innovative building techniques but this is not determinative of whether or not planning permission will be granted. I consider that the first two criteria should be deleted. Hawthorne Kamm Planning Consultancy also object to the final criterion and query what “accessible” means. It seems to me clear that this aims to ensure that there is ease of movement between the development and existing open space or recreational facilities wherever possible.

7.10.2 Banner Homes have objected to the inclusion of the Bassett Avenue Planning Brief as supplementary planning guidance on the basis that it was approved in 1982 and so is very out of date. I have not seen a copy of this document and can find no specific reference to it in the Plan. The Council in its response recognise that the Brief is outdated and state that it is in the process of being revised. The weight that can eventually be attributed to this document will depend on whether it has been subject to public consultation and formally adopted by the Council²⁷.

7.10.3 The Consortium of Registered Social Landlords consider that housing by Housing Associations is of a high quality and increasingly innovative. The Objectors consider that this should be recognised in the policy by offering a greater degree of flexibility to this type of development. As I have also said in relation to similar objections to Policies SDP 6 – SDP 13, I do not consider that there is any justification for excluding affordable housing schemes from the requirement of the policy, which aims to foster high standards of quality and design in new residential development. The supporting text in Paragraph 7.25 of the Local Plan recognises the contributions made by Housing Associations to the improvement of the urban environment.

7.10.4 English Nature generally support the policy but would like to see reference to promoting the enhancement of urban wildlife. This has been included in criterion five of the policy in the Revised Deposit version.

RECOMMENDATIONS

I recommend that the Plan be modified in accordance with Proposed Change 89 and by deleting the first two criteria from Policy H 10.

²⁶ Inspector's Note – See Paragraph 2.7.2 of my Report.

²⁷ See Paragraph 3.16 of Planning Policy Guidance Note 12: Development Plans.

7.11 POLICY H 11: HOUSING DENSITY

POLICY H 12: CITY CENTRE HOUSING DENSITY

(Proposed Changes 43, 100 and 101)

Representations

GOSE	H11-172/73-ID-O
GOSE	H11-172/99-RD-O
Hawthorne Kamm Planning Consultancy	H11-361/16-ID-O
Hawthorne Kamm Planning Consultancy	H12-361/17-ID-O
Persimmon Plc	H11-446/4-ID-O
Persimmon Plc	H12-446/5-ID-O
Network Rail	H12-514/6-RD-O
Mr C Wood	H12-1019/18-ID-O
Mr T Caves	H11-1021/7-ID-O

Issues

- a. Whether the proposed area-based minimum densities accord with national planning guidance.
- b. Whether the density requirements are inflexible and unrealistic.
- c. Whether densities of upwards of 100 dph in the city centre would lead to overdeveloped and unattractive urban environments.
- d. Whether the density requirements would discourage a mix of dwelling sizes and types.

Inspector's Reasoning and Conclusions

7.11.1 Policies H 11 and H 12 and the supporting text in Paragraph 7.27 seem to me to be addressing the same issues and so I have dealt with them together. For the reasons that I give below, I recommend that a single policy would be more appropriate to deal with density.

7.11.2 The Revised Deposit version of the Plan at Paragraph 7.27 has clarified that new development within the city centre will be expected to achieve minimum net densities of 100 dwellings per hectare (dph). Within the inner suburbs and close to public transport corridors the appropriate minimum net density will be 50 dph and within the outer areas it will be 35 dph. This satisfies GOSE's initial objections that the matter was unclear. However, GOSE's point about the ambiguity in Policy H 11 remains. Paragraph 7.27 indicates that the Policy H 11 sites fall within the 50 dph area. However, the first provision of the policy includes the city centre, which is the subject of Policy H 12 and its density requirement for 100 dph.

- 7.11.3 In any event the two policies and the supporting text do not accord with the Urban Capacity Study. This uses a density multiplier to calculate yield on identified sites. The 100 dph density applies not just to city centre sites but to town and district centres and areas around them within easy walking distance as well. Unless the Plan itself reflects these provisions the yield from identified sites will not be realised.
- 7.11.4 Both Hawthorne Kamm Planning Consultancy and Persimmon Plc consider that a density of 100 dph is too inflexible and that the Council should “seek” such densities taking account of circumstance. I agree that there may be situations where they cannot be achieved – for example if there are environmental constraints. This needs to be recognised in the policy.
- 7.11.5 Hawthorne Kamm believe that the city centre densities would militate against mixed use development and Persimmon Plc consider that industrial sites may have more limited capacity. The Council has indicated that recent planning permissions on city centre sites have exceeded the 100 dph density level. The Council comments that there are no allocated industrial sites within the city centre apart from one, which is under construction. I see no reason why the density requirement should discourage mixed use development as is evidenced by development carried out at Canute’s Pavilion and the Chapel Site²⁸. The advice in PPG 3 is clear – local authorities should avoid the inefficient use of land.
- 7.11.6 Mr Wood considers that high density housing schemes will repeat the mistakes made in the 1960s. He says that there is a need for open space around the waterfront areas as these contribute to the quality of life advocated in Policy SDP 1. The Objector considers that the high density housing scheme at Canute’s Pavilion in Ocean Village illustrates how the character and ambience of the original marina development has been destroyed. Mr Wood objects to similar levels of development at the Royal Pier site and feels that links between the waterfront and the historic town will be lost.
- 7.11.7 Whilst I can appreciate Mr Wood’s concerns I do not agree that high density development need equate to a poor urban environment. Avoiding the profligate use of land in sustainable urban locations is a national planning priority and the policy accords with this principle. However, PPG 3 also makes clear that good design and layout is the key to a successful development and I have recommended that this should be recognised within the wording of the policy. In addition, policies in Chapter Two relating to urban design principles (especially Policies SDP 7 – SDP 9) would also be relevant in this respect. I do not comment on the development at Canute’s Pavilion because that has been built and is no longer a Local Plan allocation. My comments on the proposals for the Royal Pier site are made under Policy MSA 4.
- 7.11.8 Hawthorne Kamm Planning Consultancy is concerned that the policy infers

²⁸ Inspector’s Note – These sites are covered by Policies MSA 11 and MSA 12 respectively although I have recommended their deletion as development is now well underway in both cases.

that other than in the situations specified in Policies H 11 and H 12 increases in density will be unacceptable. This would be contrary to PPG 3 and is not the Council's intention. It seems to me that the policy should refer to densities appropriate to all areas, including those where accessibility is low.

7.11.9 I consider that the points raised in the above objections would best be dealt with through a new density policy that sets out the density provisions for development within various parts of the city. This should be consistent with the UCS but should also tie in with the zones shown on the Accessibility Map²⁹.

7.11.10 Network Rail is concerned that the final sentence of Paragraph 7.27 is overly restrictive as it implies that higher densities than 50 dph would not be appropriate in areas of good public transport accessibility. I support Proposed Change 43, which makes clear that there is no maximum density requirement. This satisfies Network Rail's objection. Proposed Change 100 seems to say the same thing and is unnecessary.

7.11.11 Persimmon Plc consider that that the minimum density outside the city centre should be 30 dph to accord with PPG 3. However, I agree with the Council that there is nothing in the national guidance to preclude a higher minimum density if this is considered appropriate. There is no evidence that such an approach will prevent sites from coming forward for development within the urban area.

7.11.12 Mr Caves believes that the density requirements may discourage the building of affordable family homes within the city, which has led to families moving out into the suburbs. He recommends that the 35 dph density should be an average for a particular neighbourhood, thus allowing high and low density developments to be offset against each other. The Plan encourages a mix of house types and sizes in Policy H 17 and Paragraph 7.41 recognises the need to include family housing. I do not consider that the density requirements need necessarily preclude the provision of such housing and I do not therefore support Proposed Change 101. On the other hand, PPG 3 makes clear that land should be efficiently used within sustainable urban locations. Low density housing would not meet this objective.

RECOMMENDATIONS

I recommend that the Plan be modified in accordance with Proposed Change 43 and as follows:

- ◆ **By deleting Policies H 11 and H 12 and replacing them with the following new policy:**

***“New residential development will be expected to maximise density in accordance with the site's accessibility to public transport, walking and cycling and subject to design and environmental considerations.*”**

²⁹ Inspector's Note – Accessibility zones are dealt with under Policy SDP 5 and the Accessibility Map is part of the Proposals Map.

Proposals should seek to achieve the following minimum net residential densities:

- i) 100 dwellings per hectare on sites within or close to the city, town and district centres;**
 - ii) 50 dwellings per hectare on sites other than the above that are within areas of high or medium accessibility;**
 - iii) 35 dwellings per hectare on sites within areas of low accessibility.**
- ◆ **By deleting the last sentence in Paragraph 7.27 and all of Paragraph 7.28 replacing them with the following new paragraph:**

“Areas shown on the Accessibility Map as being of high to medium accessibility, but excluding the city, town and district centres, should aim to achieve net residential densities of at least 50 dwellings per hectare. In other areas, which are shown to suffer from poor accessibility, development should not fall below 35 dwellings per hectare”.

I recommend that no modification be made to the Plan in respect of Proposed Changes 100 and 101.

7.12 POLICIES H 13 & H 14: AFFORDABLE HOUSING REQUIREMENTS

(Proposed Changes 44, 45 and 96)

Representations

GOSE	H13-172/75-ID-O
GOSE	H13-172/100-RD-O
GOSE	H13-172/101-RD-O
GOSE	H17-172/78-ID-O*
West Quay Shopping Centre Ltd	H13-352/9-ID-O
West Quay Shopping Centre Ltd	H13-352/11-ID-O
Southampton University Hospitals NHS Trust	H13-362/8-ID-O
Southampton University Hospitals NHS Trust	H13-362/9-ID-O
HBF Southern Region	H13-365/11-ID-O
Consortium of Registered Social Landlords	H13-526/34-ID-O
University Of Southampton	H13-573/15-ID-O
Trustees of the Barker Mill Estate	H13-576/3-ID-O
Pride Homes	H13-696/1-ID-O
Orchard Homes	H13-697/3-ID-O

McCarthy & Stone (Developments) Ltd	H13-946/1-ID-O
BT Plc	H13-1194/6-ID-O
GOSE	H14-172/102-RD-O
Pride Homes	H14-696/2-ID-O
Mr T Caves	H14-1021/8-ID-O
Mr T Caves	H14-1021/10-ID-O

** This objection relates to Policy H 13 rather than Policy H 17.*

Issues

- a. Whether there is a need for the Plan to include affordable housing policies.
- b. Whether the policies accord with current government guidance on affordable housing in terms of the definition of affordable housing, the thresholds applied and the quantum sought.
- c. Whether the policy should specifically relate to the needs of key workers.
- d. Whether the target for affordable housing provision is appropriately based in terms of housing need.
- e. Whether adequate provision is made in the Plan to ensure that affordable housing needs continue to be met in perpetuity.

Inspector's Reasoning and Conclusions

General Points

- 7.12.1 The contents of Policies H 13 and H 14 were contained within a single policy in the Initial Deposit version. A number of the unresolved objections submitted at that stage covered issues arising in both of the new policies. As the two policies and their supporting text are closely interlinked I shall deal with them together.
- 7.12.2 The affordable housing policies have been re-written in the Revised Deposit version. Some Objectors have made comments about the old policies, for example GOSE is concerned about references to "other legislation" which was in the Initial Deposit version of Policy H 13 but has now been omitted. Although such objections have not been withdrawn they have been resolved and so I consider it unnecessary to report them further.
- 7.12.3 I acknowledge at the outset that the site size threshold of 5 dwellings and the proportion of affordable housing provision to be sought (25%) are established in the adopted Local Plan and were supported by the previous Local Plan Inspector. However, that was ten years or so ago and in the interim there have been considerable changes in government policy and the approach to the issue of affordable housing. The provisions of the adopted Local Plan have been upheld by Inspectors on appeal but that does not mean to say that a fresh look at the way that the affordable housing issue is tackled is not warranted. I have sought to do this bearing in mind national and regional guidance and in particular RPG 9, Circular 6/98: *Planning and Affordable Housing* and PPG 3. I have also had regard to draft changes to

the latter two documents in the Government's consultation paper "*Influencing the Size, Type and Affordability of Housing*"³⁰. However, this is not yet adopted policy and may be subject to change. It can therefore only have limited weight in my deliberations.

7.12.4 The University of Southampton wanted assurance that the policy would not apply to student halls of residence which may, for example, be provided as part of a mixed residential scheme with a developer partner. Such provision would fall to be considered under Policy H 18 and, as the Objector points out, would meet a specific need for low cost accommodation. It would clearly be inappropriate to apply the provisions of Policy H 13 to such proposals but I do not agree that this needs to be made explicit in the text.

The Justification for an Affordable Housing Policy

7.12.5 A key objective of Government policy is to create mixed and inclusive communities that offer a choice of housing and lifestyle. The planning system can play an important part by enabling a better mix of housing in terms of size, type and affordability that matches need.

7.12.6 Paragraph 14 of PPG 3 sets out how Local Plans should deal with the affordable housing issue as follows:

"Where there is a demonstrable lack of affordable housing to meet local needs – as assessed by up-to-date surveys and other information – local plans and UDPs should include a policy for seeking affordable housing in suitable housing developments".

The Council commissioned David Couttie Associates Ltd to undertake a Housing Needs Survey in 1999, which has subsequently been updated by the Consultants as the Housing Needs Update 2002 (HNU)³¹. Paragraph 7.32 in the Local Plan sets out examples of the income required to purchase or rent various types of dwelling in Southampton. This however gives a rather misleading impression in that it does not take account of different price levels across the city. Paragraph 2.83 and 2.84 of the HNU sets out the access levels for owner occupation and rent. Paragraph 4.2.8 of the HNU shows an average income of £23,765. Unless there is more up to date information available, I recommend that the Plan is consistent with the information in the HNU.

7.12.7 The HNU identifies an annual affordable housing shortfall of 1457 units, having taken account of increases in provision through relets of existing social stock from Registered Social Landlords (RSL) (net of transfers)³². The figures given in Paragraphs 7.33 and 7.34 of the Local Plan do not equate to Paragraphs 4.4.1 and 4.4.2 of the HNU. It seems to me that they should. The scale of affordable housing need was shown to have risen between 1999 and 2002. Information is also available from the Council's Housing Register,

³⁰ This document proposes changes to affordable housing policy and is intended to replace Paragraphs 9-20, 71 and Annex B of PPG 3 and Circular 6/98, in line with the Government's sustainable communities agenda. It is presently at consultation stage (ODPM).

³¹ See Core Document CD 15/1.

³² Inspector's Note – There is also an expectation of 210 units per annum through new delivery by RSL, which has been included in the 1457 figure.

which shows a high demand from single people and larger families. On the information available I have no doubt that the Local Plan should include policies for the provision of affordable housing.

Definition of Affordable Housing

7.12.8 Paragraph 4 of Circular 6/98 makes clear that affordable housing should encompass both low-cost market and subsidised housing. However the 1999 Housing Needs and Housing Market Survey concludes that low-cost market housing without a subsidy is not “affordable” due to the inflated housing market in Southampton³³. The comment in the Council’s Affordable Housing Background Proof (AHBP) that the HNU supports a minimum of 20% of new affordable housing as low cost home ownership therefore seems to me to be incorrect³⁴. The HNU indicates that affordable housing needs will be provided through shared ownership, shared equity and discounted market rent. The definition in the policy does not appear to accord with this as it includes low cost market housing.

7.12.9 McCarthy and Stone (Developments) Ltd (McCarthy and Stone) consider that if a “developer subsidy” is referred to it should be made clear that this can only relate to the cost of the land and not to some wider expectation of funding in lieu of public subsidy. The Initial Deposit version of the Plan included considerable detail about developer’s contributions and this was subject to objection by Pride Homes. Such detail is not appropriate to the Local Plan and these paragraphs were quite rightly deleted at Revised Deposit stage. I do not see any need for the Policy to define the term subsidy at all.

7.12.10 However in Paragraph 9 of Circular 6/98 it is clear that the definition of affordable housing should be framed having regard to the relationship between incomes and house prices or rents. I agree with McCarthy and Stone and GOSE that this should be included within the Plan but I have insufficient evidence to draw up appropriate definitions. Whilst McCarthy and Stone suggest a definition in their representations, I consider that this is a matter that would be best left to the Council. I agree with the Objector that reference to rents and sale prices in Paragraph 7.37 of the Local Plan should be deleted.

7.12.11 Southampton University Hospitals NHS Trust and the Consortium of Registered Social Landlords consider that key workers should be included in the policy definition. This group provide services that are essential to the well-being of the community and yet are often poorly paid and thus unable to compete in the local housing market. The AHBP refers to resultant difficulties including recruiting and retaining staff and the inability to deliver essential services³⁵. However, neither the 1999 nor the 2002 housing needs assessment specifically consider the needs of key workers and this should be an area which is looked at in the next update.

³³ See Paragraph 1.9.4 of the *Housing Needs and Housing Market Survey 1999* (Core Document CD15/1)

³⁴ *Affordable Housing Background Proof*, Paragraph 9.2 – Core Document CD12/1

³⁵ See the *Affordable Housing Background Proof*, Paragraph 6 (Core Document CD12/1).

- 7.12.12 Proposed Change 44 includes key workers within the policy definition, which would meet the above objections and also those of UNITE, which were subsequently withdrawn. However, McCarthy and Stone object to the identification of a particular need group, making the point that affordable housing provision should be available to all need groups. Whilst I recognise the problems encountered by key workers, as I have said I have no evidence that their need is more pressing than any other group. In the circumstances, I agree with the Objector that it would be inappropriate to single out a particular sector of the community in the policy itself and I do not support Proposed Change 44.
- 7.12.13 The HNU estimates that up to 20% of new affordable delivery would be in the form of low cost subsidised housing³⁶ and this is reiterated in Paragraph 7.38 of the Local Plan. McCarthy and Stone object to this as they feel it is too prescriptive especially in view of uncertainties over affordable housing funding. The HNU will only provide a snapshot of housing need at a particular time. Circumstances may change over the Local Plan period and the type of affordable housing on individual sites will be a matter for negotiation bearing in mind the particular local need at the time. I do not therefore consider it appropriate to set out a specific proportion of tenure types in the text of the Plan. Mr Caves believes that a policy should be included to reflect the greater need for affordable rented accommodation than low cost or shared ownership but for the same reason I consider this to be inappropriate.

Thresholds

- 7.12.14 Circular 6/98 applies a general minimum threshold for affordable housing provision of 25 dwellings or a site area of one hectare. In Inner London a lower minimum threshold of 15 dwellings or 0.5 hectares applies. The Circular makes clear that a threshold between these two levels may be relevant if there are “exceptional local constraints”, which should be demonstrated through the Local Plan process. This is expanded in Footnote 9 to the Circular, which sets out those factors that should be considered in coming to a conclusion on whether a lower site size threshold is appropriate in a particular district. Further guidance is provided in RPG 9, which encourages local authorities to consider whether there is a need to seek lower thresholds as set out in the Circular. The Circular states that it would not be appropriate to adopt thresholds below the lower level (ie 15 dwellings). A number of Objectors, including GOSE, the HBF and BT Plc consider that the threshold of 5 dwellings is contrary to both regional and national guidance. Most Objectors feel that 25 dwellings is the appropriate level.
- 7.12.15 The evidence from the HNU demonstrates that there is an acute need for affordable housing in Southampton. As things stand there is little likelihood that it will be fully delivered over the Local Plan period. However, this is not in itself justification for deviating from the general threshold set out in the Circular. The Council’s justification for its lower thresholds relies on the

³⁶ See the *Housing Needs Update*, Paragraph 5.2 (Core Document CD12/1).

following factors:

- i) Low average incomes in comparison with a steep rise in house prices in the local housing market.
- ii) The large number of smaller sites as demonstrated in the Urban Capacity Study.

The House Builders Federation (HBF) does not consider that these factors are sufficient to provide the justification required by Circular 6/98. They point out that house prices in Southampton are amongst the lowest in Hampshire and that the ratio of prices to income are also low in relation to other local authorities in the County. Nevertheless, it is clear from information provided in the HNU that there is a considerable mismatch between average income levels, house prices and private rental levels. This seems to me to be a strong indicator of the difficulties that people face in finding somewhere to live in Southampton.

7.12.16 The HBF is critical of the reliance of the Council on small sites. Looking at the figures in the HBP for identified and MSA sites developed between First and Second Deposit stage it seems that a high proportion of the estimated housing yield came from sites capable of accommodating 15 or more dwellings. These also accounted for a large proportion of the total number of sites. Looking at the figures for those sites remaining undeveloped, the larger sites remain the major producers in terms of housing yield although the number of such sites making the contribution is about 10% lower. This demonstrates that not only have larger sites been responsible for a substantial proportion of the housing provision but also that whilst the number of such sites is diminishing they are still likely to deliver the majority of the yield.

7.12.17 Turning now to the delivery of affordable housing, the AHBP includes a table of the negotiated affordable housing provision for different sites between April 1998 and March 2003³⁷. From this information it is clear that sites of 15 dwellings and more delivered a large proportion (over 85%) of the total affordable housing yield. On the basis of the available evidence it does not seem to me that the importance given by the Council to smaller sites in terms of affordable housing supply is justified.

7.12.18 The Council considers that the new draft government guidance supports lower thresholds insofar as the requirements in Circular 6/98 are to be substantially revised. The aim of the proposed change is to allow local authorities to seek affordable housing on smaller sites where it is justified. Paragraph 10 of Annex A to the draft guidance says that affordable housing should not normally be sought on sites of less than 0.5 hectares or developments of less than 15 dwellings. Where lower thresholds are

³⁷ Inspector's Note – This information has been extracted from the main table on Pages 12-15 of the Council's Affordable Housing Background Proof (Core Document CD12/1). However, the summary tables attached to Paragraph 9.3 do not seem to be consistent. Whilst the total number of affordable units provided is the same (522) no site of less than 5 units is recorded in the main table.

proposed it has to be demonstrated in the local plan that the contribution from such sites would result in an increased supply of affordable housing and have no adverse effect on the overall supply and pace of housing to meet the community's needs. I have already commented that the contribution from sites of fewer than 15 dwellings is likely to be limited. In addition, as the HBF and other Objectors have pointed out, in order to provide mixed and balanced communities sites should be large enough to accommodate a reasonable mix of types and sizes of housing. Most of the provision on smaller sites is delivered through a commuted payment³⁸. Whilst this is permissible in some cases it does not necessarily further the objective in the new draft guidance of encouraging a better social mix and widening housing choice.

7.12.19 Taking all of these factors into account, I consider that there is adequate evidence of exceptional local circumstances to justify the inclusion of a threshold of 15 dwellings or 0.5 hectares. However, I do not consider that Southampton is in a very different position to many other urban authorities to justify lowering it further than this. I acknowledge that the operation of the policy does not appear to be stopping smaller sites from coming forward for development. However, affordable housing provision here is mainly through a financial contribution and it may well be that this is acting as a constraint to the more difficult smaller sites with higher development costs. I acknowledge that in Southampton the rate of development overall is relatively high. However, as I have demonstrated above much of this is attributable to the larger sites. I note that there are a significant number of smaller sites that have the benefit of planning permission and yet remain undeveloped. I therefore recommend that a threshold of 15 dwellings or 0.5 hectares would be most appropriate. I appreciate that this is unlikely in itself to meet the entire need for affordable housing, but it will increase the number of units coming forward through the planning system and assist in meeting local housing needs.

Affordable Housing Targets

7.12.20 As GOSE points out, PPG 3 states that local plan policies for affordable housing should indicate how many affordable homes need to be provided throughout the Plan area and identify suitable sites and the amount of provision that will be sought. The HNU indicates an annual shortfall of 1247 dwellings a year³⁹. However, there is no indication in the Local Plan of the amount of affordable housing that the Council aims to provide through its Local Plan policy. The AHBP says it will aim to deliver 300 affordable dwellings a year, whereas the Housing Strategy indicates 250⁴⁰. These figures should be consistent but presumably include dwellings coming forward from a range of sources of supply and not just from development sites. I consider that the Plan does need to make a clear statement of the

³⁸ Inspector's Note – This information is extracted from the tables on Pages 12-15 of the Council's *Affordable Housing Background Proof*.

³⁹ See Paragraph 7.12.7 above. The 1247 comprises the annual shortfall of 1457 units minus the anticipated new delivery of 210 units by RSL.

⁴⁰ *Housing Strategy 2003-2007* – Paragraph 5.16 (Core Document CD15/6).

objectives of its affordable housing policies in order that it can properly monitor whether they are being successful in meeting the objectives. Nevertheless, I have no doubt that there is a high level of need against a relatively low rate of delivery.

- 7.12.21 The policy sets a target of 25% provision applicable to all sites above the threshold. I agree with the HBF and McCarthy and Stone that it is unclear how this target has been derived and whether it has taken account of such factors as the likely yield from identified sites in the UCS, the availability of public subsidy and so forth. In the circumstances, it is impossible for me to judge whether such a target is too low, too high or about right in delivering the Council's affordable housing objectives. I would strongly advise the Council to look again at its targets to satisfy itself that they are realistic. In any event, the policy needs to make clear that each site will be individually assessed and the criteria against which that assessment will be made. I deal with this in the next section.
- 7.12.22 The Trustees of the Barker Mill Estate believe that the target is excessive and unjustified. They would like to see it reduced to 15% although they do not say on what basis they have come to that conclusion. The CRSL consider that the target is too low in view of the high level of housing need in the city. The Objector also points out that Policy H4 in RPG 9 requires local authorities to monitor provision of affordable housing against the targets. I do not have the evidence to conclude on this issue and I consider that this is a matter that the Council should revisit as a matter of urgency probably as part of its Local Development Framework.

Scale of Provision

- 7.12.23 The policy contains three criteria but it needs to be made clear that these are for the purpose of assessing individual site liability. I agree with the HBF and GOSE that they do not adequately reflect the provisions of Paragraph 10 of Circular 6/98 or indeed the advice in the draft guidance. However, I do not agree with McCarthy and Stone that they should not only be used to determine the quantum of affordable housing provision but also the principle of such provision. It seems to me that it is quite justifiable to split the factors to be taken into account at the liability stage (ie size of the site) from those used to determine the quantum. That is not to say that in some cases the other (quantum) factors may determine that no affordable housing should be provided on a site in some cases.
- 7.12.24 The reference to listed buildings in the first criterion seems to me to be unjustifiably narrow in terms of exceptional development costs. The HBF mention decontamination costs or those that relate to flood mitigation, as other examples.
- 7.12.25 GOSE objects to the second criterion as it says that having no affordable housing on "high cost" developments would not accord with the PPG 3 and RPG 9 objective of mixed and inclusive communities. In the Council's response it is clear that "high cost" is not intended to equate with "exclusive" but is linked to regeneration objectives. The text in Paragraph 7.39 includes the objective of providing affordable housing on-site wherever possible and evenly distributed through the scheme to encourage the development of balanced communities. In the circumstances I do not consider that criterion

two conflicts with government guidance.

7.12.26 The third criterion refers to “severe development constraints”. The HBF considers that there may be other factors such as the size of the site for example. I have already dealt with this above and I do not consider that the HBF’s suggested wording is particularly helpful.

7.12.27 Paragraph 10 of Circular 6/98 also refers to the need to achieve a successful housing development and the need to take account of other planning objectives that need to be given priority in development of the site. In relation to objections to Policy H 15, the Consortium of Registered Social Landlords consider that the provision of affordable housing should not be sacrificed to less strategically important objectives. However, the city council has a number of priorities as well as those relating to housing. As I have said in relation to objections to Chapter One, the Local Plan does not seek to rank them in terms of their importance⁴¹.

Delivery Mechanism

7.12.28 Policy H 14 aims to ensure that the delivery of affordable housing is secured in perpetuity. Paragraph 9 of Circular 6/98 points out that this only endures so long as the need exists and this should be recorded in the policy. However, due to the scale of the need I find it difficult to envisage that it will be fully satisfied over the Local Plan period. I cannot agree with McCarthy and Stone that such restrictions are thus inappropriate or do not comply with government guidance.

7.12.29 GOSE object to the “requirement” to enter into a planning obligation, which is contrary to advice in Circular 1/97. Proposed Changes 45 and 96 seem to offer alternative wordings for criterion one but I do not consider that either are really satisfactory. For example, the obligation may be unilateral. Furthermore, the policy seems to suggest that both conditions and obligations will be sought, whereas it will often be unnecessary and inappropriate to use both. Mr Caves suggests that the policy should specify what should be included in the planning obligation in terms of covenants or leasing arrangements. I appreciate that the Objector is concerned about loopholes that may allow the housing to be taken out of the affordable sector. However, this is a legal matter and it would not be appropriate to include such detail within the local plan policy. I recommend that the policy be reworded to take these matters into account and satisfy the objection of GOSE.

7.12.30 Circular 6/98 comments that occupancy controls will not normally be required where a RSL is responsible for the management of the affordable housing and the policy needs to say this. I note that McCarthy and Stone object to the preference in Paragraph 7.37 for delivery by a RSL. I do not agree that this is unduly prescriptive in terms of those who deliver affordable housing. The Plan does not infer that affordable housing cannot be satisfactorily provided by other organisations and I see no need to make

⁴¹ See Chapter One, Paragraph 1.3.3 of this Report.

changes in this respect.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ By deleting Policy H 13 and replacing it with the following new policy:
“On housing sites where 15 or more dwellings are proposed or which exceed 0.5 hectares in size (irrespective of the number of dwellings), the city council will seek, through negotiation, up to 25% of affordable housing as defined in the supporting text.
The specific proportion of affordable housing to be provided by a particular site will take account of the following factors:
 - i) *The particular costs relating to the development of the site and the viability of the development;*
 - ii) *the proximity of local services and the accessibility of the site to public transport;*
 - iii) *any constraints imposed by other planning objectives that need to be given priority in the development of the site;*
 - iv) *the need to achieve a successful housing development in terms of the location and mix of affordable homes”.*
- ◆ By ensuring that the supporting text in Paragraphs 7.32-7.34 is consistent with the information in the HNU.
- ◆ By deleting Paragraph 7.36 be deleted and replacing it with the following new paragraph:
“Although the city has a large number of small sites, the majority of new dwellings will be provided on sites yielding 15 or more units. This will provide the starting point for assessing the affordable housing provision in relation to individual sites”
- ◆ By ensuring that text is included to cover the following points:
 - ◆ A definition of affordable housing as well as low cost market and subsidised housing.
 - ◆ The annual affordable housing target.
- ◆ By deleting Policy H 14 and replacing it with the following new policy:
“Where a Registered Social Landlord is not involved in the provision of affordable housing, the city council will seek to ensure that the affordable housing remains affordable to successive as well as initial occupiers so long as the need exists through the use of appropriate planning conditions and/ or a planning obligation”.
- ◆ By deleting the second half of the first sentence of Paragraph 7.37 (after “perpetuity”).
- ◆ By deleting the last two sentences of Paragraph 7.38.

I recommend that no modification be made to the Plan in respect of Proposed Changes 44, 45 and 96.

7.13 POLICIES H 15 & H 16: LOCATION OF AFFORDABLE HOUSING

(Proposed Changes 46 and 93)

Representations

GOSE	H15-172/76-ID-O
GOSE	H16-172/103-RD-O
GOSE	H16-172/104-RD-O
HBF Southern Region	H15-365/12-ID-O
Consortium of Registered Social Landlords	H15-526/36-ID-O
Pride Homes	H15-696/2-ID-O
Orchard Homes	H15-697/2-ID-O
Mr T Caves	H16-1021/9-ID-O

Issues

- a. Whether the policies adequately reflect government advice on the location of affordable housing.
- b. Whether the circumstances in which a commuted payment may be appropriate are adequately set out.

Inspector's Reasoning and Conclusions

7.13.1 Policies H 15 and H 16 were covered by a single policy in the Initial Deposit version of the Plan. The two policies and their supporting text are closely interlinked and I shall deal with them together. Some Objectors have made comments about the old policy, for example referring to the 31% off-site provision. Although such objections have not been withdrawn they have been satisfied through the deletion of these references at Revised Deposit stage. Accordingly, I consider it unnecessary to report on them further.

7.13.2 PPG 3 states that where it has been decided that an element of affordable housing should be provided, there is a presumption that it will be provided as part of the proposed development on the site. The government's aim is to help establish mixed and inclusive communities that offer a choice of housing and lifestyle. Provision on the site should thus be the normal presumption. I do not therefore agree with the view advanced by Pride Homes and Orchard Homes that there should be no preference for on-site location.

7.13.3 Nevertheless, Circular 6/98 points out that there may be situations where the local planning authority and the developer consider that the element of affordable housing would be better provided on another site. This should always have regard to the underlying objective of widening housing choice

and encouraging better social mix. In such situations a financial contribution would be appropriate. This may help provide affordable housing by bringing existing housing stock back into active use or by providing the affordable housing through new build elsewhere. I agree with GOSE that Policies H 15 and H 16 do not sit squarely with these principles and that government guidance does not draw a distinction between provision through a “commuted sum” and provision “off-site”. The Council has referred to the new draft guidance⁴² but the advice in that document also draws no distinction between these two terms.

7.13.4 The quantum of affordable housing that will be sought on an eligible site will be determined having regard to the four criteria in my recommended new Policy H 13. These should not be confused with the considerations that will be used to determine whether such provision would better be provided off-site (ie by means of a commuted payment). Unfortunately Policy H 16 does confuse the two, contrary to advice in Circular 6/98, by including factors such as economic viability (the third criterion in Policy H 16) or other planning priorities (the fifth criterion in Policy H 16). These criteria have been used already to determine the amount of provision (if any) in Policy H 13.

7.13.5 It seems to me that it would be better if the two policies were simplified and combined to make clear that on-site provision is the preferred choice but that in some circumstances a financial contribution would be appropriate. Such an approach is set out in Paragraph 3 of the draft planning guidance. The second criterion in Policy H 16 refers to a “higher standard of local amenity provision” being provided elsewhere. However, such standards should be an objective in the location of all housing developments regardless of whether they include affordable housing. Proposed Changes 46 and 93, advance changes to the wording of the fifth criterion and its associated text as well as the deletion of the fourth criterion that is subject to objection by GOSE. As I am recommending that these provisions should be deleted I do not support the proposed changes.

7.13.6 Mr Caves suggests an alternative policy wording, although this was submitted in response to the single policy in the Initial Deposit version. I do not agree that profitability is an appropriate consideration and for the reasons I have given already I recommend that an alternative form of wording would be more appropriate.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By deleting Policies H 15 and H 16 and replacing them with the following new policy:**

“Where affordable housing is to be provided in accordance with Policy H 13, the city council will expect it to be provided as part of the development and dispersed amongst the private element of the scheme.

⁴² Consultation Paper by ODPM “Influencing the Size, Type and Affordability of Housing”. Footnote 26.

Provision may only be made on another site by means of a financial or other contribution if it would secure a better social mix and wider housing choice".

I recommend that no modification be made to the Plan in respect of Proposed Changes 46 and 93.

7.14 POLICY H 17: HOUSING TYPE AND DESIGN

(Proposed Change 47)

Representations

GOSE	H17-172/78-ID-O*
GOSE	H17-172/105-RD-O
Consortium of Registered Social Landlords	<u>H17-526/37-ID-O</u>
BT plc	H17-1194/8-RD-O
CAF Banister, Freemantle, Polygon & Fitzhugh RA	H17-1531/4-RD-O

** This objection by GOSE refers to PPG 3 advice on affordable housing provision and has been dealt with under Policy H 13.*

Issues

- a. Whether the policy adequately addresses the housing needs of the city's population.
- b. Whether the policy encourages mixed and balanced communities.

Inspector's Reasoning and Conclusions

7.14.1 The HNU indicates that there has been a significant increase in household number compared to population growth over the last ten years. Average household size has declined and this trend is predicted to continue. I appreciate that the Council is concerned to ensure that the stock of family homes is not unduly diminished although there is no evidence of a shortage over the city as a whole. It is important that the policy reflects the needs of the city council's population and continues to do so. In this respect I agree with the Consortium of Registered Social Landlords that the situation should be kept under regular review although I see no need to specifically refer to the annual updates of the Housing Strategy.

7.14.2 BT Plc considers that the policy is overly prescriptive and inflexible. The Council has sought to address this through Proposed Change 47, which replaces the 15% threshold with the words "a proportion". The Housing Needs and Housing Market Survey (1999) does not include low-cost market housing within the definition of affordable housing although it does identify

an additional need for such housing in order to accommodate the growing number of small households who have income levels adequate to access the local market⁴³. There is clearly a need for small dwelling units although I find no particular support for 15% or any other figure. In the circumstances the removal of the percentage figure is appropriate and I support the proposed change in principle.

7.14.3 The Banister, Freemantle, Polygon and Fitzhugh Residents Association consider that family housing should not be precluded in these parts of the city. However, as the Council has pointed out they are not within the city centre and therefore the second criterion would apply. I do however question the wisdom of this provision as it implies that within more central areas family housing will not be sought. The Council has pointed out that many recent development projects have been for flats. This does not seem to me to further the government's objective of achieving mixed and balanced communities which offer a choice of housing and lifestyle and there may be situations where an element of family housing could be incorporated.

7.14.4 I recommend that the policy should be reworded to seek a mix of house types and sizes that is linked to an up to date assessment of housing needs. I see no reason why this should not apply across the city to developments of 15 or more dwellings although it is unnecessary to refer to affordable housing as this is covered by Policy H 13. The suggested wording by BT Plc includes a clause whereby the policy would not apply if the site is "clearly inappropriate" for a mix of units. Although some sites may not be suitable, I agree with the Council that the wording proposed by the Objector is rather vague and unsatisfactory.

7.14.5 Housing density is a matter dealt with under Policy H 11. As GOSE points out PPG 3 advises against unduly restrictive ceilings on the amount of development that can be accommodated on a site. My recommendation on Policy H 11 is that in the outer parts of the city, net residential densities on new development should aim for a minimum of 35 dwellings per hectare, notwithstanding that surrounding densities may be lower. I do not agree with the Council's argument that family housing cannot be provided in developments at this (or indeed a higher) density. The third criterion therefore seems to me to be unnecessary.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

◆ **By deleting Policy H 17 and replacing it with the following new policy:**

"Residential developments of 15 units or more should contain an appropriate mix of dwelling types and sizes to reflect the current needs of the city's population. This should include a proportion of one and two bedroom units as well as family housing on suitable sites".

⁴³ Southampton Housing Needs and Housing Market Survey (1999) – Paragraph 1.9.4 (CD15/1).

- ◆ **By making reference in Paragraph 7.43 that the Council will keep the Housing Needs Assessment regularly updated and will use it as a basis for applying the policy provisions.**

I recommend that no modifications be made to the Plan in respect of Proposed Change 47.

7.15 POLICY H 18: NEW STUDENT ACCOMMODATION

(Proposed Changes 48, 58 and 99)

Representations

UNITE	H18-1528/2-RD-O
UNITE	PC48-1528/4-PC-O
Southampton Institute	H18-572/14-ID-WDC
Southampton Institute	H18-572/18-RD-WDC
Southampton Institute	<u>PC48-572/25-PC-WDC</u>
Southampton Institute	<u>PC58-572/26-PC-WDC</u>
University of Southampton	H18-573/16-ID-WDC
University of Southampton	<u>PC58-573/28-PC-WDC</u>

Issues

- a. Whether the Plan recognises the realities of student housing provision and the role of the private sector.
- b. Whether the issue of need is adequately addressed.

Inspector's Reasoning and Conclusions

7.15.1 The Council has put forward a number of changes to this policy and on the basis of these Southampton University and Southampton Institute have conditionally withdrawn their objections.

7.15.2 Proposed Change 48 includes reference in the policy to the role played by the private sector in providing new student accommodation. This is a point made by UNITE a specialist provider of student and key worker housing developments. Proposed Change 48 also includes an additional criterion to the policy that the occupancy of the development will be controlled by the imposition of planning conditions or an appropriate legal agreement. The Institute and University also object to reference in the policy to "affordable residential accommodation" as there would be little point in providing accommodation for students that they could not afford. The Council has agreed to a further change to delete this reference in the policy and text in

Proposed Change 99.

7.15.3 The Institute has pointed out that development by a higher education establishment may not always create a need for additional student accommodation. There are, for example, an increasing number of students who choose to live at home. Proposed Change 58 revises the first criterion to include an assessment of need. It also alters criterion four to recognise that it is the developer who should be responsible for controlling and managing the level of student car parking. Proposed Change 58 also includes additional clarification to the supporting text. I support the three changes proposed, which reflect the realities of provision and offer greater clarity to the Plan.

7.15.4 UNITE has suggested additional criteria to the policy relating to the character of the area and amenity of adjacent occupiers. These matters are dealt with under other policies and should be considerations in all developments, not just student housing.

RECOMMENDATION

I recommend that the Plan be modified in accordance with Proposed Changes 48, 58 and 99

7.16 POLICY H 19: RETENTION OF STUDENT ACCOMMODATION

(Proposed Changes 59, 97 and 98⁴⁴)

Representations

Southampton Institute	H19-572/15-ID-WDC
Southampton Institute	H19-572/19-RD-WDC
Southampton Institute	<u>PC59-572/27-PC-WDC</u>
University Of Southampton	H19-573/17-ID-WDC
University Of Southampton	H19-573/17-RD-WDC*
University of Southampton	<u>PC59-573/29-PC-WDC</u>

**These are two separate objections but were given the same reference.*

⁴⁴ Inspector's Note – In Policies H 18 and H 19, Proposed Changes 97, 98 and 99 do not appear to have replaced Proposed Changes 48, 58 and 59 but rather to have supplemented them as indicated on the changes sheets themselves. The Council has logged the objections to these changes as supports and changed their number. However, the Institute and the University have confirmed conditional withdrawal rather than support and I have recorded them accordingly.

Issue

- a. Whether the Plan adequately protects existing student accommodation to meet the needs of the student population.

Inspector's Reasoning and Conclusions

7.16.1 As with the previous policy, changes proposed by the Council have been able to satisfy outstanding objections, which have subsequently been conditionally withdrawn.

7.16.2 Proposed Changes 59 and 98 insert the word "or" between the three criteria. This accepts that there may be circumstances when accommodation may be in a poor location or condition and therefore unsuitable for the housing of students. In such circumstances, or if there was demonstrated to be no need (criterion one), then replacement elsewhere would be inappropriate. However the third criterion, which allows for a loss of accommodation if there is a more suitable replacement elsewhere, should not result in a net reduction. The proposed changes to the text add further explanation to Paragraph 7.51.

7.16.3 Proposed Change 97 provides changes to the wording of criterion one in recognition that private sector provision may also include key worker housing. I support these changes, which seem to me to offer clarity to the policy and its text.

7.16.4 With regards to Table 7.3 of existing student accommodation this has been changed at Revised Deposit stage to move Hamwic Hall into the Southampton Institute column. However, that Objector also referred to David Moxon Hall and this needs to be included also.

RECOMMENDATION

I recommend that the Plan be modified in accordance with Proposed Changes 59, 97 and 98 and through the addition of "David Moxon Hall" to the Southampton Institute column in Table 7.3.

7.17 POLICY H 20: GYPSIES AND TRAVELLERS

Representations

GOSE	H20-172/77-ID-O
Mr D Huggins	H20-524/4-ID-O
English Nature	<u>H20-1031/34-RD-O</u>

Issues

- a. Whether the policy is based on an up to date assessment of need.
- b. Whether the Plan should identify specific sites for gypsies.

- c. Whether the Council should be pro-active in making suitable sites available to travellers of all kinds, not just gypsies.

Inspector's Reasoning and Conclusions

Assessment of Need

- 7.17.1 The City Council has one permanent gypsy site in the east of its area at Kaneshill, Scholing. Government policy requires an assessment of gypsy needs to be carried out and provision made to accommodate it in the Local Plan. I understand that the Council has a newly appointed Gypsy Liaison Officer and that a demand has been identified for transit sites. However, I was unable to establish on what basis this conclusion has been reached. I was given no information about whether a quantitative assessment of accommodation requirements has been carried out. Also, whether any such assessment has resulted from liaison with gypsy groups and been regularly updated. GOSE has raised this as a concern and I agree. This information is essential to underpin the policy and to provide the proper basis for development control decision making.
- 7.17.2 GOSE points out that Circular 1/94 refers to three types of sites – sites for settled occupation, temporary stopping places and transit sites. The city council should include text that supports its conclusion that only transit accommodation is needed. If it cannot do so the reference to “transit” should be removed. I appreciate that the Council is acting in a pro-active manner by liaising with the County Council and other neighbouring local authorities in order to try and agree a sub-regional approach to site provision. However, this must be firmly based on a proper assessment of need and this should be referred to in the text of the Plan.

Policy Criteria

- 7.17.3 Mr Huggins considers that a more pro-active approach should be taken to the identification of sites for gypsies. I understand that the Council is looking for suitable locations but is unable to identify specific sites at the moment. The Plan therefore opts for a criteria based policy. Although Circular 1/94 indicates a preference for a site-based approach, this is not an absolute requirement. Structure Plan Policy H12 allows for either approach. It is though important that the criteria are clear and realistic and give applicants a reasonable chance of success, taking account of the likely availability and affordability of land. In this respect I would question the second part of criterion four. I understand that this refers to the Council’s own standards for site layout. However, these only provide informal guidance and should not therefore be a requirement of the policy.

Travellers

- 7.17.4 The policy seems to be directed specifically at gypsies who are defined by statute and I consider that reference to “travellers” should be removed from the title. I appreciate Mr Huggins’ point that there are people who do not fall within the statutory definition of a “gypsy” but who nevertheless wish to lead a travelling lifestyle. Paragraph 12 of PPG 3 requires local authorities to assess the range of needs for housing in their area, including travellers and occupiers of mobile homes. The Housing Needs Survey does not seem to have tackled this and I consider that this is a shortcoming that should be

addressed.

7.17.5 Unlike gypsies, travellers are not a cohesive group but have a diversity of aspirations and lifestyles. There is often considerable prejudice by the settled population against travelling people as they are often perceived to exhibit antisocial and disruptive behaviour. Whilst this may be the case with some individuals, such problems occur within all sectors of society. Such concerns should not divert the Council away from its responsibilities to consider the needs of all who inhabit its area, whatever their chosen way of life. It may be that on investigation the Council finds that the degree of need does not justify specific provision being made, but that work should be done. I suggest that it would best be considered as part of the preparation for the Local Development Framework.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By revising Policy H 20 as follows:**
 - ◆ **Delete reference to “*Travellers*” from the title;**
 - ◆ **Delete the words “and is able to conform to the city council’s standards” from criterion four.**
- ◆ **By including additional text to explain the basis for the policy in terms of a quantitative needs assessment, how this has been carried out and how it will be kept up-to-date.**
- ◆ **By undertaking such an assessment if it has not already been carried out and reconsidering the policy in the light of its findings.**
- ◆ **By considering the needs of travelling people in the next update of the Housing Needs Survey.**