

## 8. CHAPTER EIGHT - RETAILING, ENTERPRISE AND INNOVATION

### 8.1 PARAGRAPH 8.1

#### Representations

GOSE	REI01-172/11-ID-O
Somerfield Stores Ltd	REI01-191/1-ID-O
Hermes Property Asset Management Ltd	<u>REI01-413/4-ID-O</u>

#### Issues

- a. Whether the retail hierarchy accords with Policy S1 in the Structure Plan.
- b. Whether the retail hierarchy has been adequately defined.
- c. The use of the word "any" in relation to major new shopping provision.

#### Inspector's Reasoning and Conclusions

8.1.1 The County Council's Supplementary Guidance (SPG): *Town Centre and Out-of-Centre Development*<sup>1</sup>, which supports Structure Plan Policy S1, classifies Southampton as a sub-regional centre and Bitterne, Portswood and Shirley as sub-urban centres, which equate to district shopping centres in terms of Planning Policy Guidance Note 6: *Town Centres and Retail Developments* (PPG 6). In the adopted Local Plan, Lordshill and Woolston were also designated as district centres. In the Revised Deposit version Shirley has been upgraded to a town centre. This was based on a recent assessment of vitality and viability using PPG 6 indicators of the city centre and all five district centres in 2002<sup>2</sup>. It was concluded that Shirley effectively functions as a town centre due to its larger size, public transport focus and greater range of shops and services.

8.1.2 Since the opening of the West Quay shopping centre in September 2000 Southampton has moved from 13<sup>th</sup> to 7<sup>th</sup> in the hierarchy of UK shopping centres<sup>3</sup>. In the circumstances I consider that there is justification for having a hierarchy as proposed in the Plan, which recognises the sub-regional role of the city centre and the higher level facilities in Shirley as opposed to the other district centres. This has been based on an empirical study that follows guidance in PPG 6 and was undertaken more recently than the County Council's SPG. The hierarchy does not seem to me to conflict with the fundamental objectives of Structure Plan Policy S1, which aim to maintain and/ or enhance the vitality and viability of the relevant centres. Whilst I note GOSE's concerns, I therefore do not consider that the Plan needs to be changed to accommodate this objection.

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<sup>1</sup> See Core Document CD5/5

<sup>2</sup> This was carried out by Consultants White, Young and Green as background to the retail issues in the emerging Local Plan. See Core Document CD16/1.

<sup>3</sup> This is based on the Experian Retail Ranking Index, which takes account of a wide range of factors relating to town centre vitality and viability.

8.1.3 In the Revised Deposit version the terminology has been clarified so that “district” and “town” centres are clearly distinguishable in accordance with the glossary in PPG 6 and Policy S1 in the Structure Plan. This satisfies the objection of Somerfield Stores Ltd.

8.1.4 The Revised Deposit version omits the word “any” from the sentence relating to major new shopping provision. This satisfies the objection of Hermes Property Asset Management Ltd.

## RECOMMENDATION

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

## 8.2 PARAGRAPH 8.2

### Objections

Hermes Property Asset Management Ltd

REI01-413/2-ID-O

Hermes Property Asset Management Ltd

REI01-413/2A-RD-O<sup>4</sup>

### Issue

- a. Whether major new shopping provision should be focused in the city centre.

### Inspector's Reasoning and Conclusions

8.2.1 PPG 6 and subsequent Ministerial statements make clear that town centres are the preferred location for new shopping floorspace. The McNulty Statement says that the relevant centres for the sequential site search will depend on the nature and scale of the development and the catchment that it is intending to serve. The city centre is thus clearly the pre-eminent location for large-scale retail development and should be considered before the town or district centres.

8.2.2 The sequential approach is made clear in Paragraphs 8.1 and 8.2 of the Local Plan. This would favour retail development within the primary shopping area<sup>5</sup> of the city centre as suggested by Hermes Property Asset Management Ltd. However, I do not consider that particular parts of the centre such as Above Bar and the Marlands Centre should be specifically referred to as the focus for major new shopping proposals, as suggested by the Objector<sup>6</sup>.

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<sup>4</sup> Inspector's Note – This objection is to the Revised Deposit version but was included by the Council within the objection to the Initial Deposit version by the same Objector. I have therefore given it a new number to distinguish it as a separate objection.

<sup>5</sup> The primary shopping area is dealt with under Policy REI 4 and is the city centre for PPG 6 purposes.

<sup>6</sup> The Marlands Centre is considered at the beginning of Chapter 11 in response to the Objector's proposal that it should be included as a MSA Site.

## RECOMMENDATION

**I recommend that no modifications be made to the Plan in response to this objection.**

### 8.3 PARAGRAPH 8.3

*(Proposed Change 68)*

#### Representations

GOSE	REI01-172/9-ID-O
GOSE	REI01-172/10-ID-O
GOSE	REI01-172/106-RD-O
GOSE	REI01-172/107-RD-O
Hermes Property Asset Management Ltd	REI01-413/3-ID-O
Hermes Property Asset Management Ltd	REI01-413/19-RD-O
IKEA Properties Investments Ltd	REI01-571/3-ID-O
IKEA Properties Investments Ltd	REI01-571/12-RD-O
Southampton & Fareham Chamber of Commerce	REI01-1032/15-RD-O
West Quay Shopping Centre Ltd	PC68-352/21-PC-O

#### Issues

- a. Whether the concept of retail need is adequately explained.
- b. Whether allocated sites are properly linked to retail need.
- c. Whether the retail policy accords with national and regional planning policy.
- d. Whether sufficient retail floorspace will be provided in the city centre in accordance with its sub-regional role.

#### Inspector's Reasoning and Conclusions

##### *General*

8.3.1 The original retail study undertaken by Colliers Erdman Lewis (CEL) on behalf of Hampshire County Council in 1998<sup>7</sup> has been superseded by a retail study carried out on behalf of the City Council by White Young Green (WYG) in 2002<sup>8</sup>. This forms the basis for the retail strategy in the Revised Deposit version of the Plan. The WYG Retail Study drew from a specially commissioned household shoppers' survey which was based on an inner area comprising 6 zones (A-F) roughly equivalent to the City's administrative boundaries and an outer area comprising 5 zones (G-K) extending out

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<sup>7</sup> See Core Document CD8/2-8/4.

<sup>8</sup> See Core Document CD16/1.

beyond Romsey, Easleigh, Lyndhurst and Newport. The Study concentrated on assessing the needs of those living within the inner area only. Paragraph 8.3 of the Local Plan summarises the findings of the WYG Retail Study and sets out the justification for additional comparison and convenience retail floorspace in Policy REI 1. This meets the objection of Southampton and Fareham Chamber of Commerce that new retail developments should not be permitted until the Study has been published and a retail strategy advanced to meet any identified demand.

- 8.3.2 However, GOSE has raised fundamental concerns about the retail strategy recommended by the Consultants. GOSE considers that the Local Plan does not adequately explain the concept of retail need or link this to the proposed retail allocations in terms of location and scale. The WYG Retail Study puts considerable emphasis on qualitative need, in particular to stem the outflow of expenditure to out-of-centre superstores beyond the City's administrative boundaries. This can be important in terms of sustainable travel and encouraging people to make linked trips to the centre. However recent government policy, particularly the McNulty Statement<sup>9</sup>, makes clear that whilst need for new retail provision can be expressed in both qualitative and quantitative terms, the latter should be given greater weight when considering proposals for edge or out-of-centre retail developments.
- 8.3.3 The Plan does distinguish between convenience and comparison shopping in accordance with the McNulty Statement. I agree with GOSE that it would be helpful to provide an explanation of retail need taking account of recent government policy. This is advanced in Proposed Change 36 to Paragraph 8.10, which I have generally supported. Nevertheless, I agree with GOSE that there is an inadequate link between identified need and site allocation and I consider this in more detail below.

### *Retail Needs Assessment*

#### Convenience Goods Floorspace

- 8.3.4 The WYG Retail Study concluded that over the City area as a whole there is no quantitative need for additional convenience goods floorspace during the Local Plan period, when existing commitments have been taken into account. It is clear that any outstanding quantitative capacity will be absorbed by the new foodstores in Woolston and Shirley. The former is now trading and the latter is under construction and both are within their respective district and town centres. In the circumstances, I can see no purpose in including them as retail allocations in the Plan.
- 8.3.5 The assessed lack of need for additional convenience floorspace over the Local Plan period has been challenged by Pirelli General Plc and CGNU Life Assurance Ltd (Pirelli/ CGNU) in relation to their retail proposals for land adjacent to the city centre<sup>10</sup>. Whilst adopting the same catchment area as the WYG Retail Study they undertook a sensitivity analysis and changed assumptions about annual expenditure growth and market share<sup>11</sup>. A need

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<sup>9</sup> Tony McNulty's Ministerial Statement on 10/4/04.

<sup>10</sup> See Paragraphs 8.5.28-31 in my Report.

<sup>11</sup> Inspector's Note – Expenditure growth was increased from 0.1% to 0.2% and market share was increased from 70.5% to 75%. A further 10% turnover was added for expenditure inflow from the surrounding area.

was thus identified for some 1,327 m<sup>2</sup> convenience floorspace in 2006, rising to 2,035 m<sup>2</sup> in 2011<sup>12</sup>.

8.3.6 I am not convinced that the alternative analysis by Pirelli/CGNU is sufficiently robust to form the basis for different predictions of convenience need. The new foodstore at Woolston may clawback some expenditure presently going to stores outside the city boundary. However, the amount of leakage from Zone B, which includes Shirley, is already relatively low. The same could be said for Zone A, which contains the city centre. People who live in the outer parts of the city's area are, in my opinion, unlikely to come into the city centre specifically to undertake their main food shopping, although I recognise there is some potential for linked trips. Nevertheless, I am not convinced that there is support for the predicted increase in market share from clawed back expenditure. By the Objectors' own admission the expenditure data is now out of date and no alternative forecasts are yet available. Whilst there may well be some inflow of expenditure, I agree with the Council's Retail Consultant that food shopping tends to be a relatively localised activity. I would expect the ring of foodstores outside the city boundaries to absorb much of the convenience expenditure from people living within the surrounding areas. As is suggested by the Objectors a wider survey would be required in order to confidently assess the level of expenditure inflow. That information is not available. Even if the Council has underestimated the need for additional convenience floorspace, recently new provision at Shirley Precinct and Lord's Hill<sup>13</sup> would appear to be more than sufficient to accommodate the predicted need.

#### Comparison Goods Floorspace

8.3.7 The WYG Retail Study has divided the assessment into bulky and non-bulky comparison goods. It has identified a need for about 27,000 m<sup>2</sup> of non-bulky comparison goods floorspace and about 12,800 m<sup>2</sup> of bulky comparison goods floorspace<sup>14</sup> over the Local Plan period. It is however unclear to what degree this could be met by the retail allocations within Policy REI 1 of the Plan. Unless this is made explicit in the policy or the text there is no way of telling to what degree the allocations would absorb the identified expenditure capacity.

8.3.8 There has been criticism from Objectors that the Council's retail assessment is overly cautious and underestimates the need for additional comparison goods floorspace within the City Council's area. WYG used a similar catchment in their assessment for comparison and convenience goods. However, Objectors have argued that people travel further to shop for comparison goods and that by limiting the catchment to the City Council's administrative area, the amount of available expenditure has been grossly underestimated. IKEA cite Paragraph 1.14 of draft Planning Policy Statement 6: *Planning for Town Centres* (PPS 6)<sup>15</sup>, which states that needs

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<sup>12</sup> Inspector's Note – The capacity figures throughout this Chapter are **net** floorspace unless specified otherwise.

<sup>13</sup> Inspector's Note – I understand that planning permission has been granted for an extension to Sainsbury's in the district centre.

<sup>14</sup> Inspector's Note – This includes about 2,884 m<sup>2</sup> of floorspace with a general retail use at Antelope House, Bursledon Road. See Paragraphs 8.4.15-18 of my Report.

<sup>15</sup> PPS 6 is presently a consultation draft and provides up to date advice on retail issues that is eventually intended to replace PPG 6.

assessments should be on the basis of a centre's actual catchment rather than the authority's administrative boundaries.

- 8.3.9 The Objector points to the earlier CEL Retail Study, which covered the whole of the County. IKEA believe that as a sub-regional centre, Southampton should make provision for expenditure outside its boundaries and that the CEL Retail Study is still the most up-to-date assessment. On the basis of a steady<sup>16</sup> 39% market share across the catchment, IKEA estimate that by 2006 the comparison goods floorspace capacity will be 38,000 m<sup>2</sup> and by 2011 it will be 99,660 m<sup>2</sup>. This is in comparison with the equivalent estimates in the WYG Retail Study of 4,851 m<sup>2</sup> and 36,812 m<sup>2</sup>. Ikea's argument is that in underestimating need, existing retail floorspace will come under increasing pressure and eventually the attractiveness of Southampton as a sub-regional shopping centre will decline and the Plan will be contrary to the Structure Plan and PPG 6.
- 8.3.10 At the Inquiry, IKEA presented a further alternative analysis based on the WYG assessment, save for applying a 100% market share. This was on the premise that if WYG has made no allowance for expenditure inflow then it is reasonable to expect that other centres will not cater for outflow from Southampton. The outcome of this assessment was a requirement for about 57,000 m<sup>2</sup> comparison goods floorspace in 2006, rising to about 97,000 m<sup>2</sup> in 2011.
- 8.3.11 Pirelli/ CGNU have also challenged the comparison goods assessment in the WYG Retail Study, although this is limited to the need for non-bulky comparison goods. Here the main criticism is that the Council's assessment takes no account of expenditure growth in the areas immediately surrounding the city boundaries. Again a sensitivity analysis was undertaken and the floorspace efficiency and market share changed to take account of expenditure in the outer zones as well. On this basis it was estimated that there will be a need for some 15,634 m<sup>2</sup> non-bulky comparison goods floorspace by 2006 and 50,456 m<sup>2</sup> by 2011.
- 8.3.12 As a sub-Regional centre it seems to me reasonable that Southampton should plan to accommodate some of the expenditure growth generated outside its administrative boundaries. This is particularly the case in respect of comparison goods shopping where people tend to travel from further afield. The WYG Retail Study, by adopting a very restricted catchment area for the retail needs assessment in respect of comparison goods, is likely to have underestimated the need for additional comparison goods floorspace, in my opinion. I do not agree with the premise relied on by the Council that individual authorities should aim for cater solely for the needs of their residents and that it is reasonable to expect intervening towns to cater for expenditure generated outside the city council's administrative boundaries. This does not seem to me to properly reflect government policy. However, there is no evidence to support as wide a catchment as advanced by IKEA. This seems to me to reflect the long distances that people will travel to its stores. Whilst it may be realistic in support of a specific proposal for planning permission, it is not appropriate in terms of a Local Plan allocation.

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16 The IKEA assessment is based on the assumption that existing market share is maintained through the Plan period. IKEA argues that this means that the city's place in the regional hierarchy would remain unchanged in accordance with Paragraphs 2.7 and 2.8 of draft PPS 6.

- 8.3.13 In a dynamic sector such as retailing I do not consider that the CEL Retail Study is sufficiently up to date to satisfactorily underpin the retail allocations in the Local Plan. It is based on empirical evidence collected some years ago and includes out of date input material. I am not satisfied that there is evidence to support the prediction made by CEL (and used in the IKEA analysis) that average market share across the catchment would grow from 28.6% to 39% following the opening of the West Quay Shopping Centre. I note the Objector's comment that a retail assessment by Winchester District Council came up with a similar conclusion on Southampton's market share. However, I have no information about the analysis undertaken or the data sources on which it was based. The CEL assessment could not have taken account of recent large scale retail developments in places like Portsmouth, Bournemouth and Basingstoke. There is no basis for IKEA's assertion that such development has merely absorbed growth over the catchment without affecting Southampton's market share.
- 8.3.14 On the basis of IKEA's two assessments there would be a need for nearly 100,000 m<sup>2</sup> additional comparison goods floorspace by 2011. I consider that it is neither necessary nor desirable to try to cater for all of the expenditure generated by those who travel considerable distances to shop in Southampton. Indeed to do so would be unsustainable when there may be other closer shopping opportunities that people should be encouraged to use. There is no doubt that this is a tightly constrained City where retail is but one of a number of competing needs for limited land resources. Furthermore, there is merit in the Council's argument that the West Quay Shopping Centre, which opened in 2000, has not yet reached its full trading potential and may be capable of greater increases in floorspace efficiency. In the last few years, the city has shot up the retail rankings<sup>17</sup> and I can understand the Council's desire for a cautious approach in the shorter term. Nevertheless, I consider that the analysis of Pirelli/ CGNU has some merit in that it would be reasonable to seek to capture some of the expenditure growth from within the immediately surrounding area. However, I am not convinced that the sensitivity analysis carried out on some of the parameters of the WYG Retail Study is a sufficiently robust basis for revised floorspace projections.
- 8.3.15 I consider that the WYG Retail Study, notwithstanding its limitations, provides the best available evidence of retail need at the present time. Policy Q5 in RPG 9<sup>18</sup> makes clear that the Regional Planning Bodies, through monitoring and review, will be providing regional steer for the expansion of major retail and leisure facilities of regional and sub-regional importance. They will also identify which town centres outside London should be the focus of major retail development. Until that work has been done, Policy Q5 makes clear that substantial expansion of retail and leisure facilities in out-of-town locations is unlikely to be justified. Regard will also no doubt be paid to the recent Statement by Keith Hill<sup>19</sup> about the importance of directing growth and investment to lower order centres in the sub-regional

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<sup>17</sup> See Paragraph 8.1.2 above.

<sup>18</sup> RPG 9 is now part of the statutory development plan under the Planning and Compulsory Purchase Act 2004.

<sup>19</sup> Speech by Minister for Housing and Planning Keith Hill to the British Council of Shopping Centres annual conference on 6 November 2003.

settlement hierarchy.

- 8.3.16 Pirelli/ CGNU in their objections to Policy REI 1 considered that the term "out-of-town locations" does not include "edge-of-centre" locations. It seems to me that this interpretation is incorrect and that Policy Q5 is referring to major development that would be subject to a needs assessment – ie proposals on sites outside the city, town or district centre or proposals that do not accord with an up to date development plan strategy.
- 8.3.17 The Plan will probably not be adopted until 2005 at the earliest. The WYG Retail Study found that most of the expenditure capacity to support additional comparison goods floorspace would arise after 2006. It is unlikely that significant development projects would now come on-stream until the latter half of the Local Plan period anyway. Notwithstanding the shortcomings of the WYG Retail Study, I am not confident that there is an alternative sufficiently robust assessment to support additional allocations at the moment as proposed by Objectors. However, I do not consider that it would be in the public interest to hold up adoption of the Plan until the Council has carried out a further retail assessment. This would be time consuming and resource intensive and the Council has indicated that it will be reconsidering this matter in any event in connection with the preparation of the LDF. At this time it should also have the regional steer provided in response to Policy Q5 of RPG 9.

*Council's Proposed Change 68*

- 8.3.18 This states that the floorspace projections in the WYG Retail Study are not precise limits and will need to be reviewed during the lifetime of the Plan. It adds that proposals for more than 750 m<sup>2</sup> gross floorspace on edge or out-of-centre sites will have to be considered having regard to an up to date assessment of need at planning application stage. West Quay Shopping Centre Ltd consider that it should be made clear that a general review of retail need will be undertaken by the Council rather than being expected in response to individual developments<sup>20</sup>. I agree that it should be made clear that the Council will be undertaking a review of retail needs in due course. However, despite my recommendation that Policy REI 1 should be deleted, it will also be open to developers to undertake their own needs assessment under the provisions of Policy REI 2. With regards to the Objectors' point about a review of sequential sites I have dealt with this under Policy REI 1<sup>21</sup>. Paragraph 8.3 will need to be substantially changed and I therefore recommend a different form of wording in place of that suggested under Proposed Change 68.

*Other Issues*

- 8.3.19 I deal with the issue of the choice of sites and the sequential approach under Policy REI 1. Whilst major new development would be focussed in the city centre, growth should also be allowed in lower tier centres in order to strengthen local retail provision and meet the needs of local communities. The scale of development should be commensurate with the size of the centre it would serve. This is stated in Paragraph 8.1 of the Plan and it

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<sup>20</sup> See Paragraph 8.4.27-8.4.29 of my Report, where I consider the issue of applying Policy REI 2 to allocated sites.

<sup>21</sup> See Paragraph 8.4.19-8.4.23 of my Report.



seems to me unnecessary to refer to the sequential test in the penultimate bullet point as suggested by Hermes Property Asset Management Ltd.

8.3.20 Paragraph 1.17 in the Strategic Section of the Plan refers to the Medium Term Plan and its aspiration for Southampton to become a leading European City. I do not consider that this needs to be referred to again in Paragraph 8.3 of the Plan.

## RECOMMENDATIONS

**I recommend that the Plan be modified by deleting Paragraph 8.3 and replacing it with a new Paragraph that covers the following matters:**

- ◆ **The WYG Retail Study and its objectives**
- ◆ **The Council’s conclusions on the need for further convenience retail goods floorspace having regard to the conclusions of the WYG Retail Study and also recent government retail policy. Reference to qualitative need for new foodstores at Shirley, Woolston and Portswood to be omitted.**
- ◆ **The Council’s conclusions on the need for further comparison retail goods floorspace having regard to the conclusions of the WYG Retail Study but also recent government retail policy. Reference to Antelope House to be omitted.**
- ◆ **The review of retail need as follows:**

*“The Council will review the floorspace projections within the White Young Green Retail Study at an early date having regard to the sub-regional assessment of shopping needs to be undertaken in conjunction with the Regional Spatial Strategy”.*

**I recommend that no modification be made to the Plan in respect of Proposed Change 68.**

## 8.4 POLICY REI 1: NEW RETAIL DEVELOPMENT

*(Proposed Changes 28, 29, 30, 35, 66 and 67)*

### Representations

Mr and Mrs Yandell	REI01-17/1-ID-O	GOSE	REI01-172/132-RD-O
GOSE	REI01-172/12-ID-O	GOSE	REI01-172/134-RD-O
GOSE	REI01-172/13-ID-O	GOSE	REI01-172/135-RD-O
GOSE	REI01-172/16-ID-O	GOSE	REI01-172/136-RD-O
GOSE	REI01-172/130-RD-O	GOSE	REI01-172/137-RD-O
GOSE	REI01-172/108-RD-O	Somerfield Stores	REI01-191/2-ID-O
GOSE	REI01-172/131-RD-O	Barbara Fox	REI01-202/1-ID-O

*Chapter Eight: Retailing, Enterprise and Innovation*

Mr A G Tavor	REI01-221/1-ID-O	B & Q plc	PC35-1200/9-PC-O
Miss H J White	REI01-222/1-ID-O	WestQuay Spping Ctre Ltd	PC66-352/17-PC-O
Mrs H D Armour	REI01-223/1-ID-O	WestQuay Spping Ctre Ltd	PC67-352/18-PC-O
Mr K Payne	REI01-224/1-ID-O	WM Morrison Smkts plc	REI01-125/1-ID-WDC
Ston Fedn of Res Assocs	REI01-231/4-RD-O	IKEA Prop Invest Ltd	REI01-571/13-ID-WDC
CPRE	REI01-327/1-ID-O		
Mr M Brooke	REI01-358/1-ID-O		
Hmes Prop At Mment Ltd	REI01-413/1-ID-O		
Hmes Propy At Mment Ltd	REI01-413/20-RD-O		
First Group Plc	REI01-414/1-ID-O		
First Group plc	REI01-414/9-RD-O		
First Group plc	REI01-414/11-RD-O		
P R and C J Fowler	REI01-415/1-ID-O		
S Brooke	REI01-416/1-ID-O		
Mr F Tye	REI01-490/1-ID-O		
Ms L Halpin	REI01-606/3-ID-O		
Mr A Brooke	REI01-829/1-ID-O		
John Lewis Partnership	REI01-1022/3-ID-O		
Ston & Fham Cber of Crce	<u>REI01-1032/3-ID-O</u>		
Ston & Fham Cber of Crce	<u>REI01-1032/5-ID-O</u>		
Freightliner Ltd	REI01-1033/2-ID-O		
Associated British Ports	REI01-1113/3-ID-O		
Associated British Ports	REI01-1113/4-ID-O		
Associated British Ports	REI01-1113/9-RD-O		
Asda Stores Ltd	REI01-1512/1-RD-O		
Asda Stores Ltd	REI01-1512/2-RD-O		
Pirelli General plc	REI01-1523/1-RD-O		
CGNU Life Assurance Ltd	REI01-1524/1-RD-O		
WestQuay Spping Ctre Ltd	PC28-352/14-PC-O		
John Lewis Partnership	PC28-1022/7-PC-O		
WestQuay Spping Ctre Ltd	PC29-352/15-PC-O		
John Lewis Partnership	PC29-1022/8-PC-O		
Meyer Inter Fce & Prop plc	PC30-1527/3-PC-O		
IKEA Prop Invest Ltd	PC35-571/18-PC-O		
Associated British Ports	PC35-1113/19-PC-O		

## Issues

- a. Whether there is adequate justification in terms of need and the sequential test for the retail allocations.
- b. Whether there is a need for additional retail allocations.
- c. Whether there should be an upper floorspace limit for the allocated sites.
- d. Whether it is appropriate to cross-reference to Policy REI 2.
- e. The effect of the retail allocations at Shirley and Portswood on the vitality and viability of the centres.
- f. The effect of traffic generation arising from a retail store at Millbrook on the operation of the Port.

## Inspector's Reasoning and Conclusions

8.4.1 With a Plan-led system it is important that the Council's policies provide a clear and unambiguous framework for retail development. If retail allocations are to be made they must be supported by a clear justification in terms of need and by a consideration of whether there are any sequentially preferable sites within the appropriate centre. I have already expressed my concerns that there is inadequate linkage between the assessment of need in the WYG Retail Study and the allocated sites, bearing in mind the requirement in the McNulty Statement to give greater weight to quantitative over qualitative factors.

### *Retail Allocation: Shirley Precinct*

8.4.2 The foodstore at Shirley is on a town centre site and there have been many objections from local people to this project. Of particular concern is the increase in traffic and associated problems of noise and pollution. The question was raised as to whether the store is needed in view of the existing supermarkets nearby. There was also concern about the effect on existing shops and retail diversity. However, the foodstore along with the associated mixed-use development is now under construction and I have recommended that the allocation under Policy MSA 20 be deleted. The Council says that the matters raised by Objectors were considered through the development control process. As this is a town centre proposal a needs assessment and sequential appraisal would be unnecessary, although it is important to ensure that the size of store is appropriate to the size of the centre, a point made by GOSE. This though is academic in view of the fact that the development will soon be completed. In the circumstances, there is no purpose in maintaining this as a retail allocation under Policy REI 1.

### *Retail Allocation: Woolston*

8.4.3 The foodstore in Woolston has been built as is occupied by the Co-op. I recommend that it be deleted as an allocation from the Plan.

### *Retail Allocation: Portswood Bus Depot*

8.4.4 The WYG Retail Study has concluded that there is no overall need for additional convenience floorspace over and above existing commitments, during the Local Plan period. However, it also points out that provision is

uneven across the city and that Portswood is poorly served in this regard. Much local expenditure is lost to the Asda store at Chandlers Ford, for example. It is contended that there may therefore be a quantitative need for a new foodstore within the local catchment<sup>22</sup>. However, this rests on the assumption that people would be persuaded to shop more locally and that expenditure retention within the local catchment would thus increase. This is a proposition supported by First Group Plc, who have identified the expenditure capacity to support a foodstore of some 4,500 m<sup>2</sup>. However, I do not consider that this has been properly tested and from the available evidence I am not satisfied that it is likely to be true.

- 8.4.5 Portswood is in Zone D where about 69% of people do their main food shopping and 82% do their top-up food shopping in existing centres, including Portswood itself and the city centre<sup>23</sup>. Furthermore, a substantial proportion of the Zone D population live on the northern fringe of the City, in easy reach of the existing out-of-centre Asda Store. I note that there is also a desire to claw-back expenditure from the northern part of the adjoining Zone E currently lost to Sainsbury's in Hedge End. However, I would anticipate that many of these people would use a car in preference to public transport and I do not believe that they would necessarily want to travel back to Portswood to do their food shopping when the out-of-town stores are more conveniently located. I acknowledge that there will also be expenditure growth within the catchment and that this may be higher than originally anticipated<sup>24</sup>. Nevertheless, I am not convinced that there is evidence of sufficient expenditure to support a new foodstore at Portswood.
- 8.4.6 I appreciate that the Council sees a new store at Portswood as a sustainable option because it would allow some people to shop nearer to their homes and thus reduce the need for car travel. It also has social implications in that Portswood is the main centre serving the West Itchen Neighbourhoods Regeneration Area where there are high levels of unemployment. I can see that a major new supermarket could make a valuable contribution to job creation and may provide the opportunity for an attractive townscape focus to stimulate investor confidence. On the other hand, the McNulty Statement made clear that whilst these factors may be a material consideration, they are not an aspect of retail need.
- 8.4.7 The allocation of this edge-of-centre site on the basis of qualitative need does not accord with government retail policy as there is no basis for ensuring that the new foodstore would be appropriate to the size of the centre. A consequence of too large a store would be undesirable impacts on the vitality and viability of Portswood and other nearby centres. Several Objectors have mentioned that the existing Safeway store in the district centre is overtrading. Whilst it is not the function of the planning system to inhibit competition, I am not convinced that a new edge of centre store is necessarily the answer. Other ways of resolving this issue have not been adequately explored, such as an extension to the Safeway store, for example.

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<sup>22</sup> See Paragraph 5.12 of the WYG Retail Study (Core Document CD16/1).

<sup>23</sup> See Table 6 of Appendix D to the WYG Retail Study (Core Document CD16/1).

<sup>24</sup> Inspector's Note – Data Consultancy is expected to publish new information on UK per capita expenditure and forecasts of expenditure growth for convenience and comparison goods.

- 8.4.8 I appreciate that a new foodstore would have the potential to generate some additional shared trips and parking with the district centre, subject to the provision of adequate pedestrian links. Indeed this is a requirement of Policy MSA 19. However, this would only happen if there was sufficient expenditure in the local catchment to support the additional retail floorspace. For the reasons I have given, I doubt that this is the case.
- 8.4.9 The Portswood allocation, in common with others in Policy REI 1 is subject to consideration under Policy REI 2. My general comments relating to the inappropriateness of such a requirement is discussed below<sup>25</sup>. Specifically in relation to Portswood though, the Council's justification partly relates to the uncertainty regarding when the site will become available. This will depend on the relocation of the bus depot to another site. One proposal is Stoneham but I have found this unsuitable in view of its location within a strategic gap (see Policy MSA 22). I acknowledge that First Group Plc are confident that early relocation is likely but there is no evidence in support of their optimism. PPG 12 makes clear that provisions in a development plan should be realistic and be likely to be implemented during the period of the Plan<sup>26</sup>. If the site is unlikely to be available during the Local Plan period it should not be allocated. In addition to all my other concerns, this provides another reason for casting serious doubt over the wisdom of allocating the Portswood site for retail development.
- 8.4.10 In conclusion, the Portswood allocation has no support in terms of quantitative need. Whilst I appreciate that there are some qualitative advantages and other material factors in favour of the project, including regeneration and employment benefits, these are not sufficient to outweigh the lack of quantitative need, in my opinion. The Council has referred to a planning permission granted by the First Secretary of State for a new retail store on the edge of Stafford in September 2003<sup>27</sup>. I appreciate that in this case qualitative factors outweighed the lack of quantitative need for the convenience goods element. However, the judgement related to the circumstances appertaining to a particular proposal for development. This seems to me rather a different situation to a Local Plan allocation. Taking account of all of the above factors, I share the concerns of GOSE and the Southampton Federation of Residents' Associations about this allocation and I recommend that it be deleted from the Plan accordingly.

*Retail Allocation: Millbrook Trading Estate*<sup>28</sup>

- 8.4.11 There is no dispute that there is a need for additional comparison goods floorspace within the Local Plan period. For the reasons that I have already given<sup>29</sup> I support the WYG assessment, which identifies expenditure capacity to support about 12, 800 m<sup>2</sup> of bulky goods comparison floorspace. There is no dispute that Millbrook is an out-of-centre site, albeit that it is close to other retail outlets in Terboura Way. The Council under Proposed Change 28

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<sup>25</sup> See Paragraphs 8.4.27-8.4.29 of my Report.

<sup>26</sup> See Paragraph 6.24 of PPG 12.

<sup>27</sup> See the Council's response to Policy REI 1(iii) objections WR57 in Appendix 6B

<sup>28</sup> Inspector's Note – This section also deals with outstanding objections to Policy REI 3 in the Initial Deposit version, which was deleted in the Revised Deposit version when a new allocation was made under Policy REI 1.

<sup>29</sup> See Paragraph 8.3.15 of my Report.

has put forward the Pirelli Site, West Quay Road as an alternative and Associated British Ports have proposed land at Dock Gate 10. The former is an edge-of-centre site and thus sequentially preferable, although I have more to say about the suitability of both these sites in the "Omission Sites" section below.

- 8.4.12 I heard a great deal of evidence from IKEA about their aspirations to open one of their "new generation" stores in Southampton. They point to the qualitative shortfall in the region for their type of retail offer, with the nearest stores being in Bristol, Brent Cross and Croydon. They say this results in unsustainable travel choices. The City Council would welcome an IKEA store in Southampton and has supported their planning application at Millbrook<sup>30</sup>. However, the Local Plan should not be allocating sites for the benefit of an individual operator. For the reasons I have given I have not supported IKEA's retail assessment or their conclusion that Millbrook is needed in addition to sequentially superior sites<sup>31</sup>.
- 8.4.13 Proposed Change 35 deletes the Millbrook allocation along with its supporting text. Both IKEA and B & Q Plc oppose this change. Associated British Ports consider that it would leave a policy vacuum, although under Proposed Change 60 the Council suggest that the land should revert to industrial uses (see Policy REI 11). However, for the reasons I have given I support the Council's amendment, which deletes the Millbrook retail allocation and its supporting text.
- 8.4.14 Associated British Ports was concerned about traffic generation from a retail development at Millbrook on the operation of the Port. This objection falls away if the allocation is deleted<sup>32</sup>.

*Antelope House, Burllesdon Road*

- 8.4.15 The allocation at Antelope House reflects an extant planning permission for a mixed-use development, including some 2,884 m<sup>2</sup> of retail floorspace. This would be in the form of retail units with no restriction on the type of goods sold. The Council would like to see the site used for bulky comparison goods retailing as part of a mixed-use scheme including industrial development, community and health facilities under Policy MSA 24. The rationale behind the retail element is to stem expenditure leakage to retail parks beyond the City Council's boundary. GOSE has expressed concerns about whether the retail element of mixed-use sites such as this has been properly justified in terms of quantitative need and the sequential test.
- 8.4.16 There is no certainty about whether the Antelope House planning permission will or will not be implemented. However, for the purposes of its retail analysis, the WYG Retail Study has taken the permitted (unrestricted) retail floorspace as a bulky goods commitment, notwithstanding that there is no reason to suppose that it will provide bulky comparison goods floorspace. I note the objection by Meyer International Finance and Property Plc (Meyer) to the restriction on retail to bulky comparison goods and their comment that

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<sup>30</sup> This was called-in by the First Secretary of State and has subsequently been withdrawn.

<sup>31</sup> See Paragraphs 8.3.9-8.3.14 of my Report.

<sup>32</sup> This objection would be met by changes to Policy SDP 3 and its supporting text proposed by the Objector at the Inquiry.

a needs assessment and sequential test was carried out in connection with the planning application. However, this application was clearly submitted some years ago and pre-dated the opening of the West Quay Shopping Centre and the WYG Retail Study. I do not know why the Secretary of State decided not to call it in at the time, but GOSE clearly now have reservations about this and other allocations under Policy REI 1. I also note that the Retail Consultants did not recommend that Antelope House should become an allocation in the Plan.

8.4.17 This is an out-of-centre site and it seems to me likely that any identified quantitative need could be met on sequentially preferable land. Although Meyer also points to a qualitative need, the McNulty Statement makes clear that this should have less weight. I appreciate that the site is accessible by bus and that people living nearby could walk. Nevertheless, for many the retail parks will still provide an attractive and convenient destination for comparison goods shopping. The replacement of one out-of-centre facility with another does not seem to me to offer substantial advantages in terms of sustainability. For all of these reasons the justification for this allocation, even in qualitative terms, seems to me to be weak.

8.4.18 I realise that if the planning permission is implemented this retail floorspace will be provided without any identified need for it. On the other hand this may not occur if a retailer considers that there are better sites available closer to the city centre. To allocate the site for retail purposes would perpetuate a retail allocation for which where there is no justification. In the circumstances, I recommend that the allocation should be deleted.

#### *Meeting the Need: City Centre sites*

8.4.19 From the evidence I have been given I consider that it is probable that a large proportion of the identified need for additional comparison goods floorspace could be met on sites within the primary shopping area of the city centre<sup>33</sup>. I note the comment made in the WYG Retail Study that due to competing demands for limited land resources the Plan should not seek to allocate sites to meet all of the assessed non-bulky comparison goods floorspace<sup>34</sup>. Furthermore, the Consultants comment that retail uses should not necessarily have higher priority than other uses such as housing and employment. However, no indication has been given as to how much of the identified floorspace capacity should be allocated. Furthermore, as it seems likely that the WYG assessment is on the low side anyway, I cannot agree with this proposition. If the Council does not make sufficient planned provision there is the danger that it will be unable to resist ad hoc retail proposals on out-of-centre sites.

8.4.20 I deal with the boundary of the city's retail core under Policy REI 4. In view of my conclusions there I consider that the central and eastern parts of the West Quay Phase 3 site, which is allocated for mixed-use development under Policy MSA 6, should properly be included as a city centre site. The Council and the developer disagree as to the amount of new retail floorspace it could provide. The Council's assessment is about 6,000 m<sup>2</sup> whilst the developer

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<sup>33</sup> This is the "city centre" as defined for PPG 6 purposes and I discuss it further under Policy REI 4.

<sup>34</sup> See the WYG Retail Study Paragraph 6.9 (Core Document CD16/1).

envisages up to 15,000 m<sup>2</sup>. I note the Council's concern that this may become a retail-led project, which would run counter to the vision of a leisure based development to diversify the offer of the city centre. However, neither the Development Brief nor the Masterplan<sup>35</sup> seem to rule out a higher level of retail floorspace. I see no reason why this could not be provided within the context of a genuine mixed-use development. It seems to me that this site could make a substantial contribution towards meeting the shortfall in comparison goods floorspace identified in the WYG Retail Study.

- 8.4.21 Proposed Change 67 seeks to include West Quay Phase 3 as an allocation for comparison goods retailing. However, as I have said, it would be part of a mixed-use development under Policy MSA 6. I can see no particular reason why it should be singled out when other MSA sites with retail as part of a mixed-use are not. It seems to me that the appropriate mix of uses should be specified in Policy MSA 6 but that it is unnecessary to include this as an allocation under Policy REI 1.
- 8.4.22 Furthermore, the evidence to the Inquiry presented by West Quay Shopping Centre Ltd is that there are several city centre sites, which could provide redevelopment opportunities and the possibility of additional retail floorspace<sup>36</sup>. Hermes Property Asset Management Ltd have suggested the Marlands Centre and adjoining land as a possible opportunity for enhanced comparison goods shopping provision<sup>37</sup>. The Council's response to this matter was that no proposals for redevelopment of city centre sites have been put forward. However, it seems to me that current government policy requires a more pro-active approach. These opportunities should be fully investigated, perhaps with a view to using compulsory purchase powers to aid site assembly, prior to releasing sequentially inferior sites. The McNulty Statement stresses the importance of flexibility and efficiency in terms of design and layout, including greater use of multi-storey developments for example. A similar message is advanced in draft PPS 6.
- 8.4.23 The Plan was subject to a number of last minute changes, including the retail allocation of the Pirelli site. No-one disagrees that this is sequentially superior to Millbrook but the Council does not appear to have looked properly at alternative opportunities within the primary shopping area of the city centre itself. Both West Quay Shopping Centres Ltd and the John Lewis Partnership have submitted procedural objections to the way that these substantial policy changes have been advanced. Such changes would be publicised as formal modifications in due course, and I am not convinced that it would necessarily be prejudicial to a future Objector's case if I were to make recommendations in favour of a site advanced in this way. However, I

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<sup>35</sup> See Core Document CD18/6 for the Development Brief and Appendix 6C, WQSC352 –P52D1 for the Masterplan.

<sup>36</sup> See Appendix 6C, WQSC 352 – P52A, pages 50-54.

<sup>37</sup> Inspector's Note – I have inserted an Omissions Section at the start of the MSA Chapter 11. This includes objections by Hermes Property Management Ltd that Marlands Shopping Centre should be a new MSA site. The Council did not record these objections but included them with the REI 1 objections. I have given them new numbers (MSA-413/1A-ID-O and MSA-413/20A-RD-O). In the Council's evidence to the Inquiry in relation to the West Quay Shopping Centre objections, it was said that Hermes no longer have an interest in the Marlands Centre. However, I have no further information on this point and these therefore remain as unresolved objections.



do recognise that one possible disadvantage of the Council's approach is that city centre landowners, who may have had a contribution to make to the debate about site availability, were not able to do so due to lack of publicity about the Council's proposed late changes.

*Meeting the Need: MSA Sites*

8.4.24 Within the city centre boundary but outside the primary shopping area, there are several MSA sites that include retail as part of a mixed-use development. In terms of PPG 6 they would be classified as "edge-of-centre" being within easy walking distance of the primary shopping area. The WYG Retail Study identifies a need for additional comparison goods floorspace within the Local Plan period. It concludes that MSA 5 and MSA 7 could accommodate a limited amount of additional floorspace. MSA 8 also proposes a retail element although I understand that this is unlikely to result in much of a net increase, due to the predominance of residential uses.

8.4.25 In evidence, West Quay Shopping Centre Ltd estimated that these three sites, along with MSA 2 could provide some 7,000 m<sup>2</sup> retail floorspace over and above any existing on the sites at present. No evidence was given as to the basis for these estimates. Nevertheless, they demonstrate to me that there may be the potential for considerable retail provision on these MSA sites. As part of its work on city centre site potential, the Council should also look at the MSA sites in order to gain a full picture of available retail capacity.

8.4.26 Not only has there not been a proper assessment of the degree to which these sites could contribute towards meeting the identified retail need, but it became clear during the evidence given by the Council in relation to objections by West Quay Shopping Centre Ltd that the MSA sites have not been subject to a sequential analysis<sup>38</sup>. This work needs to be done. I agree with GOSE that it should be made clear in the Plan that the retail part of any mixed use development has been justified through a retail needs assessment and furthermore that the MSA allocations have been made in accordance with the sequential test.

*Meeting the Need: Omission Sites:*

Applying Policy REI 2 to Allocated Sites

8.4.27 In the absence of a proper sequential assessment of potential city centre sites it is impossible to say how much comparison goods floorspace would need to be accommodated at other locations. GOSE has commented that in the absence of an upper floorspace limit on allocated sites, it is not possible to say what contribution each would make to satisfying any residual need. I do not agree with the approach advanced by the Council that allocated sites can be put in the Plan and be subject to the provisions of REI 2 regarding need and the sequential test. For this reason I do not support Proposed Change 30, although this is academic as I am recommending deletion of Antelope House as a retail allocation anyway. It is the job of the Plan to allocate sites on the basis that these issues have been resolved and that

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<sup>38</sup> Inspector's Note – This related to evidence given to the Local Plan Inquiry on 5/2/-04 and 6/2/04 into objections by West Quay Shopping Centre Ltd.

there is a need for a particular level of floorspace on a particular site. This gives everyone certainty, which is fundamental to the Plan-led approach. There has been a considerable level of objection, including by GOSE, on this issue and I share these concerns.

- 8.4.28 The McNulty Statement makes quite clear that if a proposal accords with an up-to-date development plan strategy it should not be required to demonstrate a retail need or the application of the sequential approach. The Council's counter-argument that circumstances may change as more up-to-date data becomes available and previously unavailable sites come forward, is not a good one in a Plan-led system. In any event, Plans should be kept under review and this is recognised by the Council in its anticipation of a review of retail needs in about 2006. This is highly unlikely to show that expenditure capacity has fallen or that the cautious approach that is being adopted now has given rise to over-estimates of floorspace capacity.
- 8.4.29 The issue of whether the allocated sites in Policy REI 1 should be subject to the REI 2 test is of course immaterial as I am recommending that none of the allocations are justified at the present time. Nevertheless, the matter may become relevant if the Council concludes that there is insufficient land on city centre sites to accommodate the level of need identified in the WYG Retail Study. It is within this context that I now consider the matter of further allocations on edge-of-centre sites.

#### Pirelli Site, West Quay Road

- 8.4.30 The Pirelli Site is located on the eastern side of West Quay Road and adjacent to the West Quay Retail Park. As a result of Proposed Change 28 comparison goods retailing was included in the mix of acceptable uses under Policy MSA 14<sup>39</sup>. I understand that Pirelli/ CGNU have control over the West Quay Retail Park as well as the Pirelli Site. They contend that there is the potential for redevelopment of the eastern area of retail warehousing with a higher density of floorspace. There was general agreement that these two sites together could support some 27,000 m<sup>2</sup> of new floorspace, taking account of the floorspace in the existing units. Through Proposed Change 66 the eastern section of the West Quay Retail Park was included as part of the allocated site. However, this was subsequently withdrawn as it is shown on the Proposals Map as being primary shopping frontage and so could not be classified as "edge-of-centre". I have considered the issue of the retail core under Policy REI 4. However, my conclusions there are that the West Quay Retail Park is indeed edge-of-centre, albeit that it is a site that is in retail use<sup>40</sup>.
- 8.4.31 The Pirelli Site and the West Quay Retail Park form part of a larger area of reclaimed land to the west and south-west of the City Centre. I was told by the Objectors that a Masterplan is being drawn up to promote comprehensive redevelopment and re-establish linkages with the railway station and the waterfront. This would accord with the Council's City Centre Vision, which seeks to create a high quality urban environment in keeping with Southampton's role as a major European city. Within this context the

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<sup>39</sup> Inspector's Note – Other appropriate uses under Policy MSA 14 include leisure, office and hotel development.

<sup>40</sup> See Paragraphs 8.7.13 and 8.7.14 in my Report.

Objectors see the land being used for a comprehensive retail-led mixed use development and this is supported by the Council in Proposed Change 69 made in association with Policy MSA 14.

- 8.4.32 Pirelli/ CGNU object to the restriction of the retail element to comparison goods and would like part of the site to be available for a foodstore, perhaps for the relocation of the city centre ASDA store. For the reasons I have already given I do not consider that there is any justification to support such a proposal. In any event, I have no evidence that Asda has any plans to relocate or that its retail function is presently inefficient being predominantly a store for top-up shopping. Indeed, the proportion of people living in the zones nearest to the store (A, B, D and E) seem to use it more or less equally for top-up and main food shopping<sup>41</sup>.
- 8.4.33 As things stand, there is an identified need for some 12,800 m<sup>2</sup> of bulky comparison floorspace and 27,000 m of non-bulky floorspace over the Local Plan period. In the event that this floorspace cannot be accommodated on sites within the primary shopping area of the city centre, the Pirelli/ West Quay Retail Park land seems to me to have the potential to accommodate some of the shortfall as part of a mixed-use scheme. Whether the scheme should be “retail-led” will depend on the quantum of need and other available opportunities, including the MSA sites.

#### The Dock Gate 10 Site

- 8.4.34 The Dock Gate 10 site is the southern section of a site allocated under MSA 18 for mixed uses, including employment. A small amount of retail is also included but this is intended as ancillary to meet the needs of those working on the site. The owners of the land, Associated British Ports Ltd (ABP) have objected to this restriction as they consider that the site would be suitable for a large bulky comparison goods store – possibly to house an IKEA. These objections were submitted in respect of Policies REI 11 and MSA 18 but in order to complete the retail picture I have considered the retail issues here.
- 8.4.35 Notwithstanding the position of the site relative to the station, it is in excess of 400 metres from the primary shopping area of the city centre<sup>42</sup>. West Quay Road is a busy through route to the docks and forms part of the Western Approach. It is not a particularly welcoming environment for pedestrians and taking account of the various crossings is a good 10-15 minutes walk to the edge of the primary shopping area<sup>43</sup>. In the circumstances I am not convinced that people will be encouraged to make linked trips on foot. It is more likely that they would be made by car or perhaps shuttle bus. Moreover, I think it likely that the distance from the city centre is sufficient to make this a destination in its own right for many people. Although it may divert expenditure from stores beyond the City boundary the benefits to the shopping centre itself would thus be questionable, in my opinion. I place this as an out-of-centre site for retail purposes.

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<sup>41</sup> See WYG Retail Study, Table 6 in Appendix D.

<sup>42</sup> See Policy REI 4 for my conclusions on the primary shopping area in the city centre for PPG 6 purposes.

<sup>43</sup> Inspector’s Note – I took the nearest point of the primary shopping area as I have defined it in Policy REI 4 as the John Lewis department store.

- 8.4.36 The Objectors have not proposed a specific quantum of floorspace although it has been suggested that some 17,000 m<sup>2</sup> could be accommodated either as a single large format development or as smaller units. No assessment has been made of the effect on the vitality or viability of the centre, which the Objectors say would be done at planning application stage. An IKEA for example could act as a considerable draw with its Market Place format. Even if there are no suitable sites within the retail core for a single store of this size there may be sequentially preferable alternatives or scope for disaggregation. In the circumstances, I do not consider that there is justification for advancing this site as a retail allocation.
- 8.4.37 The Council had concerns about the access with West Quay Road and highway safety issues due to the existing junction arrangements. It was also worried that queuing traffic could interrupt the free flow of through traffic. However, at the Inquiry it was agreed that a Transport Assessment would be required and that improvements would be negotiated at planning application stage. In the circumstances, I am satisfied that there is unlikely to be an "in principle" objection to retail use on highway safety grounds.

### *Conclusions*

- 8.4.38 I have supported the assessment in the WYG Retail Study that indicates that even on a catchment based on the city's administrative area there is a quantitative need for additional comparison goods floorspace during the Local Plan period. However, I have expressed concern that the analysis fails to have due regard to expenditure inflow and the needs of those people who rely on Southampton for their shopping but live outside its boundaries. The sub-regional status of the city should be recognised but the amount of expenditure it should be seeking to accommodate is a matter for the Regional Planning Bodies in connection with the Regional Spatial Strategy. This work will inform the Council's review of its retail policies in connection with the preparation of the Local Development Framework.
- 8.4.39 It seems to me that the main failure of the Council's retail strategy is in its retail site allocations and MSA designations. These have been made without a proper sequential assessment as required by government policy. It is quite clear that the primary shopping area in the city centre should be the first port of call in a sequential site search. I am not satisfied from the evidence given to the Inquiry that the Council has rigorously considered what contribution the primary shopping area in the city centre could make towards meeting the shortfall. Under Policy REI 1 as well as the MSA policies, retail floorspace is being proposed in edge-of-centre locations. Apart from the fact that there is no indication as to the scale of floorspace that these sites could accommodate, there is also no certainty that they are needed at all, having regard to sequentially preferable alternatives.
- 8.4.40 Although I have made comment about the Pirelli Site and the land at Dock Gate 10, I can support neither as retail allocations as things stand. The same must be said for substantial retail elements on MSA sites. I strongly recommend that the Council carries out a proper analysis of the capacity of the primary shopping area in the city centre to accommodate additional comparison goods floorspace and then makes specific allocations (if needed) on the strength of the outcome. In order to avoid delaying adoption of the Local Plan I consider that this work would best be carried out in association

with the Council's retail review in the preparation of the Local Development Framework. I realise that this is not an ideal situation but there seems to me little alternative. These are points that GOSE has been making since the Plan was at Initial Deposit stage and the Council has made no attempt to address them. It seems to me that it is crucial that the work is undertaken as a matter of urgency so that the matter can be properly addressed through the Local Development Framework.

## RECOMMENDATIONS

**I recommend that the Plan be modified by deleting Policy REI 1 and its supporting text.**

**I recommend that no modifications be made to the Plan in respect of Proposed Changes 28, 29, 30, 35, 66 and 67.**

**I further recommend that the Council undertakes an assessment of the primary shopping area in the city centre and its capacity in terms of new retail floorspace. This should be used as a starting point for the allocation of sites for retail use (including MSA sites) in accordance with the sequential approach outlined in PPG 6. I recommend that this be carried out as part of the Review process, probably in connection with the preparation of the Local Development Framework.**

## 8.5 POLICY REI 2: ASSESSMENT OF NEW RETAIL PROPOSALS OUTSIDE EXISTING SHOPPING AREAS

*(Proposed Changes 6, 36 and 77)*

### Representations

WM Morrison Supermarkets plc	REI02-125/7-RD-O
GOSE	REI02-172/14-ID-O
GOSE	REI02-172/15-ID-O
GOSE	REI02-172/20-ID-O
GOSE	REI02-172/109-RD-O
Hermes Property Asset Management Ltd	REI02-413/21-RD-O
Hermes Property Asset Management Ltd	REI02-413/22-RD-O
First Group plc	REI02-414/10-RD-O
IKEA Properties Investments Ltd	REI02-571/5-ID-O
Costco Wholesale UK Ltd	REI02-1216/2-ID-O
B & Q plc	PC36-1200/8-PC-O
IKEA Properties Investments Ltd	<u>PC36-571-22-PC-O</u>

WestQuay Shopping Centre Ltd	PC77-352/22-PC-O
John Lewis Partnership	PC77-1022/9-PC-O
IKEA Properties Investments Ltd	REI02-571/14-ID-WDC

## Issues

- a. Whether government policy concerning the location of retail development outside existing centres has been adequately addressed.
- b. Whether the shopping areas are adequate for PPG 6 purposes.
- c. Whether sites allocated under Policy REI 1 should be explicitly excluded from Policy REI 2.
- d. Whether the requirements of the sequential test have been adequately addressed.
- e. Whether development involving warehouse clubs should be included.

## Inspector's Reasoning and Conclusions

8.5.1 Until the Council has a proper basis on which to allocate sites in accordance with the sequential approach, it will have to rely on Policy REI 2 to assess retail proposals. The WYG Retail Study<sup>44</sup> has identified a level of need for additional comparison goods floorspace. However, until an analysis has been done of the capacity of the primary shopping area in the city centre to accommodate that floorspace it is difficult to see how a proposal could be justified on an edge or out-of-centre site within the terms of the policy. There are some Objectors who have criticised the parameters used by the Retail Consultants and by changing the size of the catchment area or conducting a sensitivity analysis have sought to demonstrate a far higher degree of quantitative need. The Council in considering proposals that rely on alternative assessments should be careful to examine them rigorously, particularly in view of the work of the Regional Planning Bodies in relation to Policy Q5 of RPG 9 and the Council's own review of retail needs in connection with the Local Development Framework.

8.5.2 With regards to the need for further convenience floorspace it is clear from the Consultants' analysis that in terms of quantitative need the case is weak. No detailed empirical study has been undertaken of local catchments, such as Portswood for example. However, on the available data I have concluded that there is little support for the proposition that there would be sufficient expenditure headroom to support an edge of centre foodstore<sup>45</sup>. Again, any proposals that come forward for such a project under the provisions of Policy REI 2 will have to be examined most critically.

8.5.3 GOSE has objected to the Policy in the Initial Deposit version on the basis that it does not identify sites on a sequential basis in accordance with a needs assessment. Nor does it consider the effect of the scale of retail development on the nature of a District or Local Centre or the effect of extensions to edge or out-of-centre developments. The policy in the Revised

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<sup>44</sup> See Core Document CD16/1

<sup>45</sup> See Paragraph 8.3.4-8.3.6 in this Report.

Deposit version has been substantially amended to relate to proposals for retail development outside existing shopping areas. It is also now a criteria based policy and includes reference to extensions to stores and this seems to meet the original objections by GOSE.

- 8.5.4 One further point made by GOSE at Initial Deposit stage concerns clarification of the city and town centres for PPG 6 purposes. In the Revised Deposit version the policy refers to “shopping areas” which include designated primary and secondary frontages in the city and town centres. I consider this in more detail in relation to Policy REI 4, but this seems to accord with Annex A to draft PPS 6 and the definition of the “primary shopping area”. However, the definition of “edge-of-centre” in Paragraph 8.10 in the Plan does not seem to me to be correct. The starting point is not the primary shopping frontage but the primary shopping area, which also includes secondary frontages. I consider that this needs to be amended in the text.
- 8.5.5 The shopping areas in Policy REI 2 also include local centres. Whilst local centres do contain shops and facilities they are intended to meet the day-to-day needs of the local community. It therefore seems to me inappropriate to include them within the terms of this policy. Paragraph 2.34 of draft PPS 6 advises that local centres will generally be inappropriate locations for larger scale development and so should not be included within the sequential search area. This is confirmed in Paragraph 8.27 of the Local Plan where retail development of less than 500 m is generally considered appropriate in terms of scale. In the circumstances I do not consider that local centres should be mentioned within the first part of the policy.
- 8.5.6 Proposed Change 36 seeks to update the explanatory text in Paragraph 8.10 to reflect the McNulty Statement. In any assessment of need the size of the catchment area will have a considerable bearing on expenditure forecasts. However, even though a particular retail outlet may wish to capture expenditure from considerable distances away this will not necessarily be a sustainable option. There may, for example, be intervening centres which would be better placed to accommodate some of the identified floorspace. This is a matter to be considered by the Regional Planning Bodies in relation to Policy Q5 of RPG 9 and the new Regional Spatial Strategy. In the circumstances, I recommend that the second sentence of Proposed Change 36 should be omitted. The fourth sentence of the proposed change gives greater weight to qualitative need. As IKEA have pointed out in response to this proposed change, the McNulty Statement affords greater weight to quantitative need. The proposed change should be revised to reflect this. The Objectors also suggest two other changes in wording but it seems to me that they do not add anything of substance to the text.
- 8.5.7 Proposed Change 77 seeks to introduce additional explanatory text to Paragraph 8.10. The first part confirms that the allocations in Policy REI 1 are to meet the needs of the residents of the city rather than the wider sub-region. This is indeed the basis of the WYG Retail Study but those allocations do not specify a floorspace limit and are all subject to Policy REI 2. I have already commented on the inappropriateness of applying the provisions of Policy REI 2 (including a further demonstration of need) to allocated sites<sup>46</sup>.

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<sup>46</sup> See Paragraphs 8.4.27-8.4.29 of my Report.

I note that First Group Plc suggested that Policy REI 2 should make explicit that it does not apply to allocated sites. In any event my recommendation to delete the allocated sites makes the first part of the proposed change irrelevant and the suggestion made by First Group Plc unnecessary. West Quay Shopping Centre Ltd point out that the McNulty Statement refers to the catchment area in terms of the sequential test but not in terms of assessing need. This is the case, although the size of the catchment will of course have a direct bearing on the retail needs assessment. However, in the circumstances I agree with the Objector that Proposed Change 77 should not be included in the Plan.

- 8.5.8 The McNulty Statement suggests that the relevant centres in the sequential site search will depend on the nature and scale of the proposal that the catchment it is intended to serve. In other words a large-scale comparison goods outlet such as IKEA would be looking towards a sub-regional catchment and the appropriate start for the sequential analysis would be an assessment of city centre sites. In such cases the appropriate starting point for site selection will be the primary shopping area in the city centre, followed by edge-of-city centre sites. I therefore agree with Hermes Property Asset Management Ltd (Hermes) that the city centre would be first port of call in the sequential site search and this is stated in Paragraphs 8.1 and 8.2 of the Plan.
- 8.5.9 However, as pointed out by other Objectors there may be proposals put forward on the basis of a local need. The WYG carried out no detailed assessment of local catchments and I have already considered the local need argument in relation to a convenience store at Portswood and bulky comparison goods retailing at Antelope House, Burlesdon and found it to be lacking<sup>47</sup>. Nevertheless, if an assessment were to be undertaken that established convincing evidence of need within a local catchment then it would be appropriate to undertake the sequential search within the centre that the retail outlet would serve. The revisions suggested by Hermes do not cater for this eventuality and I do not therefore support them. However, I do consider that the first part of Paragraph 8.10 should be revised in line with the McNulty Statement to make explicit the site selection sequence and its relationship with the scale of development and the catchment it seeks to serve. Furthermore, I consider that the policy itself should refer to appropriate catchment areas and I recommend changes to the second criterion accordingly.
- 8.5.10 GOSE, IKEA and Wm Morrison Supermarkets Plc (Morrisons) were concerned about the fifth criterion of the policy, which restricts the scale of the development in terms of the size of the centre. GOSE and IKEA's point was that this policy specifically relates to developments outside centres and therefore the meaning of the term "relevant centre" is unclear. Morrisons considered that the scale of development should be linked to need as the relative importance of centres may change over time. For the same reasons as given by GOSE, I support Proposed Change 6, which deletes the fifth criterion and satisfies these objections.

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<sup>47</sup> See Paragraphs 8.4.4-10 of my Report relating to Portswood and Paragraphs 8.4.15-18 relating to Antelope House.



- 8.5.11 Costco Wholesale UK Ltd (Costco) made objections at Initial Deposit stage on the grounds that the Plan does not make provision for warehouse clubs. The Revised Deposit version includes new Policy REI 3, which specifically relates to this type of use. I shall therefore consider these, along with Costco's other objections, in that section.
- 8.5.12 GOSE was concerned that the supporting text in the Initial Deposit version did not reflect advice in PPG 6 about the need for developers to be flexible in terms of format. This is reiterated in the McNulty Statement where it is made clear that more efficient design and layout is needed in order to fit onto town centre sites. It seems to me that the wording of Paragraph 8.10 and the additional text suggested in Proposed Change 36 meets the points in GOSE's objection.
- 8.5.13 IKEA has objected to the supporting text in the Initial Deposit version relating to the lack of identified demand for further comparison goods retailing. This was on the basis of the CEL Retail Study but this has been superseded by the WYG Retail Study, which underpins the retail policies in the Revised Deposit version of the Plan. The text that IKEA objected to has therefore been deleted. I acknowledge that IKEA have objected to the conclusions of WYG with regard to the degree of comparison goods floorspace needed during the Local Plan period. I have dealt with this matter in the section on Paragraph 8.3 of the plan above.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By making the following changes to Policy REI 2:**
  - ◆ Delete reference to local centres.
  - ◆ Delete the second criterion and replace it with the following new criterion:  
*"a sequential analysis has been undertaken within the appropriate city, town or district centre of the catchment which the proposal seeks to serve".*
  - ◆ Delete the fifth criterion in accordance with Proposed Change 6.
- ◆ **By incorporating Proposed Change 36 into the beginning of Paragraph 8.10 with the following amendments:**
  - ◆ Delete the second sentence.
  - ◆ Replace "qualitative need" in the fourth sentence with "quantitative need".
- ◆ **By deleting the first three sentences of Paragraph 8.10 and replacing them with the following new text:**
  - ◆ *"Proposals for retail development will be expected to demonstrate that the sequential test has been rigorously applied. In general, this will give first preference to city centre sites, followed by edge-of-city centre sites, then town centre and edge-of-town centre sites, followed by district centre sites. However, the relevant centres in which to search will depend on the nature and scale of the*

***development and the catchment that it seeks to serve. Edge-of-centre will be defined as being within easy walking distance of the shopping areas as detailed in Policy REI 2 and shown on the Proposals Map. This will be up to about 300 metres from the primary shopping area but the distance will depend on the attractiveness, safety and convenience of the route for pedestrians. In the case of the city centre, the primary shopping area is defined under Policy REI 4".***

**I recommend that no modification be made to the Plan in respect of Proposed Change 77.**

## **8.6 POLICY REI 3: WAREHOUSE CLUBS**

***(Proposed Changes 73 and 74)***

### **Representations**

GOSE	REI03-172/110-RD-O
GOSE	REI03-172/111-RD-O
Hermes Property Asset Management Ltd	REI03-413/23-RD-O
Hermes Property Asset Management Ltd	REI03-413/24-RD-O
Hermes Property Asset Management Ltd	REI03-413/25-RD-O
Costco Wholesale UK Ltd	REI03-1216/4-RD-O
Costco Wholesale UK Ltd	REI03-1216/5-RD-O
Costco Wholesale UK Ltd	REI03-1216/6-RD-O

### **Issue**

- a. Whether the Plan should specifically cater for warehouse clubs.

### **Inspector's Reasoning and Conclusions**

8.6.1 Warehouse Clubs specialise in the bulk sale of discounted goods. However, they are distinguished from retail warehouses by restricting those who can use them. Costco point out that they are a relatively new phenomenon in the UK and that the courts have determined them to be a sui generis use. The Objectors contend that as goods are not sold to the general public they do not fall within the definition of a "shop". However as GOSE points out, PPG 6 advises that warehouse clubs often share many of the characteristics of large retail outlets. In such cases it seems to me that proposals should be subject to the same considerations as any other retail development under Policy REI 2. Under Proposed Change 74, the fifth criterion would be deleted but it seems to me that the number of provisions is unnecessarily detailed and no explanation is given as to why they are applicable to certain types of

warehouse club but not to other retail uses.

- 8.6.2 Some warehouse clubs provide a service mainly to the trade, for example a cash and carry builders' merchants. Such operators may share few of the characteristics of a large retail outlet and result in little impact in terms of the diminution of the retail function of the shopping centre. Such uses can be appropriately located alongside industrial uses, for example, and often provide a comparable level of employment. In such instances it would be unnecessary to demonstrate retail need or to undertake a sequential analysis, in my opinion. I have recommended changes to Policy RE 11 to accommodate such uses in industrial areas as suggested by Costco<sup>48</sup>. Nevertheless, conditions or a legal agreement would be necessary to ensure that the nature of the operation did not change over time.
- 8.6.3 Hermes Property Asset Management Ltd (Hermes) considers that warehouse clubs should not have an adverse impact on established retail centres and should be subject to the needs test. I agree that those sharing many characteristics of very large retail outlets should be subject to the PPG 6 tests, including need. The Council has advanced Proposed Change 73, which includes need as one of the criteria in Policy REI 3. I do not agree with Hermes that warehouse clubs serving the trade should be subject to PPG 6 tests for the reasons I have given in the preceding paragraph.
- 8.6.4 Hermes are concerned that warehouse clubs in existing centres should not harm retail vitality and viability of those centres. However, the centre is the sequentially preferable choice for clubs with significant retail characteristics, just like any other retail operation. It is clear from PPG 6 that it is not the role of the planning system to inhibit competition between retail outlets within the centre.
- 8.6.5 It seems to me that the wording in Policy REI 3 is rather confusing. I agree with GOSE that the use of the word "encourage" does not provide certainty as to whether planning permission will or will not be granted. It could be read to imply that the Council is being proactive whereas the policy is intended to be reactive in the event that a planning application is submitted. In addition it seems to me that the requirements of the policy are unnecessarily complex. Those proposals that are akin to retail uses should be subject to similar requirements to those in Policy RE 2. This seems to be one of the few instances when cross-referencing is justified and I recommend that the policy be reworded accordingly.
- 8.6.6 Costco has submitted a great deal of evidence in support of their contention that they do not share the characteristics of a large retail outlet and therefore should not be subject to the PPG 6 tests. They also consider that some of the criteria regarding accessibility and multi-purpose trips would not be relevant to their operation. I have made the point in relation to IKEA that a Local Plan is concerned with the use and development of land and not with the characteristics of individual operators. However, on the strength of Costco's representations they may not be subject to the policy criteria anyway, as these are applicable only to those warehouse clubs that operate in a similar way to a retail warehouse. A proposal for a warehouse club on

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<sup>48</sup> See Paragraphs 8.15.5 and 8.15.6.

an industrial estate would be considered in the context of all relevant policies in the Plan, including those relating to sustainable travel in line with government guidance in PPG 13. Bearing in mind the nature of these operations it may be relevant, as suggested by Costco, to concentrate on staff travel by introducing a Green Transport Plan, for example. However, this will depend on the nature of the individual proposal and is a matter for consideration at the development control stage.

## RECOMMENDATION

**I recommend that the Plan be modified by deleting Policy REI 3 and replacing it with the following new policy:**

***“Warehouse clubs that share many of the characteristics of large retail outlets will only be permitted outside the existing shopping areas if they comply with the requirements of Policy REI 2.***

***Warehouse clubs that provide a service mainly to trade organisations and do not share many of the characteristics of large retail outlets will be permitted on sites safeguarded for B1(c), B2 and B8 uses under Policy REI 11.***

***Warehouse clubs will be subject to planning conditions or a planning obligation will be sought in order to control the nature of the operation”.***

## 8.7 POLICY REI 4: PRIMARY RETAIL FRONTAGES

### Representations

GOSE	REI04-172/112-RD-O
GOSE	REI04-172/113-RD-O
WestQuay Shopping Centre Ltd	REI04-352/1-ID-O
WestQuay Shopping Centre Ltd	REI04-352/13-RD-O
H'thorne Kamm Planning Consultancy	REI04-361/2-ID-O
Hermes Property Asset Management Ltd	REI04-413/6-ID-O
Hermes Property Asset Management Ltd	REI04-413/26-RD-O
Prudential Property Investment Managers Ltd	REI04-639/1-ID-O
Prudential Property Investment Managers Ltd	REI04-639/2-ID-O
Prudential Property Investment Managers Ltd	REI04-639/3-ID-O
Councillor Samuels	REI04-1213/1-ID-O

### Issues

- a. Whether proposals other than A2 and A3 should be permitted in the primary retail frontage.

- b. Whether the primary retail frontage is appropriately defined.
- c. Whether the primary shopping area in the city centre should be defined for PPG 6 purposes and shown on the Proposals Map.

### **Inspector's Reasoning and Conclusions**

#### *The Primary Shopping Area (City Centre)<sup>49</sup>*

- 8.7.1 Identification of the main shopping core in the city centre is important in order to provide a basis for sequential analysis. There was much debate at the Inquiry as to whether this should be extended westwards to include some of the peripheral sites advanced for retail purposes. Paragraph 2.4 of PPS 6 says that where centres are identified for major growth such an extension may be necessary. However, this is a matter that should be considered by the Regional Planning Bodies under Policy Q5 of RPG 9. It seems to me at the present time that a major realignment would not be appropriate.
- 8.7.2 There seems to be some confusion in the Council's mind as to what constitutes the Primary Shopping Area for PPG 6 purposes. I consider that the Council is incorrect if it believes that it is synonymous with the primary retail frontage as stated in Paragraph 8.10 in the Local Plan<sup>50</sup>. Annex A to draft PPS 6 makes clear that the Primary Shopping Area within larger centres generally comprises the primary and secondary frontages. It is important that the supporting text makes reference to the primary shopping area and what it comprises as it provides the starting point for the sequential site search and also for deciding what sites are edge and out-of-centre.
- 8.7.3 West Quay Shopping Centre Ltd (WQSC) has suggested that the Primary Shopping Area should exclude some of the secondary frontages, including along the southern part of the High Street. I do not consider this necessary and see no reason why it should not comprise all of the primary and secondary retail frontages as suggested in draft PPS 6. This should be specified in the text at Paragraph 8.14 and, in my opinion, it would be helpful to demarcate it on the Proposals Map.

#### *Policy Wording*

- 8.7.4 GOSE has commented that the use of the word "generally" in the third criterion does not provide certainty as required by PPG 12. I agree with this comment and I note in the Council's response that it suggests deleting the word. I would support such a revision. GOSE has also objected on the basis that Paragraph 8.16 of the Plan refers to "sui generis" uses, which are "unlikely to be acceptable". I agree with GOSE and West Quay Shopping Centre Ltd (WQSC) that this does not offer clear guidance, particularly as such uses are not referred to in the policy itself. As it stands the policy itself offers no guidance for uses other than those falling within Class A2 and A3.

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<sup>49</sup> Inspector's Note – In the Revised Deposit version Shirley Town Centre also has designated primary and secondary retail frontages. However, this is essentially a linear centre and it seems to me that the shopping centre for PPG 6 purposes can reasonably be defined as the boundary of the town centre itself.

<sup>50</sup> Inspector's Note – In evidence at the West Quay Shopping Centre Inquiry Session, Mr Dennison, the Council's Retail Consultant agreed that it was the primary and secondary retail frontages that were relevant for PPG 6 purposes.

It seems to me that the wording in the Initial Deposit version was in fact clearer in restricting changes of use in primary retail frontages other than within Classes A2 or A3. I recommend changes accordingly, and these would satisfy the objections by GOSE and WQSC on this point.

- 8.7.5 Hawthorne Kamm Planning Consultancy and Prudential Property Investment Managers Ltd (Prudential) consider that it is unclear what an “imbalance” of uses meant. Prudential specifically referred to 125 Above Bar Street as having a dual aspect with primary and secondary frontages. In the Revised Deposit version the frontage, including 125 Above Bar Street, has been redesignated as wholly secondary frontage. It has also been clarified that three or more adjoining units in non-A1 use will not normally be supported. This seems to me to satisfy these objections.
- 8.7.6 Hermes Property Asset Management Ltd (Hermes) though consider that this is too inflexible as A2 and A3 uses form a fundamental part of the retail offer. They would like such uses to be allowed providing they do not result in an unacceptable concentration of non-A1 uses. It seems to me that in the primary retail frontages A1 uses should predominate and whilst an element of diversity would be acceptable it should not be allowed to dilute the main retail function of these areas. Councillor Samuels is concerned about the excessive amount of A3 uses in these areas, but I consider that the balance provided by the third criterion is about right. The alternative wording by Hermes would be imprecise and fail to give clear direction.
- 8.7.7 Although not subject to a specific objection, for the sake of consistency I make the same comment as with other policies which use the words “account will be taken of” prior to the list of criteria. This heralds a checklist of factors rather than giving clear guidance to the decision-maker. A good criteria based policy needs to make clear the circumstances in which planning permission will (or will not) be granted and the criteria that will be used for making that decision. Most of the first sentence would be better placed in the supporting text. The first provision offers no guidance as to what “type” of Class A2 or A3 use would or would not be acceptable and what is an acceptable level of “activity”. In any event the Council cannot control the nature of business within the use class unless by condition. I would suggest that it would be unreasonable to try to do so in the city centre. The second criterion is also unspecific and it is unclear what is meant by “prominence”. The fourth criterion should specify the type of “impact” that is being considered. I recommend that the wording of the policy and Paragraph 8.14 should be changed to take account of these comments.

### *Primary Retail Frontage Designation*

#### Above Bar Street

- 8.7.8 As part of the WYG Retail Study, the Consultants undertook a survey of the city centre retail frontages to inform the Revised Deposit version of the Plan. They found that generally the primary and secondary retail frontages in the Initial Deposit version were accurate, but suggested that the section of Above Bar Street between No. 99 and Civic Centre Road contained few A1 premises and exhibited relatively low levels of footfall. They recommended that this frontage should be redesignated as secondary frontage and this has been done in the Revised Deposit version.

- 8.7.9 I have no doubt that this reflects the effect of the West Quay Shopping Centre in drawing away trade from this end of the shopping centre. The closure of C & A and the relocation of John Lewis from its site north of Civic Centre Road into the new mall will have also taken its toll. Allowing a greater range of alternative uses to become established in this vicinity seems the best option. I do not though agree with Prudential that the secondary frontage should extend southwards to Ogle Road. This block contains a high proportion of A1 uses and also includes the entrance into the Marlands Centre.
- 8.7.10 Hermes consider that in order to draw people into the Marlands Centre from the new Cultural Quarter (MSA 5), the six units fronting Civic Centre Road should be redesignated from secondary to primary retail frontage. However, this small area is peripheral to other primary frontages and contains a significant proportion of non-A1 uses. In the circumstances, I cannot agree that it warrants redefinition or that it is particularly crucial in terms of drawing people from the cultural area on the northern side of Civic Centre Road into the Marlands Centre.

### West Quay Phase 3

- 8.7.11 In accordance with its sub-regional role, Southampton will undoubtedly have to accommodate further retail growth. The amount of such growth has been considerably debated and I have generally supported the Council's cautious approach for the time being. Nevertheless there are plans for considerable expansion and West Quay Phase 3 as the next part of the programme of city centre development. The eastern part of Phase 3 already includes primary retail frontage, although there may be scope for an increase in floorspace.
- 8.7.12 It seems to me that retail uses will also be an important part of the central site, albeit mixed with leisure and other uses. It seems likely that the primary retail frontage will extend into this area, subject to good linkages being provided to deal with the ground level changes as envisaged in the Masterplan<sup>51</sup>. This being the case I consider that the central and eastern parts of the West Quay Phase 3 could be included as part of the primary shopping area and thus be within the prime area of search in terms of the sequential test.

### West Quay Retail Park

- 8.7.13 I do not believe that West Quay Retail Park fits very comfortably into what is usually understood as primary retail frontage. It is physically and functionally separated from the rest of the primary shopping area. It has been built upon reclaimed land at a substantially lower level and the rear façade of the John Lewis building provides a substantial visual and psychological barrier, in my opinion. It is also divided from the remainder of the centre by a relatively busy road.
- 8.7.14 This site comprises a collection of comparison retail "sheds" more typically found on an out-of-centre retail park. It seems to me that its format and the large expanses of adjoining surface level car parking do not sit easily with its

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<sup>51</sup> See Appendix 6C, WQSC352 –P52D1 for the Masterplan.

primary retail frontage designation. I have no doubt that some of those who visit the retail park will walk over to the city centre, particularly as it provides 2 hours of free parking. However, it seems to me unlikely that there would be many trips in the reverse direction. There has been no dispute that the rental values at West Quay Retail Park are considerably lower than other outlets within the primary retail frontages. For all of these reasons I recommend that the designation as primary retail frontage should be removed.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

◆ **By deleting Policy REI 4 and replacing it with following new policy:**

*“Within the primary retail frontages, a proposal for changes of use from retail (Class A1) will only be permitted if:*

- (i) the use falls within Class A2 or A3;*
- (ii) it would not result in three or more adjoining units in non-A1 use;*
- (iii) it would not be detrimental to those living or working nearby, for example by causing undue noise and disturbance”.*

◆ **By adding the following text to the beginning of Paragraph 8.10:**

*“The primary retail frontages along with the secondary retail frontages comprise the primary shopping area in the city centre for PPG 6 purposes. This is shown on the Proposals Map. This will be the area of highest priority in terms of the search for new retail sites in accordance with the sequential test”.*

◆ **By amending the Proposals Map as follows:**

- ◆ **Delete West Quay Retail Park as primary shopping frontage**
- ◆ **Include the boundary of the primary shopping area in the city centre.**

## 8.8 POLICY REI 5: SECONDARY RETAIL FRONTAGES

### Representations

Councillor Samuels

REI05-1213/2-ID-O

### Issues

- a. Whether the policy allows for too many A3 uses.

### Inspector's Reasoning and Conclusions

8.8.1 Councillor Samuels is concerned that city centre viability is being damaged by too many A3 uses, including pubs and clubs. The latter use falls within Class



D2 of the Town and Country Planning (Use Classes) Order and is specifically referred to under Policies CLT 14 and CLT 15. A3 uses make an important contribution to the diversity of the centre. Whereas Policy REI 4 seeks to limit the concentration of such uses in the primary retail frontages, Policy REI 5 takes a more relaxed approach in respect of the secondary frontages. The balance of uses will thus be determined by the market and I consider that there is nothing wrong with this approach. Policy REI 8 includes a number of provisions that seek to control the harmful effects of A3 uses, including noise, litter and smells. Taking account of these factors I do not consider that the Policy needs to be changed in respect of this objection.

8.8.2 For consistency with Policy REI 4, I suggest that the word “shopping” should be deleted from the first sentence of the policy. Also, Paragraph 8.16 in the Plan refers to sui generis uses such as amusement centres and taxi hire centres but there is no provision for them in the policy. Such uses are often found in secondary frontages and I can see no reason why they should be excluded. I note that the Retail Consultants came to a similar conclusion<sup>52</sup> and I therefore suggest that reference specifically to Class D1 be deleted. Instead, other uses offering a direct service to the public should be permitted. I recommend that the policy is modified accordingly and additional text added to Paragraph 8.18 to explain what “other uses” would be appropriate.

## RECOMMENDATIONS

**I recommend that the Plan be modified as follows:**

- ◆ **By changing Policy REI 5 as follows:**
  - ◆ **Delete “shopping” from the first sentence.**
  - ◆ **Delete “and Use Class D1” from the first criterion and substitute with “and uses”.**
- ◆ **By adding the following additional text to Paragraph 8.18:**

**“In addition, other uses that offer a direct service to the public will be permitted. These may include amusement centres, car showrooms, solariums, taxi-hire and nightclubs. The suitability of proposals for a nightclub will depend on whether the requirements of Policies CLT 14 or CLT 15 can be met.**

## 8.9 POLICY REI 6: DISTRICT CENTRES

### Representations

Consortium Of Registered Social Landlords

REI06-526/13-ID-O

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<sup>52</sup> See Paragraph 9.25 of the White Young Green Retail Study – Core Document CD16/1.

Mr T Caves

REI06-1021/11-ID-O

## Issues

- a. Whether provision should be made for affordable housing.
- b. Whether St Mary Street should be included as a district centre.
- c. Whether the policy provisions are appropriate to district centres.

## Inspector's Reasoning and Conclusions

- 8.9.1 Affordable housing is dealt with under Policies H13 and H 14 and I do not consider that a separate reference should be made in Policy REI 6 as suggested by the Consortium of Registered Social Landlords.
- 8.9.2 There are 16 designated local centres, which have been assessed in the WYG Retail Study using PPG 6 indicators of health and vitality. St Mary Street is a relatively large centre but its shops and services primarily serve the local population. I appreciate that there is a street market and note the comments by Mr Caves that this is developing into a specialist antiques area which draws people in from outside. Nevertheless, it does not have the diversity of retailer representation or the range of services or public facilities that would normally be associated with a district centre. The Objector is concerned that its status would hamper much needed regeneration. However Policy REI 7, which relates to local centres, does not seem to me to impose undue restrictions that would be likely to deter new development or inward investment.
- 8.9.3 Whilst not subject to a specific objection, I consider that both Policies REI 6 and REI 7 lack proper focus in terms of what they are seeking to achieve in relation to the hierarchy of centres. I consider that the underlying objective for the district centres is to maintain and enhance vitality and viability and that this should be made explicit. My comments on the first criterion are similar to that relating to the secondary retail frontages in Policy REI 5. A wider range of uses should be encouraged, including sui generis activities that enhance the diversity of the centre.
- 8.9.4 Whilst contributions for public realm and transportation improvements may be appropriate this will depend on the nature of the proposal. The Council should have a specific scheme in mind so that a reasonable level of contribution can be sought in proportion to the scale and nature of the development proposal. I cannot support a blanket requirement in the policy, which seems to me to be contrary to the provisions of Circular 1/97: *Planning Obligations*.
- 8.9.5 Although not the subject of a specific objection, this policy is inconsistent with Policy CLT 15. That permits D2 uses within the district centres. I recommend that these should be added to the permitted uses.

## RECOMMENDATION

**I recommend that the plan be modified as follows:**

- ◆ **By deleting Policy REI 6 and replacing it with the following new policy:**  
**"The District Centres of Bitterne, Lord's Hill, Portswood and Woolston are defined on the Proposals Map. Development proposals should be in**

scale with the District Centre and should maintain, and where possible enhance, its vitality and viability. Such proposals will be permitted if:

- (i) on the ground floor the use falls within Classes A1, A2, A3, D2 or other use offering a direct service to the public;
- (ii) on the upper floors the use falls within residential or office use.

## 8.10 POLICY REI 7: LOCAL CENTRES

### Representations

The Herald Ltd Partnership	REI07-122/1-ID-O
GOSE	REI07-172/17-ID-O
GOSE	REI07-172/18-ID-O
GOSE	REI07-172/19-ID-O
S S and S K Sihota	REI07-1024/1-ID-O
BT plc	REI07-1194/1-ID-O
G Sharif	REI07-1196/1-ID-O

### Issues

- a. Whether the policy provisions are appropriate to local centres.
- b. Whether Portswood Road should be a local centre and whether the centre at St Mary's Road should be extended.

### Inspector's Reasoning and Conclusions

8.10.1 GOSE is concerned that the policy does not comply with government policy or Policy Q5 of RPG 9 in terms of the sequential approach to site selection in order to meet an identified need. Whilst I appreciate the Council's response that there is no requirement to identify need for proposals within a local centre this misunderstands GOSE's point. Local centres could become an area of search if no sites were to be found within or adjoining higher order centres. However, by limiting the scale of development within the local centre that process could be thwarted. Whilst I agree with the sentiment of the objection I consider it very unlikely that in reality such a scenario would occur. There are three tiers above local centres in the PPG 6 retail hierarchy and I consider it almost inconceivable that sequentially preferable alternatives would not be found<sup>53</sup>. In the circumstances I do not consider that the first criterion is contrary to government policy or RPG 9.

8.10.2 I make similar comments to those on Policy REI 6 with regards to the focus

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<sup>53</sup> Inspector's Note – I have recommended under Policy REI 2 that reference to local centres should be deleted. See Paragraph 8.5.5 of the Report.

of the policy. As they stand there is no sense of the hierarchy between the two tiers of centre. The first criterion in Policy REI 7 seems to envisage a greater level of development by talking about proposals for new shops. Maybe this is not the intention but it seems as if the two policies have been drafted without any consideration of how they fit together.

- 8.10.3 In the case of the local centres it seems to me that the most important function is to serve the day-to-day needs of the local population. The policy seems to be directed towards convenience shops but the Council cannot reasonably control the nature of the A1 use. Furthermore, there is no reason why A2 and A3 uses should not be appropriate in local centres. BT Plc considered that the Policy should be amended to include reference to residential and leisure uses in accordance with PPG 3 and PPG 6. I see no reason why appropriate small-scale leisure uses should not be permitted, providing they fit in with the main function of the centre. It seems to me insufficient to say that such uses will be treated on their merits as the policy does not permit them as currently worded. The same goes for social and community uses, which would be appropriate in a centre that aims to meet local needs. The appropriate scale of 500 m<sup>2</sup> should be made explicit in the policy itself.
- 8.10.4 The policy refers to upgrading the public realm in the fourth criterion. Whilst this is a worthy objective and can be sought through negotiation it should not be used to justify development, which might otherwise be unsuitable. I suggest that this would be better dealt with in the supporting text in Paragraph 8.29 of the Plan. I agree with the Council that residential uses should be restricted to the upper floors so as not to fragment the retail offer. I recommend changes to the policy to reflect these points.
- 8.10.5 GOSE also commented that the Proposals Map does not clearly indicate the local centres. This seems to have been rectified in the Revised Deposit version although I consider that reference should be made in the policy itself as I have suggested in respect of Policy REI 6.
- 8.10.6 S S and S K Sihota are concerned about the large number of vacant units in Swaythling Local Centre. They consider that retail uses are uneconomic, including at their particular property of 57 High Road, and that residential use should be permitted. The Local Plan is not the place to consider individual proposals for development. However, I observed that although Swaythling is fragmented due to the road layout, it contains a variety of local shops that provide for day-to-day shopping needs. Whilst the WYG Retail Study acknowledged that some local centres were performing poorly and on the brink of viability, I saw no evidence that this was one of them. Nevertheless, the Consultants have recommended that a further review of local centres should be undertaken and I suggest that this would best be done in connection with the preparation of the Local Development Framework.

#### *Omissions*

- 8.10.7 The Herald Ltd Partnership has requested that the part of Portswood Road that includes the B & Q store and nearby shops and services should be allocated as a local centre. The WYG Retail Study recommended that there was justification for such an allocation on the eastern side of Portswood Road

on the basis that the shops and facilities serve the needs of the local population in a similar way to other designated local centres. The B & Q store is however on the other side of the road and I observed that it stands well back from Portswood Road and at a higher level. It thus appears physically distanced from the small row of shops on the other side of the road. Furthermore, I agree with the Council that it is functionally discrete, and serves a wider catchment of car borne customers. In the circumstances I do not consider that it would be appropriate to include it within the local centre, which aims to serve the day-to-day needs of the local community.

8.10.8 G Sharif has suggested that in order to protect local shops, the St Marys Road Local Centre should be extended to include other shops in the road and Derby Road. From my site observations the centre has been defined to include the main shopping area. Whilst I appreciate that there are others, including a small group in Derby Road, these are too far away to be included within the local centre and too small and fragmented to justify local centre status in their own right.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

♦ **By deleting Policy REI 7 and replacing it with the following new policy:**

*“The Local Centres are defined on the Proposals Map and comprise (list).*

*In order to maintain and where possible enhance their role of serving the daily needs of the local population, development proposals will be permitted in Local Centres if:*

- (i) the use falls within Classes A1, A2 or A3;*
- (ii) the use provides appropriate leisure, social or community uses;*
- (iii) the use provides employment opportunities;*
- (iv) the use is for residential purposes, but not at ground floor level.*

*Development for all but residential uses will only be permitted if it is less than 500 m<sup>2</sup> net floorspace”.*

♦ **By adding the following text after the second sentence in Paragraph 8.29:**

*“Where appropriate, proposals will be encouraged to include measures that upgrade and enhance the public realm”.*

## 8.11 POLICY REI 8: FOOD & DRINK USES (CLASS A3)

*(Proposed Changes 32, 33 and 34)*

### Representations

GOSE REI08-172/114-RD-O

GOSE REI08-172/115-RD-O

### **Issue**

- a. Whether the provisions of the policy accord with advice in PPG 12.

### **Inspector's Reasoning and Conclusions**

8.11.1 The second and third criteria of the policy do not make clear whether mitigation would be dealt with by means of a condition or a legal agreement. Paragraph 23 of Annex A to PPG 12 makes clear that policies should make such matters explicit. I agree with GOSE's concern on this point and support Proposed Changes 32 and 33, which make explicit that resolution will be through the use of planning conditions. This satisfies GOSE's objection.

8.11.2 GOSE was also concerned about reference to "other means" of collection and disposal of rubbish and litter, which does not accord with Paragraph 3.5 of PPG 12. I support Proposed Change 34, which omits these words and satisfied GOSE's objection.

### **RECOMMENDATION**

**I recommend that the Plan be modified in accordance with Proposed Changes 32, 33 and 34.**

## **8.12 POLICY REI 9: SHOPFRONTS**

### **Inspector's Reasoning and Conclusions**

8.12.1 As there are no outstanding objections to this policy, I make no further comment or recommendation.

## **8.13 PARAGRAPHS 8.34 – 8.43**

### **Representations**

GOSE REI10-172/21-ID-O

GOSE REI10-172/22-ID-O

GOSE REI10-172/116-RD-O

Southampton and Fareham Chamber of Commerce REI10-1032/12-RD-O

## Issues

- a. Whether the approach to office development accords with PPG 6 and RPG 9 in terms of need and the sequential test.
- b. Whether there is sufficient provision of sites to meet employment needs.

## Inspector's Reasoning and Conclusions

- 8.13.1 There is a general objection by GOSE in terms of the approach to office development in the Plan. Policy Q5 in RPG 9 states that in preparing development plans, local authorities should assess the need for office development in their area. This is remedied in Paragraph 8.39 of the Revised Deposit version where it is estimated that there is just under 3 years supply of office sites within the city council's area. The Employment Background Proof<sup>54</sup> makes clear that whilst there is a continuing supply of smaller offices (below 250 m<sup>2</sup>), there is a shortage of sites for larger offices (over 1,000 m<sup>2</sup>).
- 8.13.2 Offices are town centre uses and GOSE is concerned that the office allocations have not been justified in accordance with the sequential test as required by PPG 6. PPG 13 emphasises the need for office locations to be highly accessible by public transport, walking and cycling in order to reduce dependence on the private car. The Council's evidence indicates that there are limited opportunities for new office development within the city centre due to the pressure for alternative uses, including residential. To what degree there has been a proper assessment of potential sites within the primary shopping area is unclear. This needs to be clarified in Paragraph 8.39 of the Plan in order to satisfy the sequential test and justify allocating sites for new office development in edge-of-centre locations.
- 8.13.3 North of the Parks Area and the Central Railway Station site are edge-of-centre sites. As PPS 6 makes clear<sup>55</sup>, people are willing to walk further to their place of work than they are for shopping purposes. Both of these areas are relatively accessible to the retail centre and the station, which has very good public transport connections. Ocean Village on the other hand seems to me to be at the limits. Although there are reasonably good bus services, the pedestrian routes are poor and people would be unlikely to walk to and from the shops, in my opinion. Until such time as the Eastern Docks freight line is opened up to passenger rail services I agree with GOSE that Ocean Village is not highly accessible and that office users are likely to be car reliant. The existing office development with its extensive areas of surface car parking seems to bear this out. I consider that any major new office development in Ocean Village should be linked to public transport improvements and that this should be made clear in Paragraph 8.39 in the Plan. I deal with this issue further under Policies REI 16, REI 17 and MSA 15.
- 8.13.4 Southampton and Fareham Chamber of Commerce believe that the Plan demonstrates shortfalls of industrial and office premises but does not

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<sup>54</sup> See Core Document 12/2

<sup>55</sup> Inspector's Note - "Edge-of-centre" in such cases may be up to about 500 metres of a public transport interchange, subject to a favourable pedestrian environment. See Table 2 in Annex B to PPS 6.

indicate how they will be met. I agree with the Council that safeguarding employment land should help reduce pressure for new development. Policies REI 11, 12 and 13 are examples of where this approach has been taken. New sites are also allocated for office and industrial development, for example under Policies REI 17 and MSA 25. There will, however, be instances when it is appropriate to use commercial sites for residential purposes. PPG 3 advocates the redevelopment of brownfield sites for housing in order to protect countryside resources. A balance needs to be struck between competing needs and I do not agree with the Objectors that a new policy to further protect commercial uses is either necessary or warranted.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By explaining in Paragraph 8.39 the sequential site search that has been undertaken for office sites within the primary shopping area of the city centre in accordance with PPG 6.**
- ◆ **By deleting the final sentence of Paragraph 8.39 and replacing it with the following new text:**

***“The emergence of concentrations of major offices in three areas of the city centre are evident – North of the Parks, Commercial Road and Ocean Village. The “quarters” at North of the Parks and Commercial Road will be consolidated as locations for new office development. Further office development at Ocean Village will depend on improvements to public transport accessibility and in particular the development of a passenger rail link”.***

## 8.14 POLICY REI 10: MAJOR EMPLOYMENT SITES

### Representations

GOSE	REI10-172/1-ID-O*
Hants & Isle of Wight Wildlife Trust	REI10-341/1-ID-O
Ordnance Survey	REI10-695/2-RD-O
Ordnance Survey	REI10-695/6-RD-O
Highways Agency	REI10-1191/1-ID-O
Councillor Samuels	REI10-1213/11-ID-O
Philips Electronics UK Ltd	REI10-104/1-ID-WDC

\* GOSE's letter of 11/4/04 makes clear that this objection has been withdrawn following changes to the text in the Revised Deposit version.



## Issues

- a. Whether the policy is sufficient to safeguard major employment sites.
- b. Whether the policy should refer to the need for a Transport Assessment.
- c. Whether the Philips Business Park should be allocated for port-related uses.

## Inspector's Reasoning and Conclusions

- 8.14.1 The sites identified in Policy REI 10 are existing major employment sites, which are intended to be safeguarded for employment use in terms of future partial or total redevelopment proposals. However, as it presently stands the policy does not have any purpose and the provisions that may be relevant in the determination of a planning application are all included in the supporting text. I recommend that the policy should be expanded to include the matters set out in Paragraph 8.44 of the Plan.
- 8.14.2 Councillor Samuels is concerned that there is inadequate employment land included in the Plan. He is also worried about what would happen if one of the REI 10 businesses were to leave. Whilst I can understand the Objector's concern, I do not consider that the Plan can go further than it has in encouraging large sites to remain in employment use. I do not agree with Councillor Samuels that a separate Chapter is necessary in relation to employment development.
- 8.14.3 However, I do find the objectives of Paragraphs 8.44 and 8.45 somewhat contradictory. This is a point made by Ordnance Survey. The Council has responded that Paragraph 8.44 relates to partial redevelopment schemes, whereas Paragraph 8.45 concerns redevelopment of the whole of the site. The Council suggests that Paragraph 8.45 could be clarified accordingly. However, I have some concerns about what the Council mean by an "employment-led mixed use development". In view of the peripheral locations of these sites they would not be favourably sited for town centre uses, including offices. This was a point made by GOSE and rectified by the Council in Paragraph 8.44 by the insertion of the word "ancillary" before the word "offices". Nevertheless, the same proviso is not included in Paragraph 8.45 relating to total redevelopment projects. Furthermore, in view of their importance as employment sites there is the question as to whether redevelopment should include non-employment uses such as residential. The Council, in its response to the Ordnance Survey made clear that there is no need for further sites to be released for this purpose. In the circumstances, I consider that whether proposals for partial or total redevelopment these sites should remain in employment use. I see no reason why a Review of the Local Plan would be necessary in the event that redevelopment proposals were to come forward.
- 8.14.4 The exception may be the Ordnance Survey site. The Objector has pointed out that in comparison with the other allocated sites, this one suffers from poor accessibility as confirmed by the Accessibility Map<sup>56</sup>. Ordnance Survey suggests that any redevelopment proposals, whether partial or total, should be for mixed-uses rather than for employment only. Whilst Government

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<sup>56</sup> Inspector's Note – The Accessibility Map is part of the Proposals Map.

policy encourages mixed-use development, PPG 13 makes clear that jobs, shopping, leisure and services which are high traffic generators should be provided in locations that are readily accessible by public transport, walking and cycling. Whilst improvements to accessibility can be made through such measures as Green Transport Plans it seems to me unwise to seek to perpetuate an employment use in such an unsuitable location. In the circumstances, I do not agree that a mixed-use scheme with or without employment uses would necessarily be a suitable long term prospect for the site. For this reason, I do not agree that the supporting text should be reworded as suggested by the Objector. Indeed, I recommend that the Ordnance Survey site should be deleted from Policy REI 10 altogether.

8.14.5 Development proposals on these sites may require a Transport Assessment as pointed out by the Highways Agency. I have recommended changes to Paragraph 2.20 in 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 Highways Agency is incorrect in saying that the text has less weight than the policy itself. In the circumstances I do not consider that Policy REI 10 should be changed in response to this objection.

8.14.6 The Wildlife Trust consider that various parts of the historic port estate, including the Philips Business Park, should not be allocated for industry and warehousing that is non-port related. The Council respond by saying that this site is part of the Millbrook Trading Estate and has never been directly part of the Port of Southampton. I agree that it would not be particularly well suited for such purpose being the landward side of the railway line. Furthermore, there is no evidence that this land is needed for port expansion so it would be inappropriate to allocate it for that purpose in the Plan.

8.14.7 Whilst I note that Philips Electronics UK Ltd has withdrawn its objections it has commented that the name of the company is incorrectly spelt in the policy. This has been corrected however in the Revised deposit version.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By deleting Policy REI 10 and replacing it with the following new policy:**
  - “The major employment sites are defined on the Proposals Map and will be safeguarded for employment use. Development proposals will be permitted as follows:*
  - (i) The British American Tobacco site, Regents Park Road for light industrial (Class B1c), research and development (Class B1b) and ancillary office use.*
  - (ii) Fords, Wide Lane for light or general industrial (Classes B1c and B2), research and development (Class B1b), storage or distribution (Class B8) and ancillary office use.*
  - (iii) Philips Business Park for light industrial (Class B1c), research and development (Class B1b), general industrial (Class B2) and*

***storage or distribution (Class B8) and ancillary office use”.***

- ◆ **By deleting Paragraph 8.44, save for the first two sentences, and adding a further new sentence as follows:**

***“Any proposals for the total or partial redevelopment of the major employment sites will be considered having regard to their importance in terms of local employment and the city economy”.***

- ◆ **By deleting Paragraph 8.45.**

## **8.15 POLICY REI 11: INDUSTRY AND WAREHOUSING**

***(Proposed Changes 60, 65 and 75)***

### **Representations**

I & J Knight	REI11-11/1-ID-O*	Mrs M Elmslie	REI11-143/1-ID-O*
Mrs P Scott	REI11-28/1-ID-O*	Mr & Mrs J Hayman	REI11-144/1-ID-O*
Mrs J M Caesar	REI11-39/1-ID-O*	Mr & Mrs Southwell	REI11-155/1-ID-O*
Mrs S Sanders	REI11-69/1-ID-O*	Mr T Goulden	REI11-160/1-ID-O*
H & P M Walsh	REI11-78/1-ID-O*	Mr & Mrs D L Player	REI11-167/1-ID-O*
Mr s P Carey	REI11-83/1-ID-O*	Ms Hargreaves	REI11-171/1-ID-O*
Mr R Carey	REI11-87/1-ID-O*	GOSE	REI11-172/117-RD-O
D & D Osman	REI11-88/1-ID-O*	GOSE	REI11-172/118-RD-O
Old Redge Res Ass'n	REI11-93/1-ID-O*	Mr & Mrs D Nicholas	REI11-190/1-ID-O*
Mr A Alford	REI11-103/1-ID-O*	Mrs J Simpson	REI11-232/1-ID-O*
Mrs S Ellison	REI11-105/1-ID-O*	L Golden	REI11-241/1-ID-O*
Ston Football Club	REI11-129/1-ID-O	P F Lisle	REI11-261/1-ID-O*
Miss B E Cooper	REI11-137/1-ID-O*	B D & L N Harris	REI11-274/1-ID-O*
Mr R Elmslie	REI11-142/1-ID-O*	Miss E R Nicholas	REI11-276/1-ID-O*
R E Widdicombe	REI11-277/1-ID-O*	Mrs G Mills	REI11-283/1-ID-O*
G du Fresne	REI11-282/1-ID-O*	H & I of W Wliffe Trust	REI11-341/2-ID-O
H & I of W Wliffe Trust	REI11-341/3-ID-O	D Emery	REI11-475/1-ID-O*
H & I of W Wliffe Trust	REI11-341/4-ID-O	A G & R D Bagg	REI11-477/1-ID-O*
Cavendish & Gloucester	REI11-419/1-ID-O	Rank Hovis Ltd	REI11-515/4-RD-O
Cavendish & Gloucester	REI11-419/5-ID-O	G W Avery	REI11-520/1-ID-O*

Mr & Mrs R Clements	REI11-531/1-ID-O*	The Highways Agency	REI11-1191/2-ID-O
Southampton Institute	REI11-572/1-ID-O	C'llor Samuels	REI11-1213/3-ID-O*
Southampton Institute	REI11-572/17-RD-O	Mr M F Pearcey	REI11-1215/1-ID-O*
Frobisher Ltd	REI11-612/1-ID-O	Costco Wsale UK Ltd	REI11-1216/1-ID-O
Mr & Mrs Golden	REI11-822/1-ID-O*	Mrs V Moffatt	REI11-1225/1-ID-O*
Mr D Efemey	REI11-847/1-ID-O*	Cavendish & Gloucester	REI11-1514/2-RD-O
Mr & Mrs Hannam	REI11-906/1-ID-O*	IKEA Props Invests Ltd	PC60-571/23-PC-O
Mr & Mrs Saxton	REI11-922/1-ID-O*	Assoc British Ports	PC60-1113/22-PC-O
Assoc British Ports	REI11-1113/1-ID-O		
Mr N Sim	REI11-1188/1-ID-O*		

\*These objections are dealt with under Policy MSA 26.

## Issues

- Whether the Plan provides a correct assessment of industrial land supply.
- Whether the policy should make provision for sui generis uses such as warehouse clubs).
- Whether the policy should refer to the need for a Transport Assessment.
- Whether the sites are appropriately safeguarded for industrial and warehousing uses.

## Inspector's Reasoning and Conclusions

### *Industrial Land Supply*

8.15.1 Both IKEA and Mursell (Objectors to Policy REI 12), sought to show that the supply of industrial land and buildings is healthier than the Council's analysis in the Employment Background Proof<sup>57</sup> would suggest. From the evidence I have received I think there is some merit in that conclusion. Despite stressing the importance of the Southampton city region<sup>58</sup>, the Council's analysis, which concludes a 2.47 year supply, is based only on the area within its administrative boundary. Furthermore, Mursell point out that more recent land supply figures are available indicating that the amount of available employment land within the City itself has risen to about 15 hectares. Taking account of the take-up rates in the Council's more recent Addendum to its Background Proof<sup>59</sup>, Mursell calculate nearly 8 years supply. The Council has contended that some of the larger sites have difficulties that make development uncertain. However, these are mainly within the city region and outside the city boundary. There are also pipeline projects and despite some constraints it seems to me likely that these will provide a considerable amount of additional employment land within the Local Plan

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<sup>57</sup> See Core Document CD12/2.

<sup>58</sup> Inspector's Note – This includes Eastleigh and parts of Test Valley and New Forest.

<sup>59</sup> Updated information was included on the take-up of employment land between 1997 and 2001. See Core Document CD12/10.

period.

- 8.15.2 IKEA have presented an analysis for the wider city region, which discounts existing and pipeline sites that may be subject to development difficulties. This seems to me to be a “worse case” scenario that identifies about 14 years supply. From all of the evidence, it seems to me quite likely that there is at least sufficient industrial land to meet identified needs within the city council’s area during the Local Plan period. However, it must also be borne in mind that Southampton is within a Priority Area for Economic Regeneration and there are high levels of deprivation within parts of the City. These REI 11 sites may provide important local employment opportunities within locations that are easily accessible to the local workforce.
- 8.15.3 The Ministerial Statement by Keith Hill <sup>60</sup> encourages local authorities when reviewing their development plans to consider whether land currently allocated for employment and other uses might be better used for housing or mixed-use developments. I have concluded that sufficient housing land has been identified to meet Structure Plan requirements during the Local Plan period<sup>61</sup>. Furthermore, many of the industrial sites are within unsustainable locations and would not necessarily be suitable for mixed-use development. Within a tightly constrained area such as Southampton, where different uses will compete for limited land resources, it is the job of the Local Plan to establish priorities through its individual land allocations. Safeguarding existing industrial sites seems to me to be a valid approach in order to ensure that land remains available for employment purposes especially when other uses can command higher land values.
- 8.15.4 Nevertheless, it is necessary in applying a safeguarding strategy to ensure that all of the sites are required in terms of the overall need for industrial land within the city. In that regard I recommend that the Council should reconsider its assessment as set out in Paragraph 8.40 to satisfy itself that all of the land currently safeguarded for industrial use under Policies REI 11 and REI 12 is necessary in terms of meeting need over the Local Plan period. I comment more specifically on objections to individual sites below.

#### *Range of Uses*

- 8.15.5 I have dealt with the issue of warehouse clubs under Policy REI 3. As I have said in response to the Costco representations to that policy, I believe that the consideration of this type of use will very much depend on the nature of the individual operation. Whilst they may be sui generis uses, PPG 6 is clear that these businesses often share the same characteristics as large retail outlets. On the other hand they may specifically aim to serve the needs of local tradespeople or commercial enterprises. I note that Costco refers to several Secretary of State decisions where their operation has been found to be more akin to a wholesale warehouse that has employment benefits. I do not consider that the Local Plan should consider whether individual operators fall within one category or the other. However, in the case of a cash and carry operation to the trade it would seem to me that the PPG 6 retail tests of need and the sequential test would not necessarily apply. Such a user

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<sup>60</sup> Inspector’s Note – This was a statement delivered by Keith Hill, Minister of State for Housing and Planning in July 2003.

<sup>61</sup> See Paragraph 7.1.15 of this Report.

may be appropriately located on land safeguarded for REI 11 purposes. Indeed the Council has said as much in its response to the Costco objection.

8.15.6 It seems to me that the policy should allow for redevelopment proposals that include uses commonly found on industrial estates and that generate employment levels comparable to industrial uses. This would also have the advantage of widening the options for redevelopment and attract a greater range of investors. Examples may include bus garages, MOT testing stations, certain types of warehouse clubs, cash and carry operations and builders' merchants. I recommend appropriate changes to the policy and text accordingly.

#### *Policy Criteria*

8.15.7 The Highways Agency has made similar comments regarding the need for a Transport Assessment as in relation to Policy REI 10<sup>62</sup>. My comments are the same and I do not consider that the text or policy needs to be changed in response to this objection for the same reasons.

#### *Individual Allocations*

##### First, Second and Third Avenue, Millbrook Trading Estate.

8.15.8 Associated British Ports have objected to Proposed Change 60 on the basis that it could result in high traffic generation, particularly in association with light industrial uses (Class B1c). The reasons for the objection are the same as in relation to the retail allocation under Policy REI 1 (see Paragraph 8.4.14 above). The Objector would like the acceptable uses restricted to Class B8, which are low traffic generators. However, it was agreed at the Inquiry that if the Objector's suggestions to amend Policy SDP 3 and its supporting text were accepted, this would satisfy the objection. I have agreed with those changes<sup>63</sup> and have recommended that they be incorporated into the Plan. Any redevelopment of the site would thus have to take account of traffic flows within the vicinity of the Port access, including Dock Gate 20. In the circumstances, I do not consider that Policy REI 11 needs to be changed to satisfy Associated British Port's objection.

8.15.9 IKEA has also objected to Proposed Changes 35 and 60. I have already dealt with their objections to Proposed Change 35 and the deletion of the retail allocation under Policy REI 1<sup>64</sup>. However, IKEA also consider that the site is not needed for industrial and warehousing uses, although they have not objected to the safeguarding of the remainder of the Millbrook Industrial Estate. I have dealt with the issue of industrial land supply in Paragraph 8.15.1 above and agree with the Objectors that solely in terms of need there is probably not a strong case for safeguarding this site for industrial purposes. I also acknowledge that the land, which is vacant and in poor condition does not present a very attractive proposition to potential investors.

8.15.10 The Objectors have been seeking permission to develop the site with an IKEA store. However, I have little evidence of alternative marketing

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<sup>62</sup> See Paragraph 8.14.5 of this Report.

<sup>63</sup> See Paragraph 2.3.7 of this Report.

<sup>64</sup> See Paragraph 8.4.12 of this Report.

strategies to support the proposition that there would be no interest from a Class B investor. I appreciate that there will be opportunities in the wider city region, which are easier and more attractive to industrial developers. However, the site is part of an established industrial area and also within a Priority Area for Economic Regeneration where there is relatively high unemployment and urban deprivation. It also has the advantage of being relatively well located in terms of public transport accessibility.

- 8.15.11 There was no dispute that the site would be unsuitable for office or research and development uses (Classes B1a and b) and I have already concluded that it would be unacceptable for retail purposes. However, even if industrial or warehousing uses did not prove to be attractive there may be other acceptable sui generis employment uses and I have recommended that the policy be widened to accommodate these.
- 8.15.12 I have recommended that the Council review its industrial land supply to see whether all sites need to continue to be safeguarded. That is not to say that a safeguarding policy is unnecessary at all. Some land will continue to be needed to provide for the needs of industrial users and for the reasons I have given this site seems well located for this purpose. I see no convincing reason why the safeguarding should be lifted at the present time and I therefore support Proposed Change 60.
- 8.15.13 Paragraph 8.47 as it stands is contradictory, as pointed out by GOSE. However, the last two sentences to which GOSE objects need to be deleted anyway, in view of my recommendation to accept Proposed Change 60. These changes would satisfy GOSE's objections.

#### Gasholder Site, Britannia Road

- 8.15.14 This site is at the northern end of the site of the relocated Southampton Football Club and offers the only potential for expansion to those facilities. From the information that I have before me it is possible that the gas holders will be decommissioned during the latter part of the Local Plan period. There is also a gas distribution plant located to the south-west of the gas holders which would be decommissioned at the same time.
- 8.15.15 The Football Club would like this land to be safeguarded for uses that could stand alone or be associated with the club such as an hotel, casino, concert venue, conference facilities and the like. The stadium provides an important sporting focus for the city and the club has provided a boost to the local economy. The Council, through Proposed Change 65, has agreed to include provision for expansion in association with the football club. The Proposed Change also revises the Proposals Map to include the gas distribution plant and adds revised supporting text. I support the proposed change, which seems to me to satisfy the Football Club's objection.

#### City Industrial Park, West Quay Road, Site adjacent to Dock Gate 10

- 8.15.16 The Hampshire and Isle of Wight Wildlife Trust consider that various parts of the historic port estate, including these three sites, should not be allocated for industry and warehousing that is non-port related. The Council has responded by saying that the land is not now in direct port ownership. The first two sites are used as general industrial estates. Whilst they are near enough to attract port related industries, there is no evidence that they are

needed for this purpose. The Dock Gate 10 site has been deleted from the policy in the Revised Deposit version and it is now covered by Policy MSA 18. However, it is also not needed for operational purposes. I do not consider that any changes are necessary to the policy in response to these objections.

#### Site adjacent to Dock Gate 10

8.15.17 Rank Hovis Ltd objected to the deletion of the Dock Gate 10 site in the Revised Deposit version and its re-allocation under Policy MSA 18. It was considered that the site should be safeguarded for industrial and warehousing uses in order to provide a suitable buffer between the Solent Flour Mill at Western Docks and the West Quay 3 development in the city centre. The Council has suggested changes to Policy MSA 18, which would satisfy the objection. I comment further on these in my conclusions to that policy. I have supported Policy MSA 18, which includes provision for industrial and storage uses as part of a wider mixed-use development. I do not consider that the Dock Gate 10 site should therefore be safeguarded under Policy REI 11.

8.15.18 Frobisher Ltd objected at Initial Deposit stage on the grounds that the Dock Gate 10 site should be removed from the policy safeguarding and allocated for retail and leisure uses instead. This objection has been met insofar as the site has been deleted from Policy REI 11 in the Revised Deposit version. I comment further on the suggestions regarding alternative uses in my conclusions on Policies REI 11 and MSA 18<sup>65</sup>. Similarly the objection of Associated British Ports has been satisfied in relation to Policy REI 11.

#### Floating Bridge Road and Crosshouse Road Site

8.15.19 This site is close to the river and includes land beneath the approaches to the Itchen Bridge. Southampton Institute request that the section currently occupied by Biffa Waste Services Ltd should also be excluded from the designation in order that it could be available for water-based recreational and community uses. The Objector points out that land to the east and north of this site is already used for these purposes and that such uses could not compete with commercial interests. The Council consider that the safeguarding would not preclude water-based recreation but I do not agree that this would necessarily be the case. I observed that the Institute's water activity centre is very tight for space but it seems from the representations that there are no specific proposals or need to expand onto adjoining land. Conversely, the Biffa site is physically and functionally integral to the larger industrial area and I can see no overriding justification for removing the designation at the present time.

#### Test Lane South

8.15.20 There were many objections from local people about the safeguarding of this land for industry and warehousing. However, it has been deleted in the Revised Deposit version and re-allocated under Policy MSA 26. As the uses under this policy are similar in many respects to those in Policy REI 11 it seems to me that there are many unresolved objections in respect of this site and its future development. I have therefore dealt with all of these

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<sup>65</sup> See Paragraphs 8.4.34-37 and 11.20.1-6 of this Report.



objections under Policy MSA 26.

#### Northern End of Hazel Road

- 8.15.21 This land comprises the Willments Industrial Park. Objections have been submitted by Cavendish Gloucester both at Initial and Revised Deposit stages that the boundaries of the safeguarded industrial area should be extended in a southerly direction to reflect that this area of land is no longer used for wharfage industrial uses. The Council has accepted these arguments and Proposed Change 75 shows the objection site allocated under Policy REI 11 instead of under Policy REI 13. The Council has confirmed that this land is not protected as an aggregates wharf in the Minerals and Waste Local Plan<sup>66</sup> and that it is satisfied that such uses are not carried out on the objection site. In addition, the Council says that the SSSI designation of the intertidal mudflats would prevent usage of the wharf by boats. In the circumstances, I support the proposed amendment, which satisfies this part of the objection.
- 8.15.22 The outstanding issue for Cavendish and Gloucester relates to the range of uses that would be permitted on the objection site which they consider should include offices (Class B1a). The Objectors point out that on the site there are a number of empty, derelict buildings and that this prominent waterside location has an unkempt appearance that considerably detracts from the area. The inclusion of offices as part of a mixed-use redevelopment is considered to offer the best potential for regeneration and enhancement of the site. It is said that the location is sustainable, being near to Woolston district centre with its shops, services and public transport. However, I do not agree with the Objectors that office use would accord with government policy, particularly PPG 6.
- 8.15.23 Reference is made to Policy E13 of the adopted Local Plan. This says that office use would be acceptable where it is a subsidiary element of a wider scheme of comprehensive redevelopment for which there is a need. However, the adopted Plan is not compliant with more recent government policy relating to the location of town centre uses, which includes offices. It is clear that mixed-use developments outside of a centre are not immune from the requirements of the sequential test. I would class the objection site as on the fringe of edge-of centre. Cavendish and Gloucester contends that office use would provide the commercial incentives for redevelopment and employment generation. However, there is no evidence to support such an assertion and I consider that it would be inappropriate to change the Plan to allow for office use as suggested by the Objectors.

## RECOMMENDATIONS

**I recommend that the Plan be modified in accordance with Proposed Changes 60, 65 and 75 and as follows:**

- ◆ **By adding the following sentence to the end of Policy REI 11:**

***“Redevelopment proposals for other similar employment uses may be acceptable providing they are not harmful to existing industrial or warehousing users on the safeguarded site”.***

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<sup>66</sup> See Core Document CD9/1.

◆ **By adding the following text at the end of Paragraph 8.46:**

*“There are however a number of employment uses often found on industrial estates that could suitably be located within these safeguarded areas. Examples may include a bus garage, an MOT testing station, a builder’s merchant and warehouse club or cash and carry operation that serves industrial or business users but does not share many of the characteristics of a large retail outlet”.*

◆ **By deleting the last three sentences from Paragraph 8.47 and replacing them with the following new sentence:**

*“Therefore should these sites come forward for redevelopment, proposals other than for B1c, B2, B8 or similar employment uses will not be permitted”.*

**I further recommend that the Council reconsider the issue of industrial land supply and make changes to Paragraph 8.40 as necessary. As a result consideration should be given to whether it is necessary to safeguard all sites in Policies REI 11 and REI 12 to meet identified need for industrial and warehousing land during the Local Plan period.**

## **8.16 POLICY REI 12: LIGHT INDUSTRY**

### **Representations**

Fairlady Ent Ltd	REI12-117/1-ID-O
Fairlady Ent Ltd	REI12-117/2-ID-O
Fairlady Ent Ltd	REI12-117/3-ID-O
Hawthorne Kamm Planning Consultancy	REI12-361/1-ID-O
W H Rowe & Sons Ltd	REI12-405/1-ID-O
W H Rowe & Sons Ltd	REI12-405/2-RD-O
Consortium of Registered Social Landlords	REI12-526/1-ID-O
Trish Macdougall	REI12-561/1-ID-O
Romsey M'ment Co Ltd	REI12-1507/1-RD-O
Romsey M'ment Co Ltd	REI12-1507/2-RD-O
Mursell Ltd	REI12-1508/1-RD-O

### **Issues**

- a. Whether Class B1a uses should be allowed on the safeguarded sites.
- b. Whether residential uses would be appropriate on the safeguarded sites.
- c. Whether the sites should be re-appraised in terms of their potential for affordable housing.

- d. Whether individual sites are appropriately safeguarded for light industry.

### **Inspector's Reasoning and Conclusions**

- 8.16.1 I have dealt with the issue of industrial land supply and safeguarding as a policy approach in the preceding section. I deal with objections to individual allocations below.
- 8.16.2 A number of Objectors are concerned that the policy does not allow Class B1a use, despite the fact that a move within the B1 Class from one use to another does not comprise development. Furthermore, Circular 11/95: *The Use of Conditions in Planning Permissions* says that restrictions on such changes of use that the Use Classes would otherwise allow should only be imposed exceptionally. These arguments may be relevant to the development control situation. However, they do not seem to me to be particularly persuasive within the context of Local Plan making, which seeks to establish the Council's employment strategy.
- 8.16.3 Offices, under Class B1a would be inappropriate on most of these sites. Whilst I appreciate that office use could provide employment opportunities, government advice is clear that offices are most appropriately located within existing centres where they will be near to complementary facilities, including shops, services and leisure facilities. The Plan makes provision for offices on a number of the MSA sites and I shall comment on these under the relevant policy. In the absence of any evidence that there is a need for offices that cannot be satisfied on sequentially superior sites, I do not support offices on the safeguarded sites.
- 8.16.4 The Consortium of Registered Social Landlords made a slightly different point about the review of employment sites so that appropriate land could be targeted for affordable housing. The Council in its response acknowledges that there is a shortfall in terms of meeting affordable housing needs. However, I agree that there is nothing in government policy that supports over-allocation of housing land in order to remedy such a situation and I do not agree with the Objectors that the policy should be changed in response to this objection. I have though suggested that the Portswood Road site should be deleted from the safeguarded list and I note that an affordable housing scheme has been proposed for this site as I discuss below.

#### *Individual Allocations*

##### Quayside Road

- 8.16.5 Objection has been made by W H Rowe & Sons Ltd (W H Rowe) who occupy the western part of the safeguarded site. It is currently used as a foundry, for metal casting and finishing and for storage and distribution. The Objectors point out that there are nearby residential uses and that a future general industrial user may prove to be a less acceptable neighbour than the present user. It was also said that the site could provide a buffer between the housing area and other industrial uses. W H Rowe believed that redevelopment could enhance the setting of the SSSI and the River Itchen. The Objectors consider that residential use would be most appropriate. However, if that were not acceptable then a mix of uses would be appropriate, including B1a which could be established anyway through changes allowed under the Use Classes Order. W H Rowe propose three

alternative changes to the Plan. First, that the site should be removed from Policy REI 12 and allocated for residential use. Second that it should be removed from the policy and allocated for a mix of B1 Class and residential use. Third that it should remain within the policy but that B1a use should also be permitted.

8.16.6 I appreciate that this site is not presently in a light industrial use and that the current general industrial uses are not ideal on account of their proximity to housing. However uses under Class B1b and B1c would be appropriate to a residential area and the Objectors have not provided any evidence that such uses would be unviable. This site is some distance from Bitterne District Centre and there is no evidence that it is needed for office use in preference to sequentially superior sites. For the reasons I gave in Paragraph 8.16.3 above, I do not consider that it is therefore suitable for Class B1a use. I appreciate that this is a waterside location and adjacent to an environmentally sensitive area and I am sure that it would be an attractive proposition for a residential developer. Indeed I observed other nearby residential development, which I presume had also been in industrial use at one time. However, for the reasons I have given in the Housing Chapter<sup>67</sup>, there is no overriding need for additional residential land whereas there is a need to safeguard industrial land. The W H Rowe site is part of a larger industrial area and I do not consider that changes to the Plan should be made in response to this objection.

#### 68-94 Portswood Road

8.16.7 Since the bakery closed, the Portswood site has been used for a variety of commercial and residential uses. Portswood is within the West Itchen regeneration area and suffers from relatively high levels of unemployment and social deprivation. It is therefore important to encourage employment opportunities in suitable locations. I do not agree with Romsey Management Company Ltd (Romsey) that there is no need to protect land for employment purposes or that this particular site is too small to make a material contribution in this respect. On the other hand, I do not consider that protection should be afforded if there is little realistic prospect of the light industrial uses materialising.

8.16.8 Along the frontage occupiers appear to be well established and include a not insignificant residential element as well as offices, a tyre centre and motor related uses. At the back there is a parking area and several single storey buildings, some of which were used for storage and are now vacant and in need of refurbishment. There is also a two-storey building that has been renovated and converted to small office suites, many of which appeared unoccupied. The site has no history of light industrial use and there is no such use existing at present. The two-storey building may be suitable for this purpose but from the evidence given by Romsey to the Inquiry I am doubtful that there would be sufficient return to make it worthwhile refurbishing the other buildings for light industrial uses. From what I was told, the availability of funding from outside agencies seems doubtful. In addition poor access, restricted parking and a backland location could be a disincentive to many business users.

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<sup>67</sup> See Paragraph 7.1.15 of my Report.

8.16.9 I understand that planning permission has recently been refused for an affordable housing redevelopment project behind the frontage buildings. Although I will not comment on the merits of such a scheme this does seem to be an opportunity to increase the supply of affordable housing in accordance with needs identified by the Consortium of Registered Social Landlords (see Paragraph 8.16.4 above). The site has much to offer in terms of its sustainable location although it also suffers from considerable constraints, which would require an imaginative design solution. In any event, I can see little useful purpose in safeguarding the site for uses that are unlikely to materialise. On the contrary, I can envisage that such protection could frustrate investment and that the site could remain under-used and become increasingly derelict. This would not accord with government policy, which encourages the efficient use of previously developed land, particularly in sustainable locations such as this. For these reasons I agree with Romsey that the site should be removed from the list of safeguarded sites under Policy REI 12.

#### Pitt Road Industrial Estate

8.16.10 The objections by Mursell Ltd relate to the western part of the safeguarded site, which is a former joinery known as Richmond Works. There are a number of utilitarian industrial buildings on the site, which is currently used for general industrial purposes. The remainder of the safeguarded site includes a large industrial building that was previously used as a laundry for the cruise ships. It now comprises the Liners Industrial Estate and has been subdivided into a number of small industrial units mainly occupied by general industrial users.

8.16.11 The Objectors do not believe that the Richmond Works will be redeveloped for light industrial purposes for various reasons. First, the location would be unattractive as the site is tucked away at the end of a narrow congested road. Second, the existing buildings are poorly suited to modern business needs and would be difficult to subdivide as was proved by an unsuccessful attempt to market the site over a 7 month period in the late 1990's. Third, redevelopment would be unviable because modern standards and parking and turning requirements would result in reduced site coverage and hence insufficient rental or land value to justify buying out existing higher density uses. Fourth, the general industrial use allows a far wider range of activities than the safeguarded alternative. There is thus more prospect of letting the units.

8.16.12 I have some sympathy with these arguments, especially in terms of location and access, which I observed to be very narrow. Furthermore, a letter from the Estates Manager of the Liners Industrial Estate confirms that although no formal objections were submitted to this policy this was because redevelopment for Class B1 uses would be uneconomic and so would not be countenanced. It seems to me from the evidence that in this particular case there is little likelihood that this site will change to the uses favoured by the Council. I fear that the effect of the safeguarding will be to perpetuate unsuitable uses within a primarily residential area. I also note that the safeguarding of adjoining land facing onto Paynes Road (also owned by Mursell Ltd and currently used for car repairs) was removed at Revised Deposit stage. It seems to me that if the general industrial use were to

continue on the Richmond Works site, this would be likely to blight any future use of this land for residential purposes, for example. I have already concluded that the supply of industrial land is not as poor as the Council believe. I do not therefore consider that the loss of this site would be critical and I recommend that this part of the safeguarded site should be removed from Policy REI 12.

8.16.13 The Richmond Works is in a poor state of repair and redevelopment would undoubtedly have the potential for considerable visual improvement to benefit the local area. The Objector considers that the site would be most suitable for housing. I agree that it is in a highly sustainable location close to Shirley District Centre and adjacent to Richmond Park. However, there is no overriding need for further housing allocations and this is not suggested by the Objector. In the absence of the safeguarding the site would fall to be considered under Policy H3, which relates to housing development on previously developed land. One consideration would be the existence of the remaining industrial land on the adjoining Liners Industrial Estate.

#### Corner Site – Park Road and 57-75 Millbrook Road East

8.16.14 This site is currently in use for purposes related to the motor trade and is within an area of mixed residential and commercial development. Trish Macdougall and Fairlady Enterprises Ltd (Fairlady) object to the restriction in the case of any future use to Classes B1b and B1c on the grounds that this would prevent flexibility to make the best use of brownfield land in accordance with government policy. Fairlady further point out that movement within Class B would not comprise development and that such future use should therefore not be precluded. I have already dealt with the point regarding the Use Classes Order in Paragraph 8.16.2 above.

8.16.15 I acknowledge that the objection site is relatively accessible although it is an out-of-centre site for PPG 6 purposes. In a city such as Southampton there are a number of similar out-of-centre sites but this does not mean that they should necessarily become the focus for new office development. The Plan makes provision for offices on a number of the MSA sites and I shall comment on these under the relevant policies. In the absence of any evidence that there is a need for offices that cannot be satisfied on sequentially superior sites, I do not support offices on the objection site.

8.16.16 Fairlady and Trish Macdougall consider that the policy should also allow for residential use on this site. I have dealt with this matter in Paragraph 8.15.3 above. There is nothing to suggest that the objection site is inherently unsuitable for Class B1b or B1c uses. In the circumstances, I do not agree with the Objectors that the safeguarding should be removed or that an alternative mixed-use designation to include housing and offices should be imposed.

#### Brunswick Square Industrial Area

8.16.17 Hawthorne Kamm Planning Consultancy suggest that the uses here are more within the Class B2 and B8 categories and should be relocated as they are incompatible with the surrounding residential uses. The Objectors add that the policy is incompatible with PPG 3, which advises that existing industrial allocations should be re-appraised. The Objectors would like provision to be made for residential uses. However, for the reasons I have

given in Paragraph 8.15.3 above, I do not consider that residential uses on these safeguarded sites would be appropriate. The policy proposes the kind of industrial uses that can be carried out in a residential area. The surroundings are of mixed character, including housing, but I do not consider that the application of the policy to this site is incompatible with PPG 3. In the circumstances, I recommend that no changes be made in response to this objection.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ By deleting 68-94 Portswood Road as a safeguarded site and amending the Proposals Map accordingly.
- ◆ By deleting the Richmond Works from the Pitt Road Industrial Area and renaming the remaining safeguarded site as the Liners Industrial Estate. By amending the Proposals Map accordingly.

## 8.17 POLICY REI 13: INDUSTRY RELIANT UPON WHARFAGE AND PORT-RELATED USES

*(Proposed Changes 7 and 75)*

### Representations

Lafarge Aggregates	REI13-1/1-ID-O
Bees Finance Corporation Ltd	REI13-291/1-ID-O
Cavendish & Gloucester	REI13-419/2-ID-O
JPM Aggregates Ltd	REI13-823/4-ID-O
English Nature	REI13-1031/1-ID-O
Cavendish & Gloucester	REI13-1514/1-RD-O

### Issues

- a. Whether the policy accords with national and regional planning policy.
- b. Whether uses that may become reliant on the water in the future should be included.
- c. Whether individual sites are appropriately included in the policy.

### Inspector's Reasoning and Conclusions

8.17.1 This policy seeks to safeguard existing wharves and quays for those activities that need a waterside location. The waterfront is a finite resource and is a key element in Southampton's history. Some wharfs may no longer be suitable for their original purpose, perhaps because of the increase in size

of the boats that have traditionally used them. However, there may be alternative options, for example in connection with the marine leisure industry. It seems to me that the objectives of the policy should therefore be supported.

- 8.17.2 English Nature consider that the policy is not in accordance with PPG 20 or Policy T7 in RPG 9, which suggest that within the coastal zone development should not be encouraged that does not require a coastal location. As I have said in relation to Policy SDP 20, the Council has not defined a "coastal zone" in the Local Plan. However, much of the land bordering the Itchen estuary is developed coast within the urban area and PPG 20 does not suggest that all such sites should all be allocated for water-based development. Indeed it is recognised that there may be opportunities for restructuring and regenerating the urban area thus resulting in visual and environmental improvements<sup>68</sup>.
- 8.17.3 Lafarge Aggregates have suggested that development that may become reliant on access to the water at some future time should be catered for. However, this seems to me to be too vague a notion and one that would be difficult to assess. It would lead to uncertainty and I do not therefore support the proposed change to the policy suggested by the Objector.
- 8.17.4 Lafarge Aggregates have also suggested a policy that protects or safeguards existing or proposed rail depots and wharves. As the Council has pointed out in its response, Policy TI 5, introduced at Revised Deposit stage, protects certain rail freight facilities and sidings. Policies REI 13 and REI 15 safeguard sites that may be suitable for aggregate wharf expansion. The Objectors did not make any suggestions as to where such protection should be instigated. I do not consider that it is necessary to change the Plan in response to the points that have been made.
- 8.17.5 Proposed Change 7 deletes the first two sentences in Paragraph 8.55 that were inserted at Revised Deposit stage and relate to the Vosper Thornycroft Shipyard. As this site has now been allocated as a major site and area under Policy MSA 25 this text is superfluous and I therefore support the proposed change.

*Individual Allocations:*

Bakers Wharf

- 8.17.6 This site, along with others, is safeguarded through Policy 21 of the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan<sup>69</sup> (1998) for the handling of marine aggregates. The purpose of the policy is to satisfy the need for increased imports of sea-borne crushed rock and marine-dredged sand and gravel. Bees Finance Corporation Ltd (Bees) object to the safeguarding on the grounds that the site is used for Class B1, B2 and B8 purposes, unrelated to the water. It is said that the site is too small to accommodate the size of today's aggregate vessels. Furthermore, there are marinas to the north and south that would make sea access to the wharf difficult.

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<sup>68</sup> Inspector's Note – Similar issues have been raised in relation to the Vosper Thornycroft site under Policy MSA 25.

<sup>69</sup> See Core Document CD9/1.



- 8.17.7 The County Council has said that the wharf has not been used for handling aggregates since 1993. The Objectors suggest that despite marketing efforts, no company has expressed an interest in leasing for this purpose. The County Council nevertheless considers that the safeguarding should be retained until the viability of the wharf can be assessed in connection with the new Hampshire Minerals and Waste Framework<sup>70</sup>. The Council in its response said that a recent site visit concluded that it would be difficult to re-use the wharf for minerals purposes.
- 8.17.8 However that is not to say that the site could not be redeveloped with other water related uses as has recently happened in the case of Saxon Wharf where there has been a recent marine business park development. It seems to me that there is a practical waterfront and no good reason has been advanced as to why it cannot be utilised. I do not therefore agree with the Objectors that the site should be included in the REI 9 designation covering the adjoining Millbank Industrial Area as the latter is not a waterside site. I can find little justification for the Objectors' proposition that the designation would be likely to hinder future investment and redevelopment. Furthermore, if the policy were widened to include uses not reliant on the wharf it would be likely that higher value land uses would prevail. As I have said these sites are a valuable resource and in the absence of justification, I do not consider that the policy should be changed in respect of this site as suggested by Bees.

#### Northern End of Hazel Road

- 8.17.9 Cavendish and Gloucester sought the reallocation of the north-eastern part of the safeguarded site for general industrial use under Policy REI 11. The Council's Proposed Change 75 agreed to this and I have supported this for the reasons I have given above<sup>71</sup>.

#### Southern End of Hazel Road

- 8.17.10 This objection site is an area of land operated as a small aggregates wharf and known as Supermarine Wharf. JPM Aggregates (now Marks, L) make the point that it had no designation in the adopted Local Plan and consider that this was probably because of its incompatibility with nearby residential uses. I note that it is not a safeguarded aggregates wharf in the Minerals and Waste Local Plan and indeed Policy 24 in that Plan places restrictions on future development due to environmental constraints. The Council points out that the wharf is used to unload aggregate that then goes to the nearby Spitfire Quay for processing. I appreciate that the quay is small in size and that propellers may have a scouring effect in the mud at low tide. Whilst its use as an aggregates wharf may not continue, the policy allows for other water-related industrial uses. No evidence has been submitted that the environmental consequences of using the wharf by boats would be unacceptable. Whilst there is residential development to the south it is separated from the objection site by Southampton Institute's Marine Technology Centre. There is no overriding need for more residential land

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<sup>70</sup> Inspector's Note – The Minerals part of the Local Plan is currently being reviewed and the County Council state that it tentatively anticipates that the First Alteration of the Plan will be adopted in Summer 2005.

<sup>71</sup> See in Paragraphs 8.15.21-8.15.23 of my Report.

and, in the circumstances, I do not consider that the designation should be removed from this site.

## **RECOMMENDATION**

**I recommend that the Plan be modified in accordance with Proposed Changes 7 and 75.**

## **8.18 POLICY REI 14: SHAMROCK QUAY**

### **Representations**

Marina Developments Limited

REI14-420/1-ID-O

### **Issue**

- a. Whether the northern part of the site should be excluded from the policy designation.

### **Inspector's Reasoning and Conclusions**

8.18.1 There is no dispute that the majority of the site is used for marine-based industry. However, there are buildings on the northern edge of the allocated site that are used for a mix of A1, A2 and A3 uses that are not related to waterside industries. Although the supporting text at Paragraph 8.56 of the Local Plan makes clear that such uses may continue, any changes of use that require planning permission would fall foul of the policy provisions. The Council agreed that it had no wish to prevent such changes of use occurring or to see this part of the site eventually becoming used for marine-based industry. Indeed I can appreciate that these uses provide balance and diversity and attract people to the waterfront to the benefit of the overall viability of the site. I note that in the adopted Local Plan, this area has been specifically excluded from Policy E7 relating to industry reliant on wharfage. However, in that Plan there was a general employment protection policy (Policy E1), which is not present in the emerging Local Plan.

8.18.2 The Council suggested that the supporting text could be changed to allow for changes of use within these buildings. I agree that this would be appropriate but it seems to me that the policy needs amending too to take account of the uses within this part of the site. I suggest that reference should be made on the Proposals Map to the area in question for clarity. I do not agree with the Council that this area would be too small to annotate appropriately or that it would result in a cluttered appearance on the map.

## **RECOMMENDATIONS**

**I recommend that the Plan be modified as follows:**

- ◆ **By deleting Policy REI 14 and replacing it with the following new policy:**

***“At Shamrock Quay planning permission will only be granted for water-related industries, associated specialist ancillary B1 and B2 uses and A1, A2 and A3 uses within the northern part of the site”.***

- ◆ **By revising the second part of the final sentence of Paragraph 8.56 as follows:**

***“Some of the units within Shamrock Quay within the area shown on the Proposals Map have lawful consents for a broad range of commercial activities. The Policy does not restrict the continued use of these activities or changes of use within Part A of the Town and Country Planning (Use Classes) Order”.***

- ◆ **By revising the Proposals Map to reflect the above changes.**

## **8.19 POLICY REI 15: PORT OPERATIONAL LAND**

### ***(Proposed Change 81)***

#### **Representations**

Hants & Isle of Wight Wildlife Trust	<u>REI15-341/6-ID-O</u>
Hants & Isle of Wight Wildlife Trust	REI15-341/16-ID-O
Rank Hovis Ltd	REI15-515/1-ID-O
Rank Hovis Ltd	REI15-515/2-ID-O
Associated British Ports	REI15-1113/2-ID-O
Associated British Ports	PC81-1113/25-PC-O

#### **Issues**

- Whether the policy adequately distinguishes operational port land from other land in the ownership of the Port Authority.
- The implications for development of land surplus to port operational requirements.
- Whether the Proposals Map satisfactorily identifies land in port operational use.

#### **Inspector's Reasoning and Conclusions**

8.19.1 Associated British Ports (ABP) point out that the notation on the Proposals Map refers to “sites for water related and port industry”. I agree that this is not the same thing as port use, which is what the policy aims to address. Furthermore, ABP suggest that the designation as shown includes land that is in non-port uses as well as other land outside the ownership of a statutory dock undertaking. ABP also owns further land outside the delineated area. Proposed Change 81 attempts to deal with this by showing a distinction between the protected wharfage areas along the River Itchen (Policy REI 13)

and the Eastern and Western Docks. However ABP still object to calling this "Port Operational Land" as it includes land that is not in operational use. They wish to see it termed "the current operational area of the ABP Port of Southampton". I agree that this is more accurate. Proposed Change 81 also seeks to amend the supporting text to clarify the position with regards to ABP's landholdings. I support these revisions, which satisfy points made by ABP in their objection. I agree with ABP that the policy would be better entitled "The Port of Southampton". I recommend appropriate changes to cover these matters.

- 8.19.2 Since issuing Proposed Change 81, the Council has indicated that the Southampton Oceanography Centre (SOC) should not have been included within the REI 15 area and that this was an error. ABP have objected on the basis that this is still port operational land and that the only reason the SOC is located within the Dock area is because it requires a vessel operating base. ABP point out that there are many other businesses within the Port area that lease land within the Dock estate and that these are not separately identified in the Local Plan. I have dealt with this issue under Policy L 7 and for the reasons given there I do not consider that SOC should be included within the Policy REI 15 designation<sup>72</sup>.
- 8.19.3 Whilst the Hampshire and Isle of Wight Wildlife Trust (Wildlife Trust) welcome this safeguarding policy they consider that the text should clarify what "port-related" means. Paragraph 8.59 of the Plan states what is meant by operational port uses and I do not consider it necessary to go further than that. The Wildlife Trust is concerned that Port land has been redeveloped for other uses at the same time as insisting that it needs room to expand. It is said that such expansion is now threatening the important New Forest coastline and that there is a need for strategic policies to deal with the matter. However as the Council comments in its response, the operation of the port and its strategy for expansion are matters for the Port Authority and not the Council. Furthermore, the Dibden Bay development looks unlikely to go ahead in the face of the refusal of planning permission by the First Secretary of State. What the policy seeks to do is to protect operational port land from other uses, which should ensure that the Port has sufficient land to allow it to develop and prosper.
- 8.19.4 The Wildlife Trust comments that there are also other industries that need a waterfront location but that many sites have been developed for uses such as leisure and residential, which is contrary to PPG 20. Policy REI 13 seeks to safeguard wharves and quays along the Itchen estuary. However, PPG 20 is not against redevelopment for uses that do not need a waterside location along the developed coastline if, for example, there are regeneration benefits<sup>73</sup>.
- 8.19.5 Rank Hovis Ltd consider that there should be provision within the policy to ensure that releases of small or medium sized parcels of land that become surplus to the operational requirements of the Port should remain in employment use (Classes B1c, B2 and B8). The Objectors point out that once released such land would not be protected by the policy and suggests

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<sup>72</sup> See Paragraphs 6.9.7-6.9.9 of my Report.

<sup>73</sup> See Paragraph 8.17.2 of my Report.

amended wording accordingly. In its response the Council agreed that the threshold for a “major release” of land should be specified in Paragraph 8.60. I agree that the Council’s proposal of 10 hectares seems sensible within the context of the City Council’s area. I do however concur with the Objectors that as things stand operational land that becomes surplus to operational requirements would not fall within the scope of this policy. Whilst such land could make a contribution to employment needs, it is likely to be covered by other policies in the Plan, for example Policy MSA 4. In the circumstances I do not consider that changes to the Plan are necessary in response to this objection.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By changing the title of Policy REI 15 to “The Port of Southampton”**
- ◆ **By revising Paragraph 8.58 as follows:**
  - ◆ **Add the following new sentence to the start of the paragraph:**  
*“Not all ABP’s land ownership is delineated on the Proposals Map”.*
  - ◆ **Follow the above sentence with the word “Certain”.**
- ◆ **By adding the words “of 10 hectares or more” after “major land releases” in Paragraph 8.60.**
- ◆ **By revising the Proposals Map as follows:**
  - ◆ **Show a different colour notation between land designated under Policy REI 13 and REI 15. The key to refer to this as “The current operational area of ABP Port of Southampton”.**

I recommend that no modification is made to the Plan in respect of Proposed Change 81.

## 8.20 POLICY REI 16: OFFICE DEVELOPMENT AREAS

### *(Proposed Change 22)*

#### Representations

GOSE	REI16-172/4-ID-O
GOSE	REI16-172/5-ID-O
Hampshire & Isle of Wight Wildlife Trust	REI16-341/7-ID-O
Frobisher Ltd	REI16-612/2-ID-O
MDL Developments Ltd	REI16-843/7-RD-O
MDL Developments Ltd	REI16-843/8-RD-O

## Issue

- a. Whether the office development areas accord with advice in PPG 6 and PPG 13 regarding the sequential test and accessibility.

## Inspector's Reasoning and Conclusions

- 8.20.1 I have made a number of comments about the Council's approach to the location of new office development already<sup>74</sup>. In the Revised Deposit version there has been an assessment of need in accordance with Policy Q5 in RPG 9. In the face of some 2.79 years of office supply, clearly provision for new office floorspace is necessary in the Plan. I comment on the office development areas, and the objections to them, below.
- 8.20.2 The policy refers to redevelopment only being acceptable where there is no net loss of office accommodation. I agree with MDL Developments Ltd (MDL) that it is unclear what "major office accommodation" actually means. However, rather than the wording suggested by MDL I suggest that the provision should be no net loss of floorspace. The word "major" is unnecessary as the policy is directed towards development in excess of 500 m<sup>2</sup> anyway.

### *Ocean Village*

- 8.20.3 GOSE is concerned that new offices here would not comply with advice regarding accessibility in PPG 13 and advice regarding the sequential test in PPG 6. I have dealt with the issue of the sequential test<sup>75</sup>. Mr Wood pointed out that offices in Ocean Village are difficult to let and some have been empty for years. There are office schemes in the pipeline but I have concerns about Ocean Village as a suitable location for more major office development, at least until public transport accessibility has been improved. MDL Developments Ltd (MDL) in their objections question the public transport connectivity of the site as outlined in Paragraph 8.64 of the Local Plan. These Objectors believe that this would not improve through piecemeal development. Furthermore they believe that large office users would not be attracted unless there were large areas of car parking. That the Local Plan in Paragraph 8.64 describes this as akin to an "out of town business park location" rather endorses MDL's concerns as well as my own regarding its suitability for a similar type of large scale office use.
- 8.20.4 I can see benefits in a comprehensive development involving the two areas of land covered by Policies REI 16 and MSA 15. I understand that both are within MDL's ownership and that a Masterplan is being prepared for the whole area. Proposed Change 22 inserts a reference to this into Paragraph 8.64 of the Plan. The Council is opposed to the REI 16 site being incorporated into the MSA 15 site and considers that the office allocation is crucial to the provision of suitable office accommodation in the city. However, for the reasons I have given I cannot support further office

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<sup>74</sup> See Paragraphs 8.13.1-8.13.4 of my Report.

<sup>75</sup> See Paragraph 8.13.2 of my Report.

development here of the type that currently exists. Any further provision would be within the context of a mixed use development and would be dependant on improvements to public transport provision and connectivity. I agree with MDL that the best way forward is to adopt a holistic approach and a single MSA allocation. I consider that Ocean Village should be deleted from REI 16 accordingly. It follows that I do not support Proposed Change 22.

*Land bounded by Southern Road, West Quay Road and Mountbatten Way*

8.20.5 This site is allocated under Policy MSA 18 and is known as the Norman Offer site. The Hampshire and Isle of Wight Wildlife Trust say that this is part of the historic port estate and should be used for port expansion. This land is however no longer within direct port ownership and I agree with the Council that it would be impractical to require it to be used for port-related industry. Although the Dibden Bay development no longer looks likely to go ahead there is no indication that this area of land will be needed for port expansion. Furthermore, the site has been removed from Policy REI 16 in the Revised Deposit version and is now covered by Policy MSA 18. In the circumstances no changes are needed in relation to this objection.

8.20.6 Frobisher Ltd consider that this land would be more suitable for retail and leisure uses. I have dealt with this proposition under Policy MSA 18.

*MSA Sites*

8.20.7 GOSE has also raised concerns about offices as an element of the mixed-uses on MSA sites in terms of accessibility and the sequential test. As I said<sup>76</sup>, edge-of-centre sites may be appropriate for offices, in the absence of sequentially preferable city centre locations. I have commented on individual sites under the appropriate MSA policies.

## RECOMMENDATIONS

**I recommend that the Plan be modified as follows:**

- ◆ **By deleting Ocean Village from Policy REI 16 and from the Proposals Map.**
- ◆ **By replacing the final sentence of Policy REI 16 with the following new sentence:**  
*“Redevelopment within (i) and (ii) will only be permitted if there is no net loss of office floorspace”.*
- ◆ **By replacing the word “three” with “two” at the start of Paragraph 8.61.**
- ◆ **By deleting Paragraph 8.64.**

**I recommend that no modifications be made to the Plan in respect of Proposed Change 22.**

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<sup>76</sup> See Paragraph 8.13.2 of my Report.

## 8.21 POLICY REI 17: IDENTIFIED OFFICE SITES

### Representations

GOSE	REI17-172/6-ID-O
GOSE	REI17-172/7-ID-O
GOSE	REI17-172/8-ID-O
University of Southampton	REI17-573/1-ID-O
Lisa Halpin	REI17-606/1-ID-O
Lisa Halpin	REI17-606/2-ID-O
Rob Iliffe	REI17-607/1-ID-O
Mr C Wood	REI17-1019/2-ID-O
Mr C Wood	REI17-1019/3-ID-O
Mr C Wood	REI17-1019/4-ID-O

### Issue

- a. Whether sites should be designated at Ocean Village for offices.

### Inspector's Reasoning and Conclusions

8.21.1 Policy REI 17 advances particular sites as allocations for new office development. In the Revised Deposit version, the allocations at Maritime Walk and Alexandra Docks have been deleted and included instead as mixed-use sites (including an office element) under Policy MSA 15. I shall consider this further under that policy but it seems to me that the concerns of Lisa Halpin and Rob Iliffe about offices obstructing public access to the waterside and the cultural and leisure facility of the Harbourlights Cinema have been met. Mr Wood by implication objects to an office element to MSA 15 and this is considered further under that policy.

8.21.2 The only designated site in Ocean Village is at Ocean Way. I agree with GOSE that an extension of the type of office development currently there would not be appropriate for the reasons I have given in the preceding section. Reference is made to Class B1b use, which relates to the Marine Innovation Centre. Recognition of this use meets the objection of the University of Southampton although research and development uses do not really belong within an office policy. It seems to me that the Marine Innovation Centre would best be dealt with under Policy MSA 15 and its supporting text.

### RECOMMENDATION

**I recommend that the Plan be modified by deleting the Ocean Village area from Policy REI 17.**