

## CHAPTER 11 - MAJOR SITES AND AREAS

### 11.1 OMISSION – MARLANDS SHOPPING CENTRE

#### Representations

Hermes Property Asset Management Ltd

MSA01-413/11-ID-O

#### Issue

- a. Whether Marlands Shopping Centre and adjoining land should be designated as an MSA site in the Plan.

#### Inspector's Reasoning and Conclusions

- 11.1.1 Hermes Property Asset Management Ltd (Hermes) propose that the Marlands Shopping Centre, properties fronting onto Above Bar Street, Asda foodstore and two car parks be designated as an MSA. The Objectors consider that the site should be subject to a development brief and could enhance retail provision and the evening economy of the city centre.
- 11.1.2 In my conclusions on Policy REI 1 I have found that there is a quantitative need for additional comparison goods floorspace during the Local Plan period<sup>1</sup>. Furthermore, that the proposed edge-of-centre retail allocations in the Plan have been made without a proper sequential assessment of the potential of the city centre to provide the necessary additional retail floorspace<sup>2</sup>. I have dealt with the issue of the primary shopping area for PPG 6 purposes in my conclusions on Policy REI 4<sup>3</sup>. The site proposed by Hermes would largely fall within this area and is clearly one possibility that should be investigated for further retail provision. I have referred to the site in Paragraph 8.4.22 of my Report and reiterate that the Council's approach not to allocate existing central retail sites with redevelopment potential is misconstrued.
- 11.1.3 The Council in its response refers to some MSA sites, where retail elements would form part of a mixed-use development. I have dealt with these under Policy REI 1<sup>4</sup>. I have said that the retail elements on mixed-use sites should be reconsidered following the sequential assessment to which I refer above

#### RECOMMENDATION

**I recommend that the Council consider the omission site as part of its sequential assessment of retail floorspace capacity.**

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<sup>1</sup> See Paragraph 8.4.38 of my Report.

<sup>2</sup> See Paragraph 8.4.39 of my Report.

<sup>3</sup> See Paragraphs 8.7.1-8.7.3 of my Report.

<sup>4</sup> See Paragraph 8.4.24-8.4.26.

## 11.2 OMISSION: AFFORDABLE HOUSING ON MSA SITES

### Representations

Consortium of Registered Social Landlords

MSA01-526/2-ID-O

### Issue

- a. Whether MSA policies should specifically refer to affordable housing provision.

### Inspector's Reasoning and Conclusions

- 11.2.1 Residential development is included in a number of MSA sites as detailed in individual policies. On such sites affordable housing provision would be sought in accordance with the provisions of Policies H 13 and H 14 and it seems to me unnecessary to make specific reference in each MSA policy. I have commented there on the Consortium of Registered Social Landlords' objections regarding affordable housing targets<sup>5</sup> and I have suggested that the Council should revisit the issue in connection with its Local Development Framework preparation.
- 11.2.2 Development Briefs prepared in connection with individual MSA sites can clearly be more specific with regards to the appropriate level of affordable housing that would be sought on the relevant site.
- 11.2.3 I do not agree that RSL developments on MSA sites should not provide additional community benefits, such as open space for example. I have dealt with the point made by the Objector in my conclusions on Policy CLT 6<sup>6</sup>.

### RECOMMENDATION

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

## 11.3 POLICY MSA 1: CITY CENTRE DESIGN

### Representations

English Heritage  
English Heritage  
English Heritage

MSA01-628/3-ID-O  
MSA01-628/33-RD-O  
MSA01-628/38-RD-O

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<sup>5</sup> See Paragraph 7.12.22 of this Report.

<sup>6</sup> See Paragraph 5.6.4 of this Report.

## Issue

- a. Whether the policy and its text is adequate to ensure a high quality of design in the City Centre.

## Inspector's Reasoning and Conclusions

- 11.3.1 The City Centre Urban Design Strategy<sup>7</sup> is intended to be adopted as supplementary planning guidance to the Plan. It expands on the five urban design themes set out in Policy MSA 1, including creating landmarks in order to improve the legibility of the city. Policy SDP 9 requires a high quality of building design and I therefore do not agree with English Heritage that the words "high quality" need preface "landmarks" in criterion four of Policy MSA 1.
- 11.3.2 English Heritage generally support Policy MSA 1 but feel that there should be an umbrella strategy for the city centre sites covered by Policies MSA 7, MSA 8 and MSA 9 and the relevant housing allocations in these areas. English Heritage believe that such a key project with its implications for regeneration and archaeology and its links to the Waterfront and West Quay needs to be managed in a positive and imaginative way. Whilst I do not disagree with the Objectors' point, it seems to me that an overall picture is provided within a number of documents that will become supplementary guidance to the Plan.
- 11.3.3 As well as the City Centre Urban Design Strategy mentioned above there is also the Old Town Development Strategy<sup>8</sup>, the Development Design Guide<sup>9</sup> and the North/ South Spine Strategy<sup>10</sup>. These should all be referred to in the supporting text at Paragraph 11.8 of the Plan with their status as SPG. They will become the appropriate vehicles for delivering a detailed strategy that integrates the various elements referred to by the Objectors. No doubt English Heritage will continue to provide valuable input to this guidance, which should be kept under review and this seems to me to be the correct place to deal with the issues raised. It seems to me to be implicit that development proposals will be expected to have regard to the principles in the SPG.

## RECOMMENDATION

**I recommend that the Plan be modified by referring to all relevant design guidance in Paragraph 11.8 of the plan and to its status as SPG.**

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<sup>7</sup> See Core Document CD 18/2.

<sup>8</sup> Core Document CD18/3.

<sup>9</sup> See Core Document CD18/1.

<sup>10</sup> Core Document CD18/4.

## 11.4 POLICY MSA 2: SOUTHAMPTON CENTRAL STATION

### Representations

GOSE	MSA02-172/121-RD-O
English Heritage	MSA02-628/2-ID-O
City of Southampton Society	<u>MSA02-640/2-ID-O</u>
Old Town Residents Association	<u>MSA02-1034/2-ID-O</u>

### Issues

- a. Whether the Plan should be encouraging more long stay parking at the station.
- b. Whether the Plan provides for adequate improvements to buses as part of the transport interchange.
- c. Whether the policy should include a provision relating to design.

### Inspector's Reasoning and Conclusions

11.4.1 The Central Railway Station has the potential to become a high quality multi-modal public transport interchange in easy walking distance of the shops and other city centre facilities. The Local Transport Plan (LTP) refers to a study by Arup Transportation<sup>11</sup> indicating the scale of development needed to support such a scheme, which includes offices. Whilst I have concluded that the Central Railway Station is an edge-of-centre site for PPG 6 purposes, it is highly sustainable in terms of public transport accessibility<sup>12</sup>. There is a shortage of sites for larger offices (over 1,000 m<sup>2</sup>) and it seems to me that this site would be capable of contributing towards alleviating the shortfall<sup>13</sup>.

11.4.2 In the Revised Deposit version Paragraph 11.9 refers to more car parking in order to provide a more attractive and convenient environment for commuters. The Strategic Rail Authority objected to Policy TI 1 on the basis that it would preclude the provision of commuter parking at Southampton Central Station and has withdrawn its objection to Policy MSA 2 on the basis of the reference in Paragraph 11.9, which encourages an increase in such facilities. GOSE object to this on the grounds that it would not accord with the Council's approach to integrated transport planning. I agree with the Council that by locating mixed use development at the public transport interchange many people would use the train in order to reach the facilities. However, the LTP aims to discourage long stay parking in the city centre in order to encourage those in the workplace to travel by other modes. Providing such parking facilities at the station instead would merely move the problem elsewhere and would not accord with these objectives. The LTP acknowledges that trains reduce

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<sup>11</sup> Local Transport Plan – Paragraph 10.1.31 (Core Document CD14/1).

<sup>12</sup> See Paragraph 8.13.3 of my Report.

<sup>13</sup> See Paragraph 8.13.1 of my Report.

long distance car trips but nevertheless does not accept that car parking at stations should be increased unless all other options proved fruitless<sup>14</sup>.

- 11.4.3 For those who use the train to travel out of the city, parking facilities at the station will be needed. Network Rail make the point that a degree of car parking will be necessary as a prerequisite to improved rail patronage. The Regional Transport Strategy (RTS) does not discourage parking provision at principle railway stations, providing it is part of an integrated surface access strategy whereby accessibility by other modes is enhanced<sup>15</sup>. It seems to me that a balance therefore needs to be struck between providing sufficient car parking for Southampton's rail users whilst discouraging people from driving into the city and using the station as a parking destination. This should be made clear in Paragraph 11.9 of the Plan and I recommend accordingly.
- 11.4.4 English Heritage suggested that a criterion should be added that requires visual quality and an attractive gateway to the city. As the Council has said in its response, the matter of design quality is dealt with under Policy MSA 1. In the Revised Deposit version there is a criterion added to satisfy the point about the gateway. In the circumstances I do not consider that further changes are needed in response to this objection.
- 11.4.5 The City of Southampton Society comment that the transport interchange requires a coach/ bus station adjacent to the rail station. Criterion one of the policy requires provision of a multi-modal interchange, which is an objective in the LTP. This would include improvements to provisions for bus and long distance coaches. The Old Town Residents Association want to ensure that the current proliferation of bus parking areas in the city centre is addressed. Whilst this may be facilitated by the first two criteria of the policy it is an existing problem and one which is being addressed in the LTP.

## **RECOMMENDATION**

**I recommend that the Plan be modified by adding the following text after sentence three in Paragraph 11.9:**

**"However, any increases in car parking at the station will be part of an integrated surface access strategy in order to ensure that the station does not become a parking destination unrelated to rail travel".**

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<sup>14</sup> See Local Transport Plan – Paragraph 9.6.22 (Core Document CD14/1).

<sup>15</sup> See RTS Paragraph 9.64 (Core Document CD/4/2).

## 11.5 POLICY MSA 3: CHARLOTTE PLACE

### *(Proposed Change 80)*

#### Representations

Hornet Roller Hockey Club	MSA03-246/1-ID-O
Consortium Of Registered Social Landlords	MSA03-526/3-ID-O
Southampton Institute	MSA03-572/2-ID-O
Southampton Institute	MSA03-572/3-ID-O
Southampton Institute	MSA03-572/21-RD-O

#### Issues

- a. Whether MSA 3 is an acceptable location for office and leisure uses, taking account of government guidance in PPG 6.
- b. Whether the Plan adequately caters for the expansion of Southampton Institute.

#### Inspector's Reasoning and Conclusions

- 11.5.1 Although Charlotte Place is not within the North of the Parks Office Development Area (Policy REI 16), it is adjacent to it. The policy includes provisions that seek improvements to pedestrian routes to the city centre as well as the residential area of St Marys. GOSE have withdrawn their objections in terms of the accessibility of this site but they are concerned about the Plan's general approach to office development<sup>16</sup>. I have concluded that the Council should satisfy itself that office needs cannot be met on more centrally located sites<sup>17</sup>. Subject to such confirmation and also the accessibility improvements envisaged in Policy MSA 3, I consider that this would be an acceptable location for office development. I have dealt with the leisure use under Policy CLT 9 and concluded that in terms of PPG 6, this is an acceptable location for the leisure activity proposed for the site<sup>18</sup>.
- 11.5.2 Most of Southampton Institute's objections have been dealt with in detail under Policy L 6. I have supported their expansion requirements and agreed to changes in the Plan that would facilitate their aspirations. The Institute object to the site specific reference to community uses being provided on part of the Compton Walk site. The Council commented that this was a previous allocation and that there was no particular intention that the Institute would provide these uses. However, I would agree with the Council that the Local Plan should allow flexibility and that this reference could be deleted.
- 11.5.3 The Council and the Institute have forwarded further agreed

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<sup>16</sup> See Paragraphs 8.13.1-8.13.3 of my Report.

<sup>17</sup> See Paragraph 8.13.2 of my Report.

<sup>18</sup> See Paragraph 5.9.1 of this Report.

changes to Policy MSA 3, which supersede Proposed Change 80, and are consistent with changes to Policy L 6. These further changes also delete reference to Compton Walk in criterion four and drop the use of the word “medical” before “Healthy Living Centre”. The latter change is consistent with other references in the Plan. I support these further changes accordingly.

11.5.4 I have considered the objections of the Hornet Roller Hockey Club under Policy CLT 9 and in view of my conclusions there it is unnecessary to make changes to Policy MSA 3 in response to their objection<sup>19</sup>.

11.5.5 I have dealt with the objection of the Consortium of Registered Social Landlords in Paragraphs 11.2.1-11.2.3 of my Report.

## RECOMMENDATIONS

**I recommend that the Plan be modified by revising Policy MSA 3 as follows:**

- ◆ **By deleting the word “*medical*” prior to “*Healthy Living Centre*” in the first paragraph and in the second criterion.**
- ◆ **By deleting the words “*on part of the Compton Walk site*” from the fourth criterion**
- ◆ **By adding a new criterion as follows:**  
*“Educational uses to provide for the expansion of Southampton Institute in accordance with Policy L6”.*

**I recommend that no modification be made to the Plan in respect of Proposed Change 80.**

## 11.6 POLICY MSA 4: ROYAL PIER AND TOWN QUAY

### *(Proposed Changes 9 and 64)*

#### Representations

International Tall Ships Centre Ltd	MSA04-126/1-ID-O
GOSE	MSA04-172/33-ID-O
Jubilee Sailing Trust	MSA04-287/1-ID-O
Jubilee Sailing Trust	MSA04-287/2-RD-O
ECi Ltd	MSA04-288/1-ID-O
CPRE	MSA04-327/2-ID-O
Hampshire & Isle of Wight Wildlife Trust	MSA04-341/11-ID-O
RSPB	MSA04-363/1-ID-O
New Forest DC	MSA04-417/3-ID-O
English Heritage	MSA04-628/9-ID-O
English Heritage	MSA04-628/10-ID-O
English Heritage	MSA04-628/30-RD-O
English Heritage	MSA04-628/31-RD-O

<sup>19</sup> See Paragraph 5.9.3 of this Report.

English Heritage	MSA04-628/32-RD-O
J Velecky	MSA04-659/1-ID-O
Ms O'Dell	MSA04-828/1-ID-O
Linden Homes (Southern) Ltd	<u>MSA04-844/2-ID-O</u>
SCAPPS	MSA04-846/4-ID-O
Environment Agency	MSA04-850/25-ID-O
Mr C Wood	MSA04-1019/5-ID-O
English Nature	MSA04-1031/4-ID-O
Enichem UK Ltd	MSA04-1038/1-ID-O
Associated British Ports	MSA04-1113/11-RD-O
Town Quay Marina Berth Holders Association	MSA04-1532/1-RD-O
English Heritage	PC64-628/43-PC-O

## Issues

- a. Whether the mixed-use allocation is acceptable having regard to the operational needs of the Port of Southampton.
- b. Whether the MSA site should be extended to include further land to the west.
- c. Whether the policy criteria adequately explain the main requirements for development of the MSA 4 site.
- d. Whether the Development Brief provides satisfactory amplification of the policy criteria.
- e. The implications for archaeology, including the town walls and Trafalgar Dry Dock.
- f. Whether the proposed mix of uses is acceptable.
- g. The implications of the reclamation on nature conservation.

## Inspector's Reasoning and Conclusions

### *The Effect on the Operation of the Port*

- 11.6.1 The MSA 4 site falls between the operational port areas of the Eastern and Western docks. Existing port-related uses include the Red Funnel Car Ferry terminal between the Royal Pier and Town Quay. Town Quay itself includes a range of non-port activity but also provides access to the passenger ferries that run to Hythe and the Isle of Wight. One of the requirements of the policy is that it should be relocated. Furthermore, Paragraph 11.17 in the Plan states that the passenger ferries would need to be integrated into any redevelopment scheme. I consider that this should also be mentioned in the policy.
- 11.6.2 A number of Objectors, including the Council for the Protection of Rural England (CPRE), RSPB, New Forest District Council (NFDC) and EniChem UK object to the MSA 4 allocation in principle. The Objectors consider that this land and any reclamation should be used to meet the future needs of the Port. Policy MSA 4 is seen to be in conflict with Policy REI 15, which seeks to protect land for port use and ensure that the future expansion of the port is not constrained. However, the redevelopment could only go ahead if the land were surplus to operational port requirements, in which



case Policy REI 15 would not be applicable<sup>20</sup>.

- 11.6.3 ABP supports the policy in principle and as the major landowner of this site is clearly in the best position to assess whether the site would be suitable or necessary in terms of its operational requirements. NFDC point out that ABP gave evidence to the Dibden Bay Inquiry that there is insufficient capacity to accommodate growth in container and ro-ro trade in the longer term. I understand that ABP ruled out the MSA 4 area as being unsuitable for the construction of commercial docks, although this was linked to the proposed container terminal at Dibden Bay that is no longer going ahead.
- 11.6.4 The decision on the Dibden Bay project postdated the close of the Local Plan Inquiry. I have no evidence to be able to conclude with any certainty that the MSA 4 site is now not needed for some kind of port related use. As most of the land is owned by ABP such an outcome would jeopardise the future of the redevelopment proposals.
- 11.6.5 ABP are adamant that the operation of the Port must not be compromised. I do not consider that the MSA 4 development would impinge on access to the Windward Terminal via Dock Gate 8. This is along Herbert Walker Avenue to the north of Mayflower Park and I see no reason why it would need to be integrated into the development of the MSA site. I am though more concerned about the implications arising from ABP's requirements to safeguard a future rail link between the Eastern and Western docks. I appreciate the reasons for this in terms of movement of large container traffic. However, the Council believes that it would be incompatible with the redevelopment of the MSA 4 site. If that is the case then again this introduces considerable uncertainty about the future of the redevelopment. I appreciate that the Port has ultimate control as landowner but it seems to me that it needs to decide what its intentions are in relation to this land in terms of its operational requirements.
- 11.6.6 The MSA 4 allocation should not be included in the Plan unless there is a reasonable prospect of it being implemented during the Local Plan period. To do so would be contrary to advice in PPG 12. On the other hand, it may be that the situation regarding port operations can be easily clarified and that the Council will be able to satisfy itself that the redevelopment proposals have a fair chance of going ahead. So that either outcome can be accommodated and to avoid delay in adoption of the Plan, my recommendations are made in the alternative. I turn now to consider the other objections on the assumption that the MSA 4 site will remain in the Plan.

#### *Extension to the MSA 4 Site*

- 11.6.7 The Council has recently identified an opportunity to include land to the west, between Mayflower Park and the City Cruise Terminal,

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<sup>20</sup> See Paragraph 8.19.5 of my Report.

within the MSA 4 development. I appreciate that this has been formally endorsed by Cabinet but it has not been advanced as a modification to the Plan and it would appear that ABP as landowners have reservations about it. As far as I am aware there has been no formal public consultation on this proposal and, in the circumstances, it would be inappropriate for me to comment on it.

*Royal Pier Waterfront Development Brief*

- 11.6.8 The Royal Pier Waterfront Development Brief was prepared for the Council on behalf of the three principle landowners – Associated British Ports (ABP), the Crown Estate and the operators of the Boat Show. Public consultation took place in 2001 and the Brief was revised to take account of representations, including those from English Heritage. The Brief was subject to a sustainability appraisal and negative impacts were identified in terms of habitat loss and coastal erosion particularly. The Brief was subsequently published in January 2002<sup>21</sup>. It is intended that it will eventually be adopted as Supplementary Planning Guidance.
- 11.6.9 PPG 12 makes clear that SPG should support plan policies but not be used to circumvent the Plan by widening the policy interpretation or attempting to amend or update it. At present I would agree with ECi Ltd that the scale of development envisaged in the Brief, particularly with regards to reclamation, goes well beyond the scope of the policy. The purpose of a Development Brief is to provide clear guidance on how the site should be developed within the framework provided by the Plan. It should identify constraints and set out clear development guidelines in order to provide a degree of certainty. It should make clear what would be acceptable and what would not and where there is scope for flexibility. Whilst it may not be a “blueprint” for development it should provide more than “background information”.
- 11.6.10 At the moment it is not clear what parts of the Brief are indicative and what parts are firm requirements. Its usefulness as a tool to improve the efficiency of decision making is therefore limited. If, as now seems to be the case from the Council’s response to Objectors, a completely different form of development to that advanced in the Development Brief is now envisaged, then it begs the question as to whether the Development Brief performs a useful function at all.
- 11.6.11 A number of objections relate to matters that are the province of more detailed guidance and are not suitable for consideration in relation to the Plan itself. NFDC, for example, refer to where the Hythe Ferry may be relocated and Mr Wood has suggestions about where the Red Funnel Car Ferry should go. I appreciate that Mr Wood does not support the current Development Brief but there will be opportunities for further public input either in connection with changes to the Brief itself or at the time that an application for planning permission is submitted. It would not be appropriate

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<sup>21</sup> See Core Document CD18/5.

for me to become involved in such matters of detail in this Report.

- 11.6.12 I do not agree with those who oppose a Development Brief in principle. However, as it stands I do not think that it relates satisfactorily to the policy. In the light of my comments the Council may wish to reconsider this document and the purpose that it is intending to fulfil and I recommend that the final sentence in Paragraph 11.19 be changed to clarify the position and the steps that the Council will take to make it compliant with the policy.

#### *Policy Criteria*

- 11.6.13 In order to have any purpose, Policy MSA 4 needs to set out the main development concepts that will be applied to the site. These can then be elaborated in the Development Brief. The first criterion should explain the extent of the envisaged reclamation. The second criterion refers to creating a public waterfront of international quality. This seems to me to be one of the main outcomes that Mr Wood would also like to see. As I have said, how this is achieved is a matter for detailed consideration through a Development or Design Brief or in connection with a planning application.
- 11.6.14 I agree with English Heritage that improved connectivity and visual links between the Old Town and the waterfront should be added as separate criteria to the policy itself. This would include reference to a water basin as referred to in more detail below. With this concept as a policy criterion, I consider it unnecessary to specifically refer to a "new" waterfront in terms of scale and mass of development in Paragraph 11.19 of the Plan.
- 11.6.15 English Heritage suggest that criterion five should include a requirement that the ferry terminal be accessible on foot from the city centre. This provision has been added into the text at Paragraph 11.17, which seems to me to meet the point made by the Objectors.
- 11.6.16 ECI raise the issue of phasing and it seems likely from the Council's responses that this would be necessary. This issue should be addressed in the Plan if it is possible to do so at this stage. However, it may be that little useful can be included now, in which case it may be a matter best left to the Development Brief.

#### *Inclusion of a Water Basin*

- 11.6.17 There are a number of Objectors who for various reasons consider that any development of the MSA 4 site should include a water basin. English Heritage believe that water should be retained close to the town walls. This would improve views and connectivity between the Old Town and the waterfront. The Town Quay Marina Berth Holders Association (TQMBHA) has provided detailed representations about the importance of the boating industry in terms of employment, recreation and tourism. The Objectors comment that it is central to the history and

understanding of the city and that its future growth needs to be planned for. The TQMBHA believe that Southampton does little to encourage visitors or promote its marinas and complains that the Town Quay Marina is undersized to meet the demand for berths. The Objectors considers that an 800 berth marina should be installed and that there should be no reclamation rather retaining the present tidal water basins. Mr Wood also suggests that an Inner Harbour area should be included.

- 11.6.18 The Development Brief does now include a water basin and it seems to me that if this is to be a fundamental component it should be included as a criterion of the policy. The relationship of the waterfront with the Old Town should also be included, although the form and size of such a feature would be a matter for the Development Brief.
- 11.6.19 I do not though agree with English Heritage that it is either necessary or desirable to show the water basin on the Proposals Map. This is a matter best left to the Development Brief itself. English Heritage suggest that criterion five should include a requirement that the ferry terminal be accessible on foot from the city centre. This provision has been added into the text at Paragraph 11.17, which seems to me to meet the Objector's point.

#### *Omissions*

- 11.6.20 The International Tall Ships Centre Ltd would like specific provision to be made for their facility. They say that it would provide an important visitor attraction with a permanent display. Furthermore, the Objectors suggest that there is no room at Ocean Village to berth the larger vessels and that an ideal location would be in the vicinity of Mayflower Park. The Jubilee Sailing Trust provides facilities to enable disabled people to experience the sea. This is a charity and requires berths for its two sailing ships along with facilities for shoreside management. The Objectors say that at present they are accommodated on a temporary basis but that they need a permanent base in order to plan for the future. It seems to me that there are merits in the arguments of both Objectors for inclusion within the development proposals for the waterfront area. However, the Local Plan is not the vehicle to consider the needs of individual organisations. It seems to me that such matters would more appropriately be included in the Development Brief and that the Council may wish to seek the input of these Objectors accordingly.
- 11.6.21 Linden Homes (Southern) Ltd generally support mixed use development and the creation of a quality urban environment. However, it is considered that the adjacent REI 13 allocation should be reviewed with a view to the area providing complementary schemes to the MSA 4 site and Ocean Village. Notwithstanding that this land was allocated for mixed use development in the adopted Local Plan, it is clear from the representations of ABP that it is needed in connection with Port operations at least during the Local Plan period and probably

beyond. In the circumstances I consider that its protection under Policy REI 13 should not be changed.

#### *Mayflower Park*

- 11.6.22 The extension to Mayflower Park is a clear objective of Policy MSA 4 and is the only part of the reclamation that is consistent between the Plan and the Development Brief. This is intended to provide a permanent home for the Southampton Boat Show during a period of about 6 weeks each year. There are those, including J Velecky, who consider that the Boat Show use is incompatible with the original purpose of Mayflower Park. I understand that this was to compensate the people of Southampton for the loss of coastal recreation following development of the Docks. I appreciate this historic connection but I do not agree that the two uses are inherently incompatible. It must be recognised that the Boat Show is very important to the city, not least because of the revenue it generates.
- 11.6.23 However, the Park at present seems to me to be a rather bleak and uninviting place. It occupies a superb location and Paragraph 11.15 of the Plan specifically mentions landscaping improvements, which could comprise planting as well as quality hard surfacing. This should enhance its ambience and the importance of its function as a local park. Improving pedestrian links and connectivity to the whole MSA 4 area is a primary objective of the Plan and this will include Mayflower Park. The Development Brief would seem to me to be the appropriate vehicle for establishing detailed criteria with regards to design and layout. I have though suggested an additional criterion in relation to English Heritage's objections about views of the waterside. This would satisfy the objections of SCAPPS.

#### *Archaeological Implications*

- 11.6.24 English Heritage are concerned about the effect of development on the Old Town and the town walls (a Scheduled Ancient Monument). I have dealt with the issue of connection with the waterfront above. Proposed Change 64, amongst other things, includes an explanation in Paragraph 11.15 of the Plan that the Environmental Impact Assessment will need to consider the impacts on the town walls. I agree with English Heritage that the wording could be improved and that reference should also be made to the effect on the Conservation Area.
- 11.6.25 Trafalgar Dock is a Grade II Listed Building and infilling was granted listed building consent in 1999. The dock itself is within the operational port area of the Eastern Docks and ABP state that it is needed to support the continued growth of the ro-ro trade. They do not envisage that there is any prospect in the future that the infilling will be reversed. The entrance to the dock is within the MSA 4 site and one condition of the consent is that the gates should be repaired or adapted and this part of the dry dock left unfilled. ABP object to Paragraph 11.15 of the Plan, which states that any reclamation enclosing the entrance to the dry dock would

be unacceptable.

- 11.6.26 Regardless of whether or not ABP consider that it is a likely future scenario, the listed building consent seeks to facilitate the restoration of the dry dock in the future should port requirements change. Any proposals that would enclose the gated entrance to the dock would frustrate this objective and be contrary to the terms of the listed building consent. However, I do not agree with English Heritage that the access to the dry dock should be included in the Local Plan as a matter of policy. Any changes to this part of the listed site would undoubtedly require listed building consent and thus be considered through the development control process. It seems to me that the future of this part of the MSA 4 site, including the extent of future reclamation, is better addressed through the Development Brief following consultation with all interested parties. Proposed Change 9 amends the word "Docks" to "Dock". Whilst this is factually correct, I recommend that the sixth sentence in Paragraph 11.15 of the Plan be deleted, for the reasons I have given.
- 11.6.27 English Heritage consider that the outline of the dry dock should be shown. This is outside the MSA 4 area and, in any event, is a requirement of the listed building consent.

#### *Range of Uses*

- 11.6.28 I have dealt with issues regarding development within coastal locations under Policy SDP 20 and concluded that mixed-use development of the type proposed on the MSA 4 site would not necessarily contravene the objectives of PPG 20 relating to the developed coast. I have dealt with issues relating to the operational needs of the Port above. However, it should also be recognised that this is an important site in need of regeneration and visual improvement. It is furthermore a key element in the Council's strategy to link the city centre to the waterside and to create a flagship development that will contribute to the creation of a world class waterfront for Southampton. In the circumstances, I do not agree with CPRE that the principle of the policy is unsound.
- 11.6.29 Paragraph 11.18 sets out the range of uses that would be considered acceptable and it seems to me that these should be included in the policy itself as is the case with other MSA policies. The proposed uses include retail. For the reasons I have already given<sup>22</sup>, I could not support a retail allocation at this edge-of-centre location. In the Council's response it is indicated that this would be on a small scale to meet the needs of those living locally. Paragraph 11.18 in the Revised Deposit version has been amended to refer to "local" convenience needs but I agree with GOSE that this is far from clear. I recommend that the Council clarify that the shopping facilities would be small scale and intended to meet the needs of those living in the residential part of the site.

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<sup>22</sup> See Paragraph 8.4.39 of my Report.

- 11.6.30 GOSE are also concerned about the inclusion of business and leisure uses, which are city centre uses and thus subject to the sequential test in accordance with PPG 6. Whilst this is an “edge of centre” site for PPG 6 purposes, it is similar in terms of its location relative to the primary retail area to sites to the north, such as North of the Parks and Charlotte Place. My comments regarding the suitability of MSA 3 for offices applies equally to the MSA 4 site<sup>23</sup>. It is rather unclear what the leisure element would entail. Large new leisure uses would be inappropriate for the reasons I have given under Policy CLT 1<sup>24</sup>. However, it would appear that the intention is to incorporate existing leisure interests such as the Boat Show as well as A3 uses to support other land uses. These would be acceptable in terms of PPG 6.
- 11.6.31 The TQBHA object to the large housing element in the MSA 4 development at the expense of marina and boating uses, which are discussed below. I have dealt with housing requirements in Chapter Seven, including the need for affordable housing. The MSA 4 site would provide an important input in terms of housing provision. It would also make a sizeable contribution to affordable housing needs, which the Objectors acknowledge is a problem. I do not share the optimism of the TQBHA regarding the future supply of housing in the city for the reasons I have rehearsed elsewhere<sup>25</sup>. New housing may well attract house buyers from outside Southampton and some of them may wish to commute to employment elsewhere. However, this occurs in most major cities and would not necessarily be stopped by a reduction in the amount of housebuilding.
- 11.6.32 The TQBHA are concerned about the creation of unstable communities where many of the residents comprise transient groups, including students. This can be addressed to some degree by the design of development and the aim to incorporate a mix and range of dwelling type as set out in Policy H 17. I do not agree with the implication in this objection that the housing element would necessarily be of poor quality and lacking in architectural merit.

### *Environmental Impact*

- 11.6.33 Both Policy MSA 4 and the Development Brief have been subject to a Sustainability Appraisal<sup>26</sup>. This highlights negative impacts in terms of habitat loss and coastal erosion. Detailed proposals for the MSA 4 site would be subject to an Environmental Impact Assessment as is made clear in Paragraph 11.15 of the Plan. However, English Nature, the Environment Agency, RSPB and the Hampshire and Isle of Wight Wildlife Trust (the Environmental Objectors) object to the policy as a matter of principle. They are concerned about losses of inter-tidal and sub-tidal habitat and the

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<sup>23</sup> See Paragraph 11.5.1 of my Report.

<sup>24</sup> See Paragraph 5.1.2 of my Report.

<sup>25</sup> See my conclusions on Policy H1 of the Plan.

<sup>26</sup> See Core Documents 18/5 (Development Brief) and 10/4 (Sustainability Appraisal).

impact that such losses would have on sites of international importance to nature conservation as well as associated undesignated sites.

- 11.6.34 I have carefully considered the detailed comments of the Environmental Objectors and the response of the Council. It seems to me that the contentious issue is the reclamation proposals. Although the Development Brief suggests a more extensive reclamation, the Local Plan only refers to an extension to Mayflower Park. The Council considers that much of the MSA 4 project could go ahead without the need for reclamation and that this element is therefore not crucial to the success of the whole. In the circumstances, I can thus see no justification for the total deletion of the MSA 4 site in response to the points made by the Environmental Objectors.
- 11.6.35 It is generally accepted that Regulation 48 of the Habitat Regulations (1994) does not apply to land allocations in development plans as they do not authorise development that would affect a protected site<sup>27</sup>. On the other hand the Habitats Regulations would apply to specific development proposals that may arise following the MSA allocation. I agree with the Environmental Objectors that the policy should not include provisions that are unlikely to be achieved. From the information that I have been given it seems to me likely that the reclamation would have significant impacts on protected sites that are utilised by both bird and fish populations. However, this does not mean to say that such a proposal would have little or no probability of succeeding. There are a number of other key tests in relation to development affecting international sites. These include consideration of alternative solutions and whether there are imperative reasons of overriding public interest. I do not have the information to be able to make any judgement on these matters. However, I am not convinced that it is reasonable or even possible for these steps to be conducted at Local Plan stage, especially in the absence of any reasonably well advanced Development Brief.
- 11.6.36 I do not agree with the Council that allocations should be advanced under the MSA policies that would make the Plan internally inconsistent. In this case Policies NE 1 and NE 2 are of particular relevance and their provisions are all the more important because they are based on wider legal obligations. It seems to me that the Council's aspirations in respect of the reclamation can remain within the policy with the caveat that the provisions of the nature conservation policies are adhered to. Although I would not normally encourage cross-referencing, in this case I think it is justified. I consider that this would broadly

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<sup>27</sup> Inspector's Note – This has now changed under the European Directive 2001/42/EC, which requires an assessment of the effects of plans and programmes on the environment. This is known as the *strategic environment assessment* (SEA) Directive and applies to Local Plans prepared after 21/7/04 and also those not adopted by 21/7/06. Subject to adoption within this timescale the current Plan would thus be exempt.



satisfy the objections by the Environmental Objectors. Although they have suggested alternative wording to the policy, in this case I suggest that it would be better to revise the first criterion as I have suggested. I agree that the text also needs to be amended and I have incorporated most of the suggestions made by the Environmental Objectors.

- 11.6.37 ABP consider that the reference to habitat creation and restoration proposals in Paragraph 11.15 of the Plan prejudices the position prior to environmental assessment. Proposed Change 64 suggests a more neutral form of wording. I support this change of wording, although I recommend including amendments suggested by English Heritage, which adds clarity and satisfies the point that they have made.
- 11.6.38 The Environment Agency suggest that part of the site is within an area at risk from tidal flooding and that this should be mentioned in the text. The Development Brief considers issues of coastal defences and clearly this will be a detailed consideration that will need to be addressed. Much will depend on the extent of reclamation and the extent of changes to land levels. It seems to me that such matters can more usefully be addressed in the Development Brief.

## **RECOMMENDATIONS**

**I recommend that the Council take appropriate steps to satisfy itself that the mixed-use development envisaged on the MSA 4 site is likely to be capable of implementation during the currency of the Local Plan and is not likely to be unduly compromised by present or future operational needs of the Port of Southampton.**

**In the event that the Council is unable to satisfy itself on these matters, then I recommend that the Plan be modified by deleting Policy MSA 4 and its supporting text.**

**In the event that the Council is able to satisfy itself on these matters, then I recommend that the Plan be modified as follows:**

- ◆ **By revising Policy MSA 4 to make clear the Council's requirements on the following matters:**
  - ◆ **The areas of reclamation and the provision of a water basin that provides a visual and physical connection between the Old Town and the waterfront. Such development to be subject to compliance with Policies NE 1 and NE 2.**
  - ◆ **The mix of uses that would be acceptable.**
  - ◆ **Integration of the passenger ferries into the redevelopment scheme.**
- ◆ **By revising Paragraph 11.15 as follows:**
  - ◆ **Add the words "*if permissible*" after "*development*" in sentence four.**
  - ◆ **Delete sentences six to eight and replace with the following new sentence:**

*“An Environmental Impact Assessment will be required which, amongst other matters, should consider the impact upon the Old Town walls (a Scheduled Ancient Monument) and the Conservation Area, and whether measures might be required to mitigate for any impacts on nature conservation”.*

- ◆ Add a further sentence at the end of the paragraph:  
*“An appropriate assessment under the Habitats Regulations 1994 will also be required”.*
- ◆ By deleting the final sentence in Paragraph 11.18 and replacing it with the following new sentence:  
*“Retail development will only be permitted to meet the day-to-day convenience needs of those people living in the housing development on the MSA 4 site”.*
- ◆ By revising Paragraph 11.19 as follows:
  - ◆ Delete the final sentence and replace it with appropriate text explaining how the Development Brief will support the policy and provide further guidance to prospective Developers.
- ◆ By reconsidering the form and content of the Development Brief for the site.

That no modification be made to the Plan in respect of Proposed Changes 9 and 64.

## 11.7 POLICY MSA 5: CIVIC CENTRE AND GUILDHALL SQUARE

*(Proposed Changes 38 and 52)*

### Representations

Mr S C Morris	MSA05-8/1-ID-O
WM Morrison Supermarkets Plc	MSA05-125/2-ID-O
GOSE	MSA05-172/25-ID-O
GOSE	MSA05-172/27-ID-O
Residents Action Group	MSA05-367/4-ID-O
Hermes Property Asset Management Ltd	MSA05-413/8-ID-O
Consortium of Registered Social Landlords	MSA05-526/4-ID-O
Southampton Institute	MSA05-572/4-ID-O
Southampton Institute	MSA05-572/22-RD-O
Miss K R Longman	MSA05-815/1-ID-O
Old Town Residents Association	<u>MSA05-1034/3-ID-O</u>
English Heritage	PC52-628/42-PC-O
SCAPPS	PC52-846/49-PC-O

### Issues

- a. Whether retail and leisure uses on this site would be appropriate, having regard to government guidance in PPG 6.

- b. Whether further late night A3 uses should be permitted on the site, having regard to the living conditions of nearby residents.
- c. Whether the cultural aspects of the policy are satisfactorily explained.
- d. Whether the policy adequately provides for pedestrian linkages to the city centre as a whole.

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

- 11.7.1 The MSA 5 site is to the north of the primary shopping area and is allocated as a mixed use cultural quarter. This focuses on existing civic and cultural uses that are established on the site. It is an edge-of-centre site for PPG 6 purposes but includes retail within its mix of uses. As GOSE comments the extent of the retail proposal is unclear. If the intention is to provide ancillary shop uses, such as kiosks that serve the needs of visitors to the cultural quarter, then that would be acceptable. However, for the reasons I have already given<sup>28</sup>, I do not consider that larger scale retail activity would be acceptable or accord with government guidance. It follows that I do not support the objection by William Morrison Supermarkets Plc for a foodstore on the site<sup>29</sup>.
- 11.7.2 GOSE has commented that the definition of leisure uses should be clarified but it seems to me that the intention is to provide A3 uses that would complement the other uses on the site. This would not contravene PPG 6 advice on the location of leisure uses, in my opinion. This area is within easy walking distance of the primary shopping area and is intended to provide complementary facilities to it. Proposed Change 38 advances a further criterion requiring appropriate pedestrian linkages which I support. This satisfies the objections of Hermes Property Asset Management Ltd.
- 11.7.3 Mr Morris and the Residents Action Group object to more late night pubs and bars within the MSA 5 area. These objections are linked to those submitted in relation to Policy CLT 14. The Objectors consider that by encouraging more drinking establishments within the MSA 5 area there will be further adverse impact on the residential areas to the north, including the Polygon. As I have already said under Policy CLT 14, many of the problems are caused by the large transient population, including students, who live in this area and the minority who indulge in anti-social behaviour after an evening out. This is symptomatic of a much wider problem in society as a whole and the land use policies in the Local Plan can only do a limited amount to resolve them. I am not convinced that banning further late evening activity in the MSA 5 area is either reasonable or likely to provide the solution that the residents are

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<sup>28</sup> See Paragraph 8.4.39 of my Report.

<sup>29</sup> The issue of need for additional convenience floorspace during the Local Plan period has been dealt with in my Conclusions to Paragraph 8.3 of the Plan.

seeking<sup>30</sup>.

- 11.7.4 I appreciate that Above Bar Street already contains a number of pubs and restaurants. However, the aspiration for the MSA 5 area is to encourage cultural activity with the emphasis on complementary A3 uses. In the Consultants' Report on the Night Time Economy<sup>31</sup> it was considered that the main night time hub should focus on the Below Bar area. They concluded that although new late night uses may be permitted in the Cultural Quarter these should be distinctive and of a high quality and that the typical "High Street" A3 uses should be discouraged<sup>32</sup>. It is intended that this area would attract a more mature clientele, with A3 uses being part of a wider mix of activity that includes residential. The Residents Action Group are concerned about the use of the former C & A building as a "super pub". It is not appropriate for the Local Plan to become involved in the use of individual buildings but such a use would not seem to fit in with the overall philosophy that I have outlined above.
- 11.7.5 It is not clear what new cultural proposals are envisaged. Southampton Institute for example suggest that a new art gallery would be appropriate. The supporting text should make clear what the Council's intentions are in this respect. The Institute also feel that a small conference or business management centre should be identified as a possible use. The Objectors believe that this would complement the Institute's adjacent lecture theatre. Paragraph 11.23 adds "educational" to the appropriate activities and this should also be referred to in the first criterion of the policy. Proposed Change 52 adds to Paragraph 11.23 that development linked to activities associated with the Institute would be acceptable. This may well cover the type of use envisaged by the Objectors. However, I agree with the Council that a more general conference centre use is likely to be a heavy traffic generator and would not be appropriate in this location. SCAPPS objects to Proposed Change 52 but does not say why. English Heritage supports it only if the Institute is subject to the same design objectives as others, which is to provide active frontages. It is clear that this is a general provision that applies to all new development. I support Proposed Change 52 accordingly.
- 11.7.6 The mix of uses includes housing but I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1 of my Report.
- 11.7.7 The Old Town Residents Association object to the car park at the front of the Civic Centre, which is considered to be an eyesore. Miss Longman is concerned about the use of the highway adjoining East Park and the effect of commercial and leisure uses

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<sup>30</sup> See Paragraph 5.14.5 of my Report.

<sup>31</sup> *Southampton Night Time Economy – Five Year Strategy and Plan: Final Report* (July 2001) (Core Document CD25/2).

<sup>32</sup> See Paragraph 5.14.3 of my Report.

on that area. These are matters for more detailed consideration which would be provided when more specific proposals for the site are drawn up or a Development Brief is prepared.

## RECOMMENDATIONS

**I recommend that the Plan be modified in accordance with Proposed Changes 38 and 52 and as follows:**

- ◆ **By revising Policy MSA 5 as follows:**
  - ◆ **Add “*educational and*” to the beginning of the first criterion.**
  - ◆ **Delete criterion three.**
- ◆ **By explaining the type of cultural uses envisaged in Paragraph 11.23**

## 11.8 POLICY MSA 6: WEST QUAY PHASE 3

### Representations

W M Morrison Supermarkets Plc	MSA06-125/3-ID-O
GOSE	MSA06-172/26-ID-O
Hants & Isle of Wight Wildlife Trust	MSA06-341/8-ID-O
West Quay Shopping Centre Ltd	MSA06-352/2-ID-O
Hermes Property Asset Management Ltd	MSA06-413/9-ID-O
Consortium of Registered Social Landlords	MSA06-526/5-ID-O
English Heritage	MSA06-628/5-ID-O
Old Town Residents Association	<u>MSA06-1034/4-ID-O</u>

### Issues

- a. Whether the mix of uses accords with government guidance on town centre development.
- b. Whether retail uses should be restricted to the established retail frontages.
- c. Whether the site should be reserved for Port expansion.
- d. Whether the policy criteria are sufficient to ensure a satisfactory development.

### Inspector's Reasoning and Conclusions

#### *Central and Eastern Section*

11.8.1 I have recommended that the central and eastern part of West Quay Phase 3 should be included within the Primary Retail Area for PPG 6 purposes<sup>33</sup>. This does not mean to say that development should necessarily be retail-led as leisure uses are also subject to the sequential test under PPG 6. However, the site would be within a prime position to meet part of the shortfall in comparison goods floorspace identified in the White Young

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<sup>33</sup> See Paragraph 8.7.12 of my Report.

Green Retail Study<sup>34</sup>. It seems to me that GOSE's objections regarding PPG 6 and the Caborn Statement would thus be satisfied.

- 11.8.2 Hermes Property Asset Management Ltd consider that retail provision should be restricted to existing established retail frontages. However, the Study demonstrates that there is sufficient expenditure available to support a considerable amount of additional retail floorspace and so there is no reason to believe that existing shopping frontages such as the Marlands Centre would suffer. Furthermore, the scope for intensifying retail activity along the existing High Street frontage is likely to be limited as this part of the West Quay site is within the Conservation Area.
- 11.8.3 The Retail Study did not however identify a shortfall in convenience goods floorspace during the Local Plan period<sup>35</sup>. There would therefore be no justification for including reference to a foodstore at this location as suggested by William Morrison Supermarkets Plc.
- 11.8.4 The mix of uses includes offices, which seem to me to be appropriate in a location such as this which is highly accessible by public transport. The Old Town Residents Association consider that the office element should be relocated to the MSA 2 site (Southampton Central Station). No reason is given for such a proposition and offices would be acceptable in both places. I have dealt with the need for office development in Chapter 8<sup>36</sup>.
- 11.8.5 The Hampshire and Isle of Wight Wildlife Trust object to the policy on the basis that this was part of the historic Port estate and should remain available for the future expansion needs of the Port. However, the site is not within the ownership of the Port and I agree with the Council that there is minimal prospect of it ever reverting to port related uses. Conversely it is a site that is one of the six keynote projects in the City Centre Urban Design Strategy<sup>37</sup>.
- 11.8.6 West Quay Shopping Centre Ltd consider that the policy is too prescriptive. However, the Objector gives no reason why this is considered to be the case. Furthermore, in order to provide clarity it would be helpful to include the mix of uses that would be considered acceptable within the policy itself. I have made a similar comment in relation to Policy MSA 4.
- 11.8.7 The mix of uses includes residential use but I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1.
- 11.8.8 Development of the site will have to take particular care of the

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<sup>34</sup> See my conclusions on Paragraph 8.3 of the Local Plan.

<sup>35</sup> Inspector's Note – See Paragraphs 8.34-8.36 of my Report.

<sup>36</sup> See Paragraphs 8.13.1-8.13.4 of my Report.

<sup>37</sup> See Section 6 in Core Document CD18/2.

nationally important archaeological remains, in particular the Old Town walls, which are a Scheduled Ancient Monument and run along the eastern side of Western Esplanade. Western Esplanade will be a key route between the centre and the waterfront both in visual terms and movement. I agree with English Heritage that development should facilitate this and that it should be included as a policy requirement. English Heritage has also suggested that criterion two should be expanded to require active frontages along the western edge of Western Esplanade as far as the swimming pool. However, I consider that this is too detailed a requirement for the Local Plan. Reference to the Development Brief has been provided in Paragraph 11.24 in the Revised Deposit version of the Plan.

#### *Western Section*

11.8.9 The western part of the MSA site is on the western side of Harbour Parade and akin to the Pirelli site (MSA 14) and the retail sheds of West Quay Retail Park in its location. Similar to these sites it is on the edge of the city centre. Although proposed uses are not mentioned specifically in the Local Plan, this land appears to have been earmarked for an arena or multi-purpose leisure facility in the Masterplan<sup>38</sup>.

11.8.10 I have concluded under Policy CLT 1 that in the absence of a leisure needs assessment and sequential analysis I cannot support large scale leisure uses on edge-of-centre MSA sites, including this one<sup>39</sup>. For this reason I can only recommend that the western part of the MSA allocation should be deleted. Clearly any leisure proposal that may arise prior to the Council completing the necessary leisure assessment that I have recommended that it undertake, would fall to be considered under Policy CLT 1.

## **RECOMMENDATIONS**

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

**◆ By revising Policy MSA 6 as follows:**

**◆ Include the appropriate mix of uses in the first sentence.**

**◆ Add a new criterion as follows:**

**“Enhancements are made to the Western Esplanade between new buildings and the town walls in order to reinforce its sense of place and encourage attractive pedestrian linkages to the Old Town and Waterfront.**

**◆ By deleting the land to the west of Harbour Parade from the Policy MSA 6 designation on the Proposals Map.**

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<sup>38</sup> See Appendix 6C – WQSC 352-P52D1.

<sup>39</sup> See Paragraph 5.1.3 in my Report.

## 11.9 POLICY MSA 7: 144 - 164 HIGH STREET

### *(Proposed Change 94)*

#### Representations

Consortium Of Registered Social Landlords  
English Heritage  
English Heritage  
City of Southampton Society

MSA07-526/6-ID-O  
MSA07-628/6-ID-O  
MSA07-628/34-RD-O  
MSA07-640/5-ID-O

#### Issue

- a. Whether the policy and its supporting text is adequate to ensure a high quality of design in the City Centre.

#### Inspector's Reasoning and Conclusions

- 11.9.1 I have dealt with English Heritage's concerns that the MSA sites in the Old Town should be considered comprehensively under Policy MSA 1. The Objectors also consider that the supporting text should refer to the North/ South Spine Strategy<sup>40</sup>. The Council has forwarded Proposed Change 94, which inserts reference to this document into Paragraphs 11.28, 11.29 and 11.30. I support this change although the status of the SPG and whether it has yet been adopted should be made clear.
- 11.9.2 The City of Southampton Society generally support this policy and also Policies MSA 6 and MSA 8. However, they make the point that any rebuilding should be more sympathetic to the general character of the locality than is the case at present. This is a point that I am sure that the Council is fully in agreement with and will be facilitated through the medium of Development Briefs as well as the consideration of individual planning applications. Policy MSA 1 will also be relevant.
- 11.9.3 The mix of uses includes residential. I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1.

#### RECOMMENDATION

**That the Plan be modified in accordance with Proposed Change 94, subject to clarification as to the status of the SPG.**

## 11.10 POLICY MSA 8: HABITAT BLOCK

#### Representations

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<sup>40</sup> See Core Document CD18/4.



Consortium Of Registered Social Landlords  
English Heritage  
English Heritage  
Old Town Residents Association

MSA08-526/7-ID-O  
MSA08-628/7-ID-O  
MSA08-628/35-RD-O  
MSA08-1034/6-ID-O

## Issues

- a. Whether the policy and its supporting text is adequate to ensure a high quality of design in the City Centre.
- b. Whether the mix of uses would result in a satisfactory development.

## Inspector's Reasoning and Conclusions

11.10.1 I have dealt with English Heritage's concerns that the MSA sites in the Old Town should be considered comprehensively under Policy MSA 1. I have also dealt with the reference to the North/South Spine Strategy in the preceding section. I note that English Heritage wish to see the reference to SPG being "referred" to being changed to "inform". It should be remembered that SPG is advisory and does not have statutory status. Furthermore, as the Council comments in its response, Policy HE 1 would also apply to development proposals for this site. In the circumstances it seems to me that there are adequate provisions in place to facilitate high quality development on this site. I do not consider that further changes are necessary in response to the objection.

11.10.2 The Old Town Residents Association consider that the MSA 8 site should be seen as an opportunity for a comprehensive, high quality scheme with a housing emphasis. Housing is included within the acceptable mix of uses, although the number of units will be a matter for more detailed consideration. The Objectors also consider that healthcare facilities are poor in this part of the city. I have dealt with this under Policy HC 3.

11.10.3 The mix of uses includes residential use but I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1.

## RECOMMENDATION

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

## 11.11 POLICY MSA 9: LOWER HIGH STREET

### Representations

English Heritage  
Old Town Residents Association

MSA09-628/8-ID-O  
MSA09-1034/7-ID-O

### **Issue**

- a. Whether the policy and its supporting text is adequate to ensure a high quality of design in the City Centre.

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

- 11.11.1 I have dealt with English Heritage's concerns that the MSA sites in the Old Town should be considered comprehensively under Policy MSA 1. I have also dealt with the reference to the North/South Spine Strategy in my conclusions on Policy MSA 7.
- 11.11.2 The Old Town Residents Association is concerned that the closure of the God's House Tower Museum will prejudice the implementation of this scheme. As I have said in relation to similar objections to Policy HE 6, such management matters are not Local Plan issues.

### **RECOMMENDATION**

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

## **11.12 POLICY MSA 10: MAYFLOWER PLAZA**

### **Representations<sup>41</sup>**

Consortium Of Registered Social Landlords  
SCAPPS

MSA10-526/8-ID-O  
MSA10-846/2-ID-O

### **Issue**

- a. Whether the site should include public open space.

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

- 11.12.1 This site is allocated for mixed use development, including substantial office and housing elements. It includes the Mayflower Theatre and therefore an element of A3 use is also envisaged. However, I consider that the term "Plaza" is somewhat misleading as it conjures up a large public open space. SCAPPS would like such a feature to be provided to enable a link between West Park and the Central Station. However, no such proposal is envisaged and the Council considers that it would unduly constrain the future development of the site. There is no overriding justification for the type of facility suggested by SCAPPS and I cannot therefore support a change to the Plan to accommodate the objection. SCAPPS refer to their objection to Policy CLT 5 but this relates to open space for new residential

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<sup>41</sup> Inspector's Note – Objection MSA10-628/36-RD-O (English Heritage) has not been accepted as a duly made objection by the Council. As it does not relate to matters that have changed from the Initial Deposit version and suggests an omission, the appropriate time for objection would have been at Initial Deposit stage. In the circumstances, I have not considered this objection.

development<sup>42</sup>. Any residential element on this site will need to comply with that policy.

11.12.2 The mix of uses includes residential use but I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1.

### **RECOMMENDATION**

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

## **11.13 POLICY MSA 11: CANUTE'S PAVILION**

### **Representations**

GOSE	MSA11-172/28-ID-O
Hermes Property Asset Management Ltd	MSA11-413/10-ID-O
Consortium Of Registered Social Landlords	MSA11-526/9-ID-O
Mr C Wood	MSA11-1019/10-ID-O
Mr H Baldwin	MSA11-1020/1-ID-O
Councillor Samuels	MSA11-1213/15-ID-O

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

11.13.1 The site has been granted planning permission and development is nearing completion. The Council is proposing to delete MSA 11 and its supporting text and I agree that this is the proper course of action. There is thus little purpose in my considering the objections that have been made to this policy and I accordingly make no further comment or recommendation.

## **11.14 POLICY MSA 12: CHAPEL**

### **Representations**

GOSE	MSA12-172/29-ID-O
A & B Oil	<u>MSA12-204/1-RD-O</u>
Gleeson Homes	<u>MSA12-449/1-ID-O</u>
Consortium of Registered Social Landlords	MSA12-526/10-ID-O
Hampshire County Council	MSA12-1025/2-ID-O
RPS plc	MSA12-1161/1-ID-O

### **Issue**

- a. Whether there is justification for retaining the MSA designation on this site.

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<sup>42</sup> See Paragraph 5.5.8 in my Report.

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

- 11.14.1 Development is now well underway on this site. A business and enterprise centre occupies the south eastern section and housing development is under construction. I observed two areas that have not been redeveloped, one of which is occupied by a recreation facility. In the circumstances, I can see little purpose in retaining this policy as clearly most, if not all, now has a firm development commitment.
- 11.14.2 I note the concerns of A & B Oils Ltd, although their waste recycling site was omitted from the MSA in the Revised Deposit version. Whether or not this industrial use would be a good neighbour for the adjoining housing has presumably been taken into account in the design and layout of the permitted scheme. I refer in particular to my recommended changes to Policy SDP 18, which would be relevant in this regard.
- 11.14.3 In the circumstances there seems little purpose in considering the objections to this policy further and I recommend that, along with the supporting text, it be deleted.

### **RECOMMENDATION**

**I recommend that the Plan be modified by deleting Policy MSA 12 and its supporting text.**

## **11.15 POLICY MSA 13: TOWN DEPOT/CROSSHOUSE WATERFRONT**

### ***(Proposed Changes 10 and 86)***

#### **Representations**

GOSE	MSA13-172/30-ID-O
Don Wark Consultancy Ltd	MSA13-247/3-ID-O
Hampshire & Isle of Wight Wildlife Trust	MSA13-341/9-ID-O
Consortium of Registered Social Landlords	MSA13-526/11-ID-O
Southampton Institute	MSA13-572/5-ID-O
Hampshire County Council	MSA13-1025/3-ID-O
English Nature	MSA13-1031/2-ID-O

#### **Issues**

- a. Whether the MSA allocation would conflict with provisions in the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan.
- b. Whether the proposed uses would accord with Policy T7 in RPG 9.
- c. Whether existing recreational uses would be protected.

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

- 11.15.1 The Town Depot site has been identified under Policy 43 of the Minerals and Waste Local Plan (1998) as a preferred site for an

integrated waste processing plant. The site would form part of a network of waste management facilities serving Southampton and surrounding areas. It is therefore safeguarded for this purpose under Policy 44(i) of that Plan. The safeguarded land involves a large part of the MSA 13 site and in the absence of a suitable alternative, Hampshire County Council (HCC) raise a strategic objection to the designation for other uses under Policy MSA 13. The City Council has not identified an alternative site for this use.

- 11.15.2 GOSE also objects to the policy on the grounds that there is no certainty that it will be available for development during the Local Plan period. I agree with these concerns. Proposed Change 10 updates the wording in Paragraph 11.40 by referring to a Minerals and Waste Local Development Framework. However, this is in the very early stages of preparation and a review is currently underway of all the site allocations and whether they are needed or might be accommodated elsewhere.
- 11.15.3 Don Wark Consultancy Ltd considers that there may be financial difficulties in the use of Town Depot for waste management purposes. An alternative location at the Calor Gas site, Millbrook is suggested by the Objector. However, these are questions that should properly be considered within the context of the County Council's review. I recognise that this is an important waterside site and that it has considerable potential for a variety of uses. However, it would be wrong to introduce a policy in the Local Plan that is in direct conflict with another part of the development plan. Until the situation has been resolved I agree with HCC that the MSA 13 allocation is premature and should be deleted. It may be that the City Council will be in a position to include firm proposals for this site when it prepares its own Local Development Framework.
- 11.15.4 I turn now to consider the other objections to the MSA 13 development, in the event that the "in principle" objection is resolved more quickly than anticipated. Policy T7 in RPG 9 has now been superseded by Policy T7 in the Regional Transport Strategy<sup>43</sup>. This is a more focussed policy that seeks to maintain and enhance the role of the major ports, including Southampton. There is no evidence that the development of this site as envisaged would prejudice the future environmental or economic prospects of the port. Part of the site is already used for recycling which is not dependant on the waterside in terms of location. I also observed other existing uses that have no obvious link with the coast.
- 11.15.5 Furthermore, the first criterion of Policy MSA 13 requires development to incorporate a publicly accessible waterfront and the policy includes waterside and associated leisure uses. Any proposals would also be subject to the sustainable development and nature conservation policies in the Plan. In the

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<sup>43</sup> See Core Document CD4/2.

circumstances, I do not consider that the policy conflicts with regional planning strategy relating to the port or that changes are necessary in response to the objections of English Nature or the Hampshire and Isle of Wight Wildlife Trust on this matter.

11.15.6 Proposed Change 86 also seeks to ensure that the long term future of existing water-based recreation uses at Crosshouse Hard is not prejudiced. This would satisfy the concerns of Southampton Institute.

11.15.7 The mix of uses includes residential use but I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1.

## RECOMMENDATION

**I recommend that the Plan be modified by deleting Policy MSA 13 and its associated text and that Proposed Changes 10 and 86 are not carried forward.**

## 11.16 POLICY MSA 14: PIRELLI SITE, WEST QUAY ROAD

### Objections

*(Proposed Changes 26, 27, 69 and 70)*

### Representations

Pirelli General plc	MSA14-1523/2-RD-O
CGNU Life Assurance Ltd	MSA14-1524/2-RD-O
Alsop Verrill	MSA14-1529/1-RD-O
Pirelli General plc	PC26-1523/4-PC-O
CGNU Life Assurance Ltd	PC26-1524/4-PC-O
Pirelli General plc	PC27-1523/5-PC-O
CGNU Life Assurance Ltd	PC27-1524/5-PC-O
WestQuay Shopping Centre Ltd	PC69-352/19-PC-O
WestQuay Shopping Centre Ltd	PC70-352/20-PC-O

### Issue

- a. Whether the inclusion of retail and leisure uses would be acceptable, taking account of government guidance in PPG 6 and PPG 13.

### Inspector's Reasoning and Conclusions

11.16.1 The Pirelli Site is an edge-of-centre location. Proposed Changes 26, 27, 69 and 70 have been suggested by the Council to Policy MSA 14 and its supporting text. In essence these advance a mixed-use development led by comparison goods retail uses. I have dealt with the various representations relating to retail development in Chapter 8 and concluded that I cannot support

the retail element of the allocation<sup>44</sup>. I do not therefore support these proposed changes.

11.16.2 I have dealt with the location of leisure uses under Policy CLT 1 and concluded that in the absence of an assessment of the need for further leisure development it is impossible to judge whether such uses are justified or not<sup>45</sup>. I acknowledge that the site is well located in terms of its proximity to other large scale leisure uses on the western side of West Quay Road. However, as things stand I cannot support the inclusion of leisure uses on this site either.

11.16.3 I fully recognise that these conclusions leave a policy vacuum in respect of this important site. I have considered whether I should recommend that the MSA designation is retained without the controversial elements included. However, this could unacceptably narrow the scope of development and result in a lost opportunity in the event that further assessments found retail and leisure uses to be acceptable. In the circumstances I recommend that the MSA allocation be deleted so that any retail or leisure proposals would fall to be considered under Policies REI 2 and CLT 1. I would urge the Council to undertake the necessary work quickly in order to be in a position to reassess the situation within the context of its Local Development Framework preparation.

## **RECOMMENDATIONS**

**I recommend that the Plan be modified by deleting Policy MSA 14.**

**I recommend that no modification be made to the Plan in respect of Proposed Changes 26, 27, 69 and 70.**

## **11.17 POLICY MSA 15: LAND FRONTING ALEXANDRA DOCKS AND MARITIME WALK, OCEAN VILLAGE AREA**

***(Proposed Changes 23 and 82)***

### **Representations**

GOSE  
MDL Developments Ltd  
MDL Developments Ltd

MSA15-172/122-RD-O  
MSA15-843/9-RD-O  
MSA15-843/10-RD-O

### **Issues**

- a. Whether the site should be extended in area and subject to a masterplanned approach.

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<sup>44</sup> See Paragraphs 8.4.30-8.4.33 and 8.4.40 in my Report.

<sup>45</sup> See Paragraph 5.1.3 in my Report.

- b. Whether leisure and office uses on this MSA site would accord with government guidance in PPG 6 and PPG 13.
- c. Whether the mix of uses would result in a satisfactory development.

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

- 11.17.1 Ocean Village is rather isolated from the central parts of the city and although there are bus services that also link to the main station it seems to me that it is to a large degree car reliant. This is particularly the case with the existing offices which include large areas of surface car parking. I have recommended that the remaining undeveloped land should be deleted from Policies REI 16 and REI 17 as an identified office development area and I see no reason why the suggestion by MDL that existing offices should be protected needs to be a requirement of the policy. Further offices of this type would not be acceptable taking account of government guidance that encourages employment uses in central locations that are easily accessible by public transport<sup>46</sup>.
- 11.17.2 Nevertheless, it seems to me that there is merit in the suggestion by MDL Developments Ltd (MDL), the landowners, that the REI 16 land should be included within the MSA 15 allocation and masterplanned accordingly. One of the advantages would be that the existing parking areas could be used in association with other uses on the MSA site, including maritime events. Reference to such a comprehensive approach is advanced in Proposed Change 23. This adds text to Paragraph 11.44, although it will need to be amended in view of my recommended deletion of the office allocation under Policy REI 16.
- 11.17.3 It seems to me that a successful mixed-use development at Ocean Village will depend on improvements to its connectivity. The opening up of the Eastern Docks branch line to passenger traffic and a station at Canute Road is crucial<sup>47</sup>. Other initiatives may include improvements to bus provision and cycle routes and the use of Green Transport Plans. I consider that this will be fundamental to the successful delivery of the overall development package and should be included in the policy.
- 11.17.4 The Maritime Innovation Centre is intended to house small businesses which will be connected to the adjoining Oceanography Centre. Such provision was originally made in the adopted Local Plan as a "Marine Science Park". Clearly this use is location specific and it is intended that it be placed on the southern part of the site on vacant land currently used for parking and storage. The Oceanography Centre is however within the operational port and separated from Ocean Village by a high security barrier. In order to satisfactorily integrate the two, some means of connection between them will be necessary.
- 11.17.5 I have already commented on the lack of a leisure needs assessment under Policy CLT 1. This makes it difficult to support

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<sup>46</sup> See Paragraphs 8.13.1-8.13.3; 8.20.3-8.20.4; 8.21.1- 8.21.2 to my Report.

<sup>47</sup> See my conclusions on Policy TI 4.



any large scale leisure allocations on edge-of-centre MSA sites. In Ocean Village the proposals include retention of the existing Harbourside Cinema as well as water-based leisure activities and maritime events. It is unclear what the leisure element would entail. Large new leisure uses would be inappropriate for the reason I have given under Policy CLT 1<sup>48</sup>. However, if it is intended that they are based on existing water-related activities and A3 uses to support other land uses I consider that this would be acceptable in terms of PPG 6. I note GOSE's objection to a hotel, which is proposed as a flagship development on the pier. This will also be dependant on the ability for customers to reach it by modes of transport other than the car.

11.17.6 The policy includes limited residential use. MDL Developments Ltd (MDL) would like to see the reference to "limited" removed. Ocean Village has already been subject to a large amount of high density housing in the recent past. I therefore agree with the Council that the amount of housing on the MSA 15 site should be restricted. However, I concur with the Objectors that the wording does not offer clarity and that an estimate of the envisaged yield is necessary. The Urban Capacity Study update includes a housing allocation of 32 dwellings on the Promontory site although this reflects an expired planning permission<sup>49</sup>. MDL envisage a higher provision of about 125 units and the Council considers that this would be appropriate. Proposed Change 82 advances an appropriate change to Appendix 6 and I support this change accordingly.

## RECOMMENDATIONS

**I recommend that the Plan be modified in accordance with Proposed Change 82 and as follows:**

- ♦ **By extending the MSA 15 area to include the former REI 16(iii) site on the Proposals Map**
- ♦ **By deleting Policy MSA 15 and replacing it with the following new Policy:**

***"MSA 15 Land at Ocean Way, Maritime Walk and fronting Alexandra Docks***

***The site in Ocean Village will be developed for a mix of uses including office, a Marine Innovation Centre, water based leisure and A3 uses, hotel, marina-related events and residential. A Masterplan will be prepared to address the comprehensive development of this area and its integration with existing uses and the wider Ocean Village area. Proposals will be expected to be accompanied by improvements to accessibility by public transport and provision made for pedestrian and cycle links to and through the site".***

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<sup>48</sup> See Paragraph 5.1.3 of my Report.

<sup>49</sup> See Housing Background Proof – Core Document CD12/3.

- ◆ **By deleting Paragraph 11.44 and replacing it with text that expands on the role of the Masterplan in achieving a comprehensive urban design approach that addresses existing uses as well as the integration of the MSA site within its wider environment. The quantum of residential units and the facilitation of dual use car parking should also be included. It should be made clear that substantial improvements to public transport would be required and that phasing may be necessary for uses, including offices, that generate a large amount of travel. This should link in with public transport improvements such as the provision of a passenger service on the Eastern Docks line and a new station at Canute Road.**

**I recommend that no modification be made to the Plan in respect of Proposed Change 23.**

## **11.18 POLICY MSA 16: ST. MARY'S AREA**

### **Representations**

WM Morrison Supermarkets plc	MSA16-125/4-ID-O
GOSE	MSA16-172/31-ID-O
Hawthorne Kamm Planning Consultancy	MSA16-361/3-ID-O
Consortium Of Registered Social Landlords	MSA16-526/12-ID-O
Southampton Institute	<u>MSA16-572/6-ID-O</u>
SCAPPS	MSA16-846/3-ID-O
Mr T Caves	MSA16-1021/1-ID-O

### **Issues**

- Whether the meaning of the word "sustain" in the policy is sufficiently clear.
- Whether the policy complies with government guidance in PPG 6 and PPG 13 with regards to the location of retail and office uses.
- Whether the site would benefit from an Inset on the Proposals Map.

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

11.18.1 The St Mary's area is the recipient of major Single Regeneration Budget (SRB) funding and already a number of improvements and redevelopments have taken place. I agree with Hawthorne Kamm Planning Consultancy that the meaning of the word "sustained" at the start of the policy is rather unclear. The Council in its response clarifies that it is the close-knit urban character that is to be sustained and enhanced and I consider that this should be specified in the policy wording.

11.18.2 Old Northam Road is no longer designated as a Local Centre under Policy REI 7 but it contains a number of specialist shops. The policy refers to it as a "shopping area" as distinct from a "local centre". Some of the units have been refurbished and it

seems to me appropriate that the commercial frontage should be protected through the policy criteria.

- 11.18.3 GOSE are concerned that the retail element does not comply with PPG 6 in terms of need, sequential test and scale. There are three sites allocated for mixed use, which include retail. The first of these, under criterion three, has already been developed mainly for housing. It should thus be deleted from the policy. There are already retail uses on the other two sites and I would envisage that any redevelopment would be similarly small scale with a view to meeting local needs. Indeed Policy REI 7, which relates to Local Centres, includes such a requirement. This seems to me to accord with PPG 6 advice on Local Centres.
- 11.18.4 Wm Morrison Supermarkets Plc suggest that a site for a major foodstore development should be allocated. I dealt with retail need under Paragraph 8.3 of the Plan and concluded that there is no need for additional convenience floorspace<sup>50</sup>. In addition, a large scale facility would be out of proportion with the size of the centre. In the circumstances, I cannot support the proposition made by the Objectors.
- 11.18.5 The allocated site under criterion four includes very run down retail units and a post office. Although this is just to the north of the local centre boundary it seems to me to be functionally and physically related. Whilst the boundaries have not been subject to a specific objection, GOSE's comments are pertinent because this would be an edge-of-centre location. Accordingly, I recommend that this site be included in the Local Centre.
- 11.18.6 With regards to the office uses, these would be within the Local Centre if the change that I recommend above is accepted. The Council confirms that they would be small scale in nature and designed to serve the local area. There is also easy access to the city centre shopping area, which is a short walk across the park through Kingsland Square. In terms of overall accessibility and offering people the choice of travelling by modes other than the car, this area is relatively well connected.
- 11.18.7 Southampton Institute have suggested that the policy could better be interpreted through an Inset to the Proposals Map. No other Local Centres or MSA sites have been treated in this way but this policy is unusual in that it includes site specific allocations. Paragraph 26 of PPG 12 advises that that each site defined for particular developments should be shown and I recommend accordingly, whether as an Inset or included on the main Proposals Map itself.
- 11.18.8 The mix of uses includes residential use but I do not agree with the Consortium of Registered Social Landlords that particular reference should be made to affordable housing for the reasons I have given in Paragraph 11.2.1.
- 11.18.9 SCAPPS are concerned about open space and recreation provision

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<sup>50</sup> See Paragraphs 8.3.4-8.3.6 of my Report.

for the large amount of new housing in the area. They suggest that the policy should include provision for a new Millennium Park for those who live and work in the area, although no indication of where such a park would be provided or how it would be funded is given. There is an existing playing field within the north eastern section of the MSA area and there is easy access to the adjoining parks. In the absence of an Open Space Assessment, which I deal with under Policy CLT 3<sup>51</sup>, it is not possible to say whether the existing area suffers from open space deficiencies. New residential development will be subject to Policies CLT 5 and CLT 6 regarding provision of open space and children's play space. In the circumstances, I do not consider that the Plan needs to be changed in response to SCAPPS' objections.

11.18.10 Kingsland Market is an important feature of the Local Centre and I have no doubt makes an important contribution to its economic prosperity. However, I agree with the Council that the area is unsuitable as a regional attraction both in terms of the retail hierarchy and the desirability of encouraging the area to become a focus for large numbers of people. In the circumstances I do not concur with Mr Caves that an additional criterion should be added to give Kingsland Market regional status. It seems to me though that the importance of the market should be recognised in the supporting text and I recommend accordingly.

## **RECOMMENDATIONS**

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

- ◆ **By changing the Proposals Map as follows:**
  - ◆ **Extend the boundary of the Local Centre to include the units fronting St Mary's Street between Clifford Street and Ascupart Street.**
  - ◆ **Include the allocations in criteria four and five of Policy MSA 16 on the Proposals Map.**
- ◆ **By revising Policy MSA 16 as follows:**
  - ◆ **Delete the first line and replace it with the following wording:**  
"Development proposals will be expected to sustain and enhance the existing close-knit urban character of the St Mary's area by:"
  - ◆ **Delete criterion three.**
- ◆ **By including reference to Kingsland Market as an important local facility in the supporting text.**

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<sup>51</sup> See Paragraph 5.3.3 of my Report.

## 11.19 POLICY MSA 17: NEW COLLEGE SITE, THE AVENUE

### *(Proposed Changes 83 and 85)*

#### **Representations**

University Of Southampton	MSA17-573/21-RD-O
SCAPPS	MSA17-846/27-RD-O
St Anne's Convent School	MSA17-1515/1-RD-O
La Sainte Union	MSA17-1516/1-RD-O
St Edmund's RC Church	MSA17-1535/1-RD-O

#### **Issues**

- a. Whether a new police headquarters, including a custody unit, would be appropriate on this site.
- b. Whether this is a suitable site for large scale office use.
- c. Whether the Plan should be changed to make provision for parking for St Edmund's RC Church.

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

##### *Police Headquarters*

- 11.19.1 The New College campus is part of the University of Southampton and is being relocated to the main Highfield site. In order to fund the move efficiently the University require the disposal of the land to be completed by 2005 so that the move can be effected by the start of the new academic year. If this does not happen the University say that the project, which is in the public interest, is likely to be jeopardised. Whilst the University have no objections to the police use itself they are seeking an alternative option in the event that the preferred use fails to deliver in the timescale.
- 11.19.2 There is no dispute that new police headquarters are necessary and in the public interest. The present site adjacent to the civic offices is outmoded and overcrowded and unsuitable for the effective policing of the city. Other sites have been looked at but the New College site with its proximity to the new Magistrates' Courts, is considered by the police to be particularly suitable in operational terms.
- 11.19.3 The major concern of Objectors relates to the custody unit. The University consider that it would not be a welcome neighbour for new housing and that potential developers would be put off. However, it seems to me that much would depend on prospective developers having a proper understanding of the nature and scope of the custodial services. Whilst there would be a degree of activity 24 hours a day, I consider that the site is of sufficient size to ensure that this would not impact on adjoining land uses, including the new housing and La Sainte Union Convent<sup>52</sup>. These

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<sup>52</sup> This property is within the northern section of the site fronting on to Archers Road.

matters could be covered in a Development Brief providing transparency to all concerned. St Anne's Convent School feel that there are security implications due to the proximity of the police headquarters and custody unit to the girls' school. However, the school is relatively well separated from this part of the site and is already near to the Magistrates' Court with all of its comings and goings.

11.19.4 I do not consider that it would be an efficient use of resources for the custody unit to be separated out from the main police headquarters and located elsewhere. In any event, having visited a similar facility in Basingstoke and having considered all of the evidence, I am not satisfied that it would be an inappropriate neighbour to either new housing or the existing school or convent. There is little evidence to support the contention that the presence of the custody unit would lower the value of the overall site to such a degree that the University will decide only to sell off the rear part for housing and retain the rest. Subject to a careful layout and a high standard of design I see no reason for excluding the custody unit from the project. I acknowledge that there may be other suitable sites within the city but this seems to me to be of little relevance in view of my conclusion that the New College site is an acceptable location in planning terms.

11.19.5 As for concerns about uncertainty, I understand that the police funding for the land purchase is now available and so the likelihood of the project going ahead is high. I acknowledge that there is a possibility that the matter will not be finalised to allow the University to complete relocation by October 2005. This would be inconvenient, but I am not convinced that it would be critical in terms of the success or failure of the whole project. I have though accepted the changes suggested by the University, which sets a deadline of the end of 2005 for the reasons given below.

#### *Effect on the Conservation Area*

11.19.6 The front part of the site is within the Conservation Area and to the south is St Edmund's Church, which is a listed building. There are concerns by some Objectors that the police headquarters development would be inappropriate in visual terms and would be an inappropriate and intimidating use. La Sainte Union believe that the cost constraints faced by public authorities would lead to an unprepossessing building of detriment to the conservation area. There is no question that the development would need to preserve the character of the conservation area through buildings of excellent design quality. The policy includes a criterion to this effect. The Police Authority are aware of the locational sensitivities of the site and I have no doubt that this will have been taken into account when the financial implications were addressed.

### *Office Development*

- 11.19.7 The Council and the University have agreed that the policy should advance an alternative in the event that the police interest does not materialise. It was agreed at the Inquiry that the site would be unsuitable for business starter units, research and development uses and small offices. Proposed Change 83 deletes these references and replaces them with B1 offices. Although this is not a preferred location for offices, it immediately adjoins the North of the Parks office development area and could accommodate large office development, for which there is a need<sup>53</sup>. There are also offices within the vicinity and there are good pedestrian, cycle and bus routes into the city centre. In the circumstances, I am satisfied that offices would be appropriate on this site, subject to the proviso in Paragraph 8.13.2 of the Report.
- 11.19.8 The Council has advanced Proposed Change 85, which would supersede Proposed Change 83. This suggests changes to the last part of the policy and Paragraph 11.49 of the supporting text. The main difference between the alternative wording proposed by the University is that the police/office site would be demarcated on the Proposals Map and a time constraint would be imposed.
- 11.19.9 As the uses are specific to particular parts of the MSA site, I agree with the University that they should be demarcated on the Proposals Map and I recommend accordingly. I have considered carefully whether a deadline should be imposed on the police use as a matter of policy. I appreciate that the requirements of the Constabulary are in the public interest but so also is an expeditious move by the University. I consider that a cut-off date of the end of 2005 is reasonable in the circumstances. I therefore prefer the wording suggested by the University to the Council's Proposed Change 85.

### *Other Matters*

- 11.19.10 SCAPPS would like the swimming pool to be retained and opened for community use. This seems to me to be a matter of detail, which could be addressed in a Development Brief for the site. However, I agree with the Council that it would be inappropriate for such a requirement to be included in the Plan as it could unduly restrict the options for future redevelopment<sup>54</sup>.
- 11.19.11 St Edmund's RC Church wishes to secure a buffer zone to the north of the listed church which could continue the long established practice of using part of the New College site for car parking. Whilst I can appreciate that the provision of such a facility is important to the church and its parishioners, the arrangement was an informal one between the church and the university. I agree with the Council that this is not a matter that

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<sup>53</sup> See Paragraph 8.13.1 of my Report.

<sup>54</sup> Inspector's Note – Although SCAPPS made other points in further representations, the Council does not consider them to be duly made. They introduce issues not raised in the original objection and I have therefore not considered these points further.

can properly be addressed through the Local Plan process. The Church is also concerned about possible complaints about organ noise from new houseowners. However, there are already houses in the area and no evidence has been submitted to show that the occupiers are unduly disturbed in this way.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ By deleting the final sentence in Policy MSA 17 and replacing it with the following new sentence:

*“In the event that the Hampshire Police Constabulary’s requirement ceases, or they have not secured funding for their full development by the end of 2005, offices (B1) will be permitted on The Avenue frontage as shown on the Proposals Map”*

- ◆ By deleting the second and third sentences of Paragraph 11.49 and replacing them with the following new sentences:

*“The University require to dispose of the site by the end of 2005. Should the police requirement not be realised or them not having secured funding for the full cost of constructing their proposed facility by that date, then favourable consideration will be given to offices (B1) on the Avenue frontage identified on the Proposals Map and amounting to about 0.8 hectares”.*

- ◆ By showing the eastern part of the site, including The Avenue frontage demarcated for police/ office use on the Proposals Map.

I recommend that no modifications be made to the Plan in respect of Proposed Changes 83 and 85.

## 11.20 POLICY MSA 18 LAND: ADJACENT TO DOCK GATE 10 AND THE NORMAN OFFER SITE

*(Proposed Change 24)*

### Representations

Rank Hovis Ltd  
Associated British Ports  
Frobisher Ltd  
Frobisher Ltd  
Rank Hovis Ltd  
Associated British Ports

MSA18-515/3-RD-O  
MSA18-1113/7-RD-O  
RE111-612/1-ID-O  
RE116-612/2-ID-O  
PC24-515/6-PC-O  
PC24-1113/23-PC-O



## Issues

- a. Whether there is a reasonable prospect that the site will be developed for employment purposes.
- b. Whether the mix of uses should include retail or leisure uses.
- c. Whether the policy would prejudice the operational requirements of existing businesses in the Western Docks area.

## Inspector's Reasoning and Conclusions

- 11.20.1 This MSA site is in two parts, which are divided by West Quay Road. The northern section is called the Norman Offer Site and is allocated for a landmark office development. Although the site is some distance from the primary shopping area it is in close proximity to Central Station, where improvements are planned to achieve a high quality multi-modal interchange. In view of its good overall accessibility I can see no objection to office use on this site, subject to the comments in Paragraph 8.13.2 of my Report. I note that GOSE has raised no objection in this regard.
- 11.20.2 The remainder of the MSA land is called the Dock Gate 10 site. This is used for temporary storage although the landowners, Associated British Ports (ABP), say that it is no longer required for port related purposes. The safeguarding of the site for industry and warehousing under Policy REI 11 was deleted at Revised Deposit stage. The MSA allocation envisages a variety of employment related uses, including B2 and B8 and a small ancillary retail element to serve the needs of those working on the site. I support Proposed Change 24, which makes the nature of the retail element clear. The main thrust of ABP's objections is that this site should be available for higher value land uses and in particular for retail purposes. I have dealt with the retail issue under Chapter 8 and concluded that I cannot support such a proposal on this site<sup>55</sup>.
- 11.20.3 Frobisher Ltd considers that a greater range of uses should be provided, particularly retail and leisure. I have dealt with the former issue above. With regards to leisure, the Objectors are not specific about the scale or nature of leisure uses envisaged. However, as I pointed out under Policy CLT 1, large scale leisure uses on sites outside of existing centres cannot be supported until a needs assessment and sequential analysis has been undertaken.
- 11.20.4 It remains to be considered here whether the MSA allocation should remain for employment purposes. ABP consider that industrial and warehousing uses would be inappropriate both on visual grounds and also because they would generate heavy traffic movements close to the city centre. However, West Quay Road is part of the Western Approach and provides easy access to the motorway routes. The designation also includes B1 use and there is no evidence to support the Objector's view that this

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<sup>55</sup> See Paragraphs 8.4.34-8.4.37 and 8.4.40 in my Report.

would be unnecessary due to the proximity of the Norman Offer land. There is no dispute that this is an important gateway site and at present it seems to me to be underused and an eyesore. I do not agree that the designated uses would be unacceptable in planning land use terms or that an attractive scheme could not be devised.

11.20.5 Although the site was allocated for industry, warehousing and port related uses in the adopted Plan, there is no evidence that it would prove unattractive for employment uses if it were to be made available to the market. I acknowledge that the landowners have stated that if retail use is unacceptable they will continue to use the land for temporary purposes and take a long term view as to its disposal. However, I do not support their retail aspirations and their argument does not seem to me to be a good planning reason for allocating the land for an unsuitable purpose. I have had regard to advice in PPG 12, but I do not consider that there is sufficient evidence to be able to conclude with confidence that the site will remain undeveloped if the employment allocation remains.

11.20.6 Rank Hovis Ltd is concerned about high traffic generators such as offices on the Dock Gate 10 site, which it considers would interfere with the operational needs of the Solent Flour Mill. The Objectors would like the mixed use allocation deleted and reinstatement under Policy REI 11 for B1(c), B2 and B8 uses. I see no reason why the mix of uses proposed on the MSA 18 site should prejudice the future operation of the Flour Mill. I agree with the suggestion by the Objectors that a Development Brief should be provided for the site and that appropriate attenuation measures should be included to protect the operational requirements of established businesses in the Western Docks. I recommend changes to the Policy and text accordingly, although I do not consider that it would be appropriate to include specific measures as this could reduce flexibility.

## RECOMMENDATIONS

**I recommend that the Plan be modified in accordance with Proposed Change 24 and as follows:**

- ◆ **By adding a further sentence to Policy MSA 18 as follows:**

***“Provision should be made for suitable attenuation measures within the southern part of the site to protect the future operation of the Solent Flour Mill and established businesses within the Western Docks area”.***

- ◆ **By adding the following sentence to the end of Paragraph 11.52:**

**“The MSA 18 site will be subject to the preparation of a Development Brief”.**

## 11.21 POLICY MSA 19: PORTSWOOD BUS DEPOT

### Representations

GOSE	MSA19-172/123-RD-O
Hermes Property Asset Management Ltd	MSA19-413/28-RD-O
First Group plc	MSA19-414/12-RD-O
First Group plc	MSA19-414/13-RD-O
First Group plc	MSA19-414/14-RD-O
SCAPPS	MSA19-846/28-RD-O

### Issues

- a. Whether the inclusion of a foodstore in the mix of uses would accord with government guidance.
- b. Whether the MSA site should be included within the District Centre.
- c. Whether the site should include a new urban park.

### Inspector's Reasoning and Conclusions

11.21.1 I have dealt with the retail element of the mixed use under Chapter 8 and concluded that it should be deleted as being contrary to PPG 6<sup>56</sup>. This would satisfy the objections of GOSE, Hermes Property Asset Management Ltd and SCAPPS in part. I note that there is support for the project from Wm Morrison Supermarkets Plc.

11.21.2 First Group Plc suggest that the boundary of the District Centre should be extended to include the MSA site. I do not consider that the site is physically well related to the existing centre and, indeed, the Policy recognises this by requiring improvements to connectivity. In any event there is no justification for increasing the size of the centre, for example in order to accommodate identified retail growth. Indeed I consider that such a proposition, which would remove the requirement to establish retail need, could be positively harmful to the vitality and viability of the established centre. I note that the Objectors are suggesting changes to deal with the scale of retail development. In view of my overall conclusions it seems to me unnecessary to consider this issue further.

11.21.3 SCAPPS consider that the site would lend itself to provision of a new urban park. In the absence of an Open Space Assessment there is no evidence of an existing shortfall of public open space in the Portswood area<sup>57</sup>. Nevertheless, the residential development itself would have to consider the needs of its occupiers in accordance with Policies CLT 5 and 6 of the Plan.

11.21.4 In view of my recommendation regarding the retail use it would not seem appropriate for the site to remain as a MSA. I recommend that it be deleted along with its supporting text. The Council could designate it for housing purposes only or consider

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<sup>56</sup> See Paragraphs 8.44-8.4.10 of my Report.

<sup>57</sup> See Paragraph 5.3.3 of my Report.

whether other mixed uses may be suitable. As there have been no other representations relating to the site I consider that it would be inappropriate to go beyond the retail issue in my recommendation.

## RECOMMENDATION

**I recommend that the Plan be modified by deleting Policy MSA 19 and its supporting text.**

## 11.22 POLICY MSA 20: SHIRLEY PRECINCT

### Representations

J A Wright	MSA20-5/1-ID-O	B Bonakdar	MSA20-993/1-ID-O
Mr Wilby	MSA20-23/1-ID-O	N Tomphson	MSA20-994/1-ID-O
Mr & Mrs Wilby	MSA20-40/1-ID-O	V Hayward	MSA20-995/1-ID-O
Mr & Mrs Cole	MSA20-55/1-ID-O	Mrs Brooke	MSA20-996/1-ID-O
H Gasnier	MSA20-124/1-ID-O	Mr Hale	MSA20-997/1-ID-O
GOSE	MSA20-172/34-ID-O	Mr H Mehta	MSA20-998/1-ID-O
Mrs Hale	MSA20-225/1-ID-O	Mr H D Mehta	MSA20-999/1-ID-O
Mrs Baker	MSA20-226/1-ID-O	Mrs C H Mehta	MSA20-1000/1-ID-O
Mr & Mrs Blundell	MSA20-321/1-ID-O	Mrs H D Mehta	MSA20-1001/2-ID-O
Mr Brooke	MSA20-358/2-ID-O	Mr Patel	MSA20-1003/1-ID-O
Hermes Property Asset M'ment Ltd	MSA20-413/29-RD-O	A R Hajdale	MSA20-1005/1-ID-O
Mr & Mrs Pettit	MSA20-519/1-ID-O	Mrs N Tavakoli	MSA20-1006/1-ID-O
Mrs Patel	MSA20-533/2-ID-O	A Tavakoli	MSA20-1007/1-ID-O
S Heatlie	MSA20-534/1-ID-O	Z Maleki	MSA20-1009/1-ID-O
Mr Patel	MSA20-535/1-ID-O	M Maleki	MSA20-1010/1-ID-O
R Iliffe	MSA20-607/2-ID-O	Mrs H Maleki	MSA20-1011/1-ID-O
Mr Hoare	MSA20-608/1-ID-O	S Hale	MSA20-1012/1-ID-O
Mr P Hine	MSA20-692/1-ID-O	S-J Hale	MSA20-1013/1-ID-O
Mr S Minter	MSA20-930/1-ID-O	Mrs N Patel	MSA20-1222/1-ID-O
H Sincup	MSA20-931/1-ID-O	WM Morrison	MSA20-125/5-ID-WDC
G K Moradi	MSA20-992/1-ID-O	Supermkts plc	

### Issue

- a. Whether there is justification for retaining the MSA designation on this site.

### Inspector's Reasoning and Conclusions

11.22.1 Most of the objections to this policy relate to the provision of a supermarket, which I have dealt with under Chapter 8<sup>58</sup>. Planning permission has now been granted for the foodstore as part of a mixed use development which is under construction. In the circumstances Policy MSA 20 seems to me to have little purpose and I recommend that it be deleted.

11.22.2 I note comments from Objectors about upgrading the library and

<sup>58</sup> See Paragraph 8.4.2 of my Report.

relocating it to new premises without any closure. From my site observations it would appear that an extended library is planned to the rear of the frontage development. However, the transfer arrangements are a matter for the Council and not an issue for the Local Plan.

11.22.3 Mr Hine considers that there is scope for widening the MSA boundaries in order to achieve a greater variety and intensity of mixed use development including residential. He believes that the allocation as it stands comprises a wasted opportunity to maximise the use of a key town centre site in accordance with PPG 13 and TDA principles. He advocates a spatial masterplan for Shirley Town Centre and a more imaginative approach to integrated transport and land use planning. A spatial planning framework will be adopted as part of the new development plans system. The Objector puts forward a vision that the current Local Plan would be unable to deliver in its present form. I have commented on the concept of Transport Development Areas under the Strategic Chapter<sup>59</sup> and suggested that the Council may consider adopting this approach more formally within the context of the preparation of its Local Development Framework.

#### **RECOMMENDATION**

- ◆ **I recommend that the Plan be modified by deleting Policy MSA 20 and its associated text.**

### **11.23 POLICY MSA 21: WOOLSTON LIBRARY**

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

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

### **11.24 POLICY MSA 22: STONEHAM**

#### **Representations**

All representations to this policy are listed in Appendix 1G

#### **Issues**

- a. Whether the safeguarding of a park and ride site is justified.
- b. The implications of the park and ride for recreational use.
- c. Whether built development on the MSA site would be acceptable.

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<sup>59</sup> See Paragraphs 1.3.11-1.3.13 of my Report.

## Inspector's Reasoning and Conclusions

### *Strategic Gap Issues*

- 11.24.1 The MSA 22 site is on the northern boundary of the city council's area and within the swathe of land between Eastleigh and Southampton. At present it is greenfield land and part of the strategic gap separating Southampton and Eastleigh. I have supported that designation for the reasons I have given under Policy NE 9<sup>60</sup>. The site is presently in use as playing fields and would also fall to be considered under Policy CLT 3. I can appreciate the concerns of the British Transport Commission Sports and Social Club who lease the land from the Council. However, the policy would require replacement recreation facilities in accordance with Policy CLT 3. In the circumstances I do not consider that the tenancy arrangements between the Club and the Council are a matter for the Local Plan to consider.
- 11.24.2 Between the MSA 22 site and the motorway is an area of land owned by Hampshire County Council (HCC). This lies within Eastleigh Borough and also falls within the strategic gap. HCC point out that the wider site was proposed as the new home of Southampton Football Club although they have now relocated to a site in Northam. Nevertheless, the Objector considers that the MSA 22 land and the HCC land should be considered together to provide strategic employment and transportation opportunities. I understand that HCC has made objections to the emerging Eastleigh Borough Local Plan on similar grounds. It is not clear what HCC has in mind over and above the park and ride project. However, in the absence of any overriding justification it seems to me unlikely that substantial proposals would be compatible with the strategic gap designation.
- 11.24.3 Test Valley Borough Council consider that a park and ride facility could be accommodated within the strategic gap without compromising its basic function. Annex A to PPG 13 concludes that park and ride facilities may not be inappropriate in the Green Belt. Whilst the site in question is not Green Belt, strategic gaps have a similar purpose in terms of maintaining openness and preventing the coalescence of settlements. I do not therefore consider that the park and ride itself, which essentially maintains the open character of the land, would necessarily be incompatible with the strategic gap designation.
- 11.24.4 The policy does however refer to "other forms of development" of a strategic nature. I would agree with Eastleigh Borough Council that it is most unclear what this means and the supporting text gives little clarification. The only project specifically mentioned is a bus garage. I understand that First Bus is seeking to relocate from its present home at Portswood but that the MSA 22 site is only one of a number of sites that are being investigated. Furthermore, there is no evidence that the location of a bus depot here would necessarily assist the implementation of the park and

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<sup>60</sup> See Paragraphs 3.9.5-3.9.7 of my Report.

ride facility. Built development of this type would be inappropriate in a strategic gap and no justification has been advanced for overriding the policy objection.

*The Need for Park and Ride in the Stoneham Area*

- 11.24.5 Policy T16 in the Structure Plan states that where appropriate land will be safeguarded for a number of major transportation schemes. This includes bus based park and ride schemes in the Nursling, Windhover and Stoneham areas to cover the western, eastern and northern approaches to the city. The County Council and City Council commissioned Peter Brett Associates to undertake a study and consider the opportunities for strategic park and ride provision in the Southampton area. This study (the Peter Brett Study) was published in 2002<sup>61</sup>.
- 11.24.6 PPG 13 advises that park and ride can help promote more sustainable travel patterns providing it forms an integral part of the planning and transport strategy for the area. Account should be taken of traffic impacts and such schemes should be designed and implemented in association with other measures including public transport improvements, traffic management and parking controls. As GOSE has pointed out, PPG 13 advises that park and ride should not significantly increase the total available parking stock in the city or encourage additional car borne travel. At present there is ample city centre car parking, although the Council is seeking to reduce the amount of long term space and commuter parking in the city centre<sup>62</sup>.
- 11.24.7 It seems to me that park and ride will be addressing future travel needs when city centre projects, such as West Quay Phase 3 are developed with little or no additional parking. In such circumstances park and ride would not encourage additional journeys that would otherwise not have been made. It is supported as an important part of the Council's integrated transport strategy in the Local Transport Plan<sup>63</sup>.
- 11.24.8 In terms of effectiveness and viability, the Peter Brett Study concluded that sites in the eastern and western corridors should be implemented first. Although it was recommended that a northern corridor site should be safeguarded, the Study pointed out that the need for it should be reviewed in the light of demand following the provision of the other two sites. At the very best it seems to me that a third park and ride site will not be needed until the latter part of the Local Plan period.

*Choice of Sites in the Northern Corridor*

- 11.24.9 A number of Objectors have suggested alternative sites for the park and ride facility in the northern corridor, including at Southampton Airport. The Peter Brett Study looked at the various options within the Stoneham area. Overall, the preferred

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<sup>61</sup> See Core Document CD14/3.

<sup>62</sup> See Paragraphs 10.3.1-10.3.6 in my Report.

<sup>63</sup> See Page 90 of the Local Transport Plan - Core Document CD14/1.

site is north of the M27, between Junction 5 and Wide Lane. This would also have links to Southampton Parkway station. The second preferred option is immediately to the north of that site and these two sites are within Eastleigh Borough. The emerging Eastleigh Borough Local Plan Review does not now safeguard any specific site for a park and ride although there is a general policy addressing the development of park and ride car parks within strategic gaps and the countryside. I understand that the draft policy is however subject to objection, including by Hampshire County Council. The public Local Plan Inquiry has only just been completed and so the approach that Eastleigh Borough Council will take on this issue will be unknown for some time.

- 11.24.10 The MSA 22 site was considered the next best alternative after the two Eastleigh sites in terms of the overall assessment in the Peter Brett Study. Much of the attractiveness of the other two sites was on the basis of a rail based park and ride close to Southampton Parkway. This however is not the type of facility envisaged in Structure Plan Policy T16. The Council considers that there would be a danger that these sites would prove a popular and cheaper option for rail commuters who currently have to pay a relatively high charge to park in the station car park. When the two preferred sites and the MSA 22 site were assessed as bus only options the difference between them was relatively small. Furthermore, in terms of the "primary factors" the MSA 22 site scored higher than the bus-based options on the other two sites. These "primary factors", included planning policy compliance, intrusion into residential areas, site capacity, accessibility and journey time to the city centre.
- 11.24.11 The main disadvantage of the MSA 22 site seems to me to be the suitability of its corridor for a bus-based park and ride. Access would be from Stoneham Way and Junction 5 is already very congested as it provides the main access to the airport. There is also traffic saturation along this section of the M27, especially at peak times. The Peter Brett Study comments that it is no longer a quick route round Southampton. Many of the representations from local people have highlighted the traffic difficulties that are experienced along Stoneham Way and the motorway junction. This is confirmed in the Peter Brett Study, which comments that the MSA 22 site is not likely to be a good location for park and ride from an operational perspective.
- 11.24.12 I appreciate that the Secretary of State has supported the recommendation in the South Coast Multi Modal Study<sup>64</sup> that improvements should be made to Junction 5 of the M27 to assist access and egress to the airport. Nevertheless, the Highways Agency is also concerned about highway impact and whether sufficient highway capacity exists at Junction 5 or whether additional capacity could be obtained at reasonable cost. The Highways Agency considers that the Council's assertion that "*there are no highway issues which would prevent the*

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<sup>64</sup> See Core Document CD23/2 and 23/5.



*development of an acceptable park and ride facility in this location*<sup>65</sup> is premature in advance of a Transport Assessment.

- 11.24.13 The advantage to the Council of the MSA 22 site is that it owns the land and therefore has control over its development. On the other hand, PPG 12 makes clear that in safeguarding land local authorities need to be realistic about the prospects for development within the local plan period and sensitive to the implications of blight. This is particularly relevant here as the MSA 22 site is immediately adjacent to a residential area.
- 11.24.14 Even if a northern site is proved necessary (which is by no means certain), there must be serious doubts about the suitability of the MSA 22 site for all of the reasons I have given. I agree with National Car Parks Ltd that the proposal is imprecise and lacks certainty and the supporting text does little to dispel this impression. At the very least a full Transport Assessment is needed in order to support the allocation and to show that the site would be “appropriate” in terms of safeguarding under Structure Plan T16. The Council should be sure that bus priority measures can be introduced to allow a viable journey to be made without unacceptable impacts on the wider road network. There is also the issue of the Eastleigh sites, which needs to be resolved. Liaison is needed between the two local authorities and HCC as author of Structure Plan Policy T16 could, in my opinion, take the lead in this matter. I note that HCC has suggested a joint working party, albeit for a slightly different reason. Nevertheless I would commend this approach to the three authorities concerned in an effort to resolve these cross-border planning issues.
- 11.24.15 I understand the Council’s concern that it does not want to “miss the boat” with regards to provision of a park and ride to serve the city. However, as landowner it is in control of future uses on the land and if the need is found, and this site proves suitable, then it could be brought forward through a review within the context of the Local Development Framework. In the circumstances, I recommend that Policy MSA 22 and its supporting text should be deleted.

#### *Other Issues*

- 11.24.16 Local people have objected on a number of other grounds including the effect of pollution, light spillage, security and flooding. In view of my recommendation it seems to me unnecessary to consider them in detail. Any project of this kind would be subject to an environmental impact assessment and would need to address adverse impacts through mitigation and remediation.

## **RECOMMENDATIONS**

**I recommend that the Plan be modified by deleting Policy MSA 22 and its supporting text.**

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<sup>65</sup> See Council’s Proof No: SCC MSA22 WR112 – paragraph 2.15.

## 11.25 POLICY MSA 23: DRIVERS WHARF

### *(Proposed Changes 53 and 54)*

#### **Representations**

Hampshire & Isle of Wight Wildlife Trust	MSA23-341/10-ID-O
Consortium of Registered Social Landlords	MSA23-526/14-ID-O
Southampton Coalporters Amateur Rowing Club	MSA23-693/1-ID-O
Southampton Coalporters Amateur Rowing Club	MSA23-693/2-RD-O
Hampshire County Council	MSA23-1025/4-RD-O
English Nature	MSA23-1031/3-ID-O
Councillor Samuels	MSA23-1213/14-ID-O
Southampton Coalporters Amateur Rowing Club	MSA23-693/4-RD-PC-O
Marina Dvpts Ltd	MSA23-420/2-ID-WDC

#### **Issues**

- a. Whether the MSA development would prejudice provisions in the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan.
- b. Whether the proposed uses would accord with regional planning guidance.
- c. Whether the MSA development would prejudice nature conservation interests.
- d. Whether the Plan should include provision for the Southampton Coalporters Amateur Rowing Club.

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

11.25.1 The Drivers Wharf site is a large area of land either side of the access to the Northam Bridge on the southern side of the River Itchen. It is developed for a number of uses including the Meridian television studios and a number of industrial buildings. There is also a waste transfer/recycling facility, which the Council has confirmed will be relocated to a larger site at the Empress Road Industrial Estate. On this basis, Hampshire County Council confirms that it has no strategic objection to the MSA policy, which does not appear to conflict with Policy 44 in the Hampshire, Portsmouth and Southampton Minerals and Waste Local Plan<sup>66</sup>.

11.25.2 I have dealt with the issue raised by Hampshire and Isle of Wight Wildlife Trust and English Nature under Policy SDP 20<sup>67</sup>. There I concluded that in a city such as Southampton, which has a relatively large area of developed coast, mixed-use development can be acceptable that does not have a direct requirement for a waterside location. This does not contravene advice in PPG 20 and it accords with other government policy initiatives that seek to encourage mixed-use development on recycled urban land. Policy T7 in RPG 9 has now been superseded by Policy T7 in the

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

<sup>67</sup> See Paragraph 2.20.5 of my Report.

Regional Transport Strategy<sup>68</sup> but there is no evidence that the development of the MSA site as envisaged would prejudice the future environmental or economic prospects of the Port. Part of the site is already used for recycling and although this facility is to be relocated it is not a use that is dependant on the waterside in terms of location.

- 11.25.3 With regards to nature conservation issues, parts of the MSA site are covered by Policies NE 3 and NE 5. Paragraph 11.70 in the Plan refers to the nature conservation interest and I would expect this matter to be addressed in the Development Brief in view of the proximity of sites of international nature conservation importance. I agree with the Council that the regeneration of the site will bring forward enhancements that will improve the waterside environment. Development proposals would be subject to other relevant policies in the Plan, including Policy SDP 12 relating to landscape and biodiversity. In the circumstances, I do not consider that changes are necessary in response to the objections of English Nature or the Hampshire and Isle of Wight Wildlife Trust on this matter.
- 11.25.4 The Southampton Coalporters Amateur Rowing Club would like a firm commitment from the Council about their long term security at their present location within the MSA site as set out in the Council's response to their initial objections. The Rowing Club point out that they have been based in the local area for over 125 years and provide an important recreational facility for the local community. They want first refusal on the purchase of the land and consultation on the future development of the site. Proposed Change 54 adds that the preparation of a Development Brief for the MSA site will enable those affected to make their views known. Whilst I do not object to these changes it seems to me that full consultation, including with the Rowing Club, will be necessary if the Brief is to have any formal status.
- 11.25.5 Whilst I can appreciate the concerns of the Rowing Club, I agree with the Council that a great deal of their objections relate to management issues that are not a function of the Local Plan. Paragraph 11.68 in the Plan states that the club will be retained and improved. Who pays for this and on what basis the provision is made is not a matter that would be proper for me to consider. I note though that the Council states that the Club will remain in its current location at no cost to the Club<sup>69</sup>. I do not support any further changes to the Plan in response to these objections.
- 11.25.6 Proposed Change 53 requires that development on the MSA site should have regard to established industrial and commercial users, particularly in relation to traffic generation. I support this change, which satisfies the objections of Marina Developments Ltd.

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<sup>68</sup> See Core Document CD4/2

<sup>69</sup> See Paragraph 2.27 in the Council's response to Councillor Samuels (Appendix 6A Proof No. SCC P14).

## RECOMMENDATION

I recommend that the Plan be modified in accordance with Proposed Changes 53 and 54.

### 11.26 POLICY MSA 24: ANTELOPE HOUSE, BURSLEDON

#### *(Proposed Change 37)*

#### Representations

GOSE	MSA24-172/32-ID-O
Hermes Property Asset Management Ltd	MSA24-413/30-RD-O
Pirelli General plc	MSA24-1523/3-RD-O
CGNU Life Assurance Ltd	MSA24-1524/3-RD-O
Meyer International Finance & Property plc	MSA24-1527/1-RD-O
Meyer International Finance & Property plc	PC37-1527/2-PC-O

#### Issues

- a. Whether the retail element of the MSA allocation would be acceptable, having regard to government guidance in PPG 6.
- b. Whether the mix of uses on the site should be inclusive.

#### Inspector's Reasoning and Conclusions

11.26.1 This is a run-down site on the eastern side of the city. It has a rather forbidding ambience and dominates the surrounding residential area by virtue of a large seven storey monolith building, which was formerly occupied by Jewsons the builders' merchants. There are a few uses within buildings on the site, including a storage depot and a car supermarket. However, generally the site has an air of dereliction and is in need of total redevelopment.

11.26.2 The Thornhill area is subject to a New Deal for Communities 10 year programme which aims to provide investment in the community to improve health and education, enhance the living environment and reduce crime and unemployment. Meyer International Finance and Property Plc (Meyer) point out that the proposed new uses would provide considerable benefits to the local community with jobs, shopping, leisure and services that are accessible by public transport as well as walking and cycling. Meyer also point to the regeneration benefits.

11.26.3 This seems to me to be an important brownfield site but the Objectors are proposing that it should provide facilities more akin to those found in a town centre. In this regard, the White Young Green Retail Study considers the nearby Bitterne District Centre to be centrally located to the residential population on the eastern side of the city and to offer a high quality and range of

retail provision<sup>70</sup>. I acknowledge that the site has supported retail use in the past but it is not now a retail destination. I cannot support the perpetuation of retail use on the site in any redevelopment. This is an out-of-centre site and no satisfactory case has been made either in terms of need or the sequential test<sup>71</sup>.

11.26.4 Most of the objection to the policy is on this point, including by GOSE. I have dealt with the retail aspects of this allocation under Chapter 8 of the Plan and will not repeat them here<sup>72</sup>. I note that Proposed Change 30 seeks to resolve the problem through the application of the Policy REI 2 requirements of assessing need and the sequential test at planning application stage to the REI 1 sites, including Antelope House. However, as I have already concluded, this is an inappropriate approach for allocated sites in a Local Plan<sup>73</sup>.

11.26.5 Proposed Change 37 includes a clarification that all mixed uses should be provided on the site. I note that Meyer objects to this change but I consider it appropriate to ensure that the relevant mix of uses are provided to meet the needs of the local community. I support the proposed change accordingly.

## RECOMMENDATIONS

**I recommend that the Plan be modified in accordance with Proposed Change 37 and as follows:**

- ◆ **By deleting the first criterion in Policy MSA 24.**
- ◆ **By deleting Paragraph 11.73.**

## 11.27 POLICY MSA 25: VOSPER THORNYCROFT, VICTORIA ROAD

### Objections

***(Proposed Changes 11, 12 and 13)***

### Representations

SCAPPS	MSA25-846/30-RD-O
English Nature	MSA25-1031/39-RD-O
RSPB	MSA25-363/19-ID-WDC
Vosper Thornycroft (UK) Ltd	MSA25-694/7-ID-WDC
SEEDA	MSA25-1525/1-ID-WDC

<sup>70</sup> See Core Document CD16/1, Paragraphs 4.67-4.79.

<sup>71</sup> Inspector's Note – Meyer challenges the findings of the White Young Green Retail Study in its further written representations on Policy MSA 24. The Council considers this aspect of the representations to be not duly made as no such objections were made to Policy REI 1. I have not therefore considered further this aspect of the objections although it generally concurs with other objections to the Study reported in Chapter 8.

<sup>72</sup> See Paragraphs 8.4.15-8.4.18 of my Report.

<sup>73</sup> See Paragraphs 8.4.27-8.4.29 of my Report.

## Issue

- a. Whether the proposed mix of uses would be appropriate on this site.

## Inspector's Reasoning and Conclusions

- 11.27.1 This large industrial site, which lies adjacent to Woolston District Centre is now owned by the South East England Development Agency (SEEDA) following the relocation of Vosper Thorneycroft. Proposed Change 11 rewrites the policy and its supporting text to provide employment uses, residential, retail, leisure and community uses. Also reference is made to a highly accessible waterfront including areas of green open space. This seems to me to meet the objection of SCAPPS and is also supported by SEEDA and Vosper Thorneycroft who have conditionally withdrawn their objections. I support a wider range of uses on this site (subject to the reservations below) in the interests of achieving a high quality and sustainable redevelopment.
- 11.27.2 Proposed Change 12 appears to include some of the same provisions as Proposed Change 11 and so seems to me unnecessary. Proposed Change 13 amends the reference to the Site of Special Scientific Interest to the Special Protection Area/Ramsar Site. This is a factual amendment, which I support and as a result RSPB has withdrawn its objections.
- 11.27.3 English Nature consider that the waterside area should not be allocated for non-waterside development, especially as there are other areas of sub-tidal habitat that are being lost to create new waterside areas. Although English Nature are not site specific in their objection, one such area that they may have in mind is the Royal Pier and Town Quay (Policy MSA 4). I have commented on this under that policy and whether or not the reclamation is able to go ahead will depend in large part on nature conservation issues<sup>74</sup>.
- 11.27.4 Policy MSA 25 (as proposed to be changed) specifies that the area in the vicinity of the Centenary Quay should be used for employment uses requiring a waterside location. I have dealt with the appropriateness of non-water dependant uses on the developed coast in the context of PPG 20 in my conclusions on Drivers Wharf<sup>75</sup>. In the case of the Vosper Thorneycroft site, large scale heavy industrial activity would generate high volumes of traffic that would have to travel through the District Centre and surrounding residential areas. Also, I understand that there is considerable contamination so the development costs are likely to be high. A mix of uses including residential is likely to have a positive effect on the District Centre and I do not consider that changes are necessary in response to English Nature's objection.
- 11.27.5 Although not the subject of a specific objection, I cannot support

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<sup>74</sup> See Paragraphs 11.4.33-11.4.37 of my Report.

<sup>75</sup> See Paragraph 11.23.2 of my Report.

a retail provision on this edge-of-centre site for the reasons I have already rehearsed in Chapter 8. The policy refers to a “local” facility but that this should “enhance” the existing provision in the District Centre. A new foodstore has recently been built in Woolston and there is no evidence of need for further provision. Conversely, in view of the proximity of the site to the centre there could be considerable impact not just on this store but also on existing shops. The White Young Green Retail Study considers that the quality of the centre is not particularly good and I would concur with this assessment<sup>76</sup>. Retail provision on the MSA site could well make the situation much worse by drawing retail trade away and compounding the existing high level of vacancy in the centre. On the other hand, redevelopment of the site with residential and employment uses is likely to stimulate the centre and lead to improvements in the general shopping environment. For these reasons I recommend that the retail element be deleted.

11.27.6 I note that leisure uses are also included within the development mix. I have dealt with the issue of large scale leisure uses under Policy CLT 1 and for the reasons given there this edge-of-centre site would not be an appropriate location in the absence of a needs assessment and sequential analysis. However, from the representations it appears that the idea is for leisure uses that serve the local community and this would seem to me to be appropriate. I suggest that the word “local” should be included in criterion four.

## **RECOMMENDATIONS**

**I recommend that the Plan be modified in accordance with Proposed Change 11, but with the following additional changes:**

- ◆ **Delete criterion three in Policy MSA 25.**
- ◆ **Preface criterion four with the word “local” in Policy MSA 25.**
- ◆ **Delete reference to retail use in the supporting text.**

**I recommend that the Plan be modified in accordance with Proposed Change 13.**

**I recommend that no modification be made to the Plan in respect of Proposed Change 12.**

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<sup>76</sup> See the White Young Green Retail Study, Paragraphs 4.93-4.103 – Core Document CD16/1.

## 11.28 POLICY MSA 26 TEST LANE SOUTH

### *(Proposed Changes 55 and 92)*

#### **Representations**

Mr I Knight	MSA26-11/2-RD-O
Old Redbridge Residents' Association	MSA26-93/3-RD-O
Mr R Elmslie	MSA26-142/2-RD-O
GOSE	MSA26-172/125-RD-O
Mrs J Knight	MSA26-1544/1-RD-O
RSPB	MSA26-363/20-ID-WDC

#### **Issues**

- a. Whether the MSA site should be allocated for employment use and, if so, whether the mix of uses would be acceptable.
- b. Whether the MSA proposals would cause unacceptable environmental impacts.
- c. Whether access to the site should be permitted across the M271 footbridge.

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

11.28.1 Many people objected to the allocation of this site for industry and warehousing under Policy REI 11. This allocation was deleted in the Revised Deposit version in favour of a MSA designation. This basically raises the same issues and I consider those objections below.

##### *Principle of Development and Mix of Uses*

11.28.2 The site is an open field that presently adjoins existing employment uses. Many people consider that it should remain as an undeveloped open space or provide a more formal sports or recreation facility. There is no evidence that the area suffers from a deficiency in open space provision and indeed I note that there are playing fields on the opposite side of the motorway. In any event, the MSA proposal does include a linear park, which would provide new open space in accordance with Policy CLT 7. This would become a public amenity and in my opinion would be a positive benefit to those living nearby.

11.28.3 Whilst I appreciate that the land provides a valued open outlook for those living nearby the site would provide much needed local jobs, including for those living within the housing area to the east of the M271 Motorway. This is within the area of the Single Regeneration Budget Scheme and will, as I understand it, provide funding support towards the employment scheme.

11.28.4 GOSE objects to offices as part of the mixed use and I would



agree for reasons given in Chapter Eight<sup>77</sup>. The Council say that the mix of uses was determined prior to the SRB Grant and that the intention now is for mainly Class B1(b) and (c) uses in line with SRB Grant funding. The Council also state that any offices would be ancillary to the main uses and it therefore seems to me unnecessary to refer to them.

- 11.28.5 General industrial uses do not seem to me to be appropriate due to the proximity of housing. As the intention is to provide local employment, reference to Class B2 and B8 uses should be deleted. I recommend accordingly.

*Traffic*

- 11.28.6 From the representations it seems that the residential area already suffers from parking problems and commercial traffic movements. This is an existing problem that the Council has tried to resolve through traffic management measures, including imposing a lorry weight restriction and the installation of speed ramps.

- 11.28.7 The uses that I have recommended would not generate heavy vehicle movements. The area is shown to have medium accessibility<sup>78</sup> and offers potential employees the choice of travel by modes other than the car. Paragraph 11.80 of the Plan requires proposals to submit a Transport Assessment and I would expect encouragement of sustainable travel solutions such as Green Transport initiatives. Paragraph 11.80 of the Plan points out that vehicular traffic should be routed northwards to join the M271 motorway at Junction One. That is a detailed design matter but it seems to me that it would help overcome the concerns about road safety and traffic impact.

*The M271 Footbridge*

- 11.28.8 The footbridge over the M271 provides pedestrian and cycle access to the residential estates to the east of the motorway and is alluded to in Paragraph 11.78 of the Plan. As the Council has pointed out the area has a relatively low level of car ownership and so many people rely on walking, cycling and public transport. I heard evidence about past problems with the use of this bridge, including vandalism to properties in Gover and Coniston Roads and police concern about the safety of cars travelling on the motorway itself. I carried out an extensive site visit and saw that people can reach the area via existing routes to the south, although I consider that the footbridge would be more convenient for many living in the residential areas to the east. The Council believes that the footbridge crossing is a public right of way. Whilst this is disputed by some Objectors, it is not my role to consider whether the bridge should be demolished or the route extinguished. That would be a matter for another Authority.

- 11.28.9 I acknowledge that local people are sceptical that effective

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<sup>77</sup> See Paragraphs 8.13.1-8.13.4 of my Report.

<sup>78</sup> Inspector's Note – See the Accessibility Map on the Proposals Map.

improvements to safety can be made. It seems to me that increase in the use of the bridge would, in itself, act as a deterrent to those with malicious intent. Whether people choose to use it will in turn depend on how safe it is perceived to be. Without specific proposals it is impossible for me to judge whether enough could be done through opening up and surfacing the route, installing proper lighting and providing surveillance measures to make it an attractive and safe proposition. I suggest that this is an issue that should be considered within the context of the Masterplan, which I understand is being prepared for the site. Whilst I can see the sustainability advantages of this route, in the absence of assurances that its safety can be assured I do not consider that it should be specifically referred to in Paragraph 11.78.

#### *Environmental Issues*

- 11.28.10 Whilst the site provides a habitat for wildlife, including Canada geese, there is no evidence that it has particular significance to nature conservation. In any event, only the northern part of the site would be developed, the remainder would be a landscaped open space that would attract wildlife interest.
- 11.28.11 The RSPB are concerned about any effect on the adjoining Special Protection Area and Ramsar site, which are of international nature conservation importance. The Objectors suggest a new criterion that development should not adversely affect the nature conservation interests of these sites. I have dealt with these issues under Policy NE 1 and suggested changes to that policy in order to accord with national planning policy on the protection of such sites. Proposed Change 55 (and also Proposed Change 92, which is identical) does not completely accord with the wording that I have recommended. As I have said many times before in my Report, the Plan must be read as a whole. Policy NE 1 would be applicable to any proposals on this site that affect the nearby nature conservation designations. For these reasons an extra criterion is unnecessary and I do not support the proposed change.
- 11.28.12 I have recommended that the employment uses should be restricted to B1(b) and (c) which, by definition, can be sited in a residential area without causing undue harm, for example from noise or pollution. The policy itself provides safeguards against adverse impacts, including a landscaped buffer on the southern portion of the site.
- 11.28.13 There are those who point out that the site is low lying due to past excavation and subject to regular flooding. It is said that this situation has got worse since development to the north was carried out. Objectors are concerned that if the MSA site is built on, problems will be transferred to the adjoining residential area. I note that there is no objection to the policy from the Environment Agency. Any development would be subject to an Environmental Impact Assessment and this would address

impacts on the site and its surroundings. It would also consider appropriate mitigation, including flood attenuation measures.

11.28.14 Objectors raised a number of other concerns, including contamination issues and pollution. These seem to me to be detailed matters that would be considered when detailed proposals are submitted. They do not effect the Local Plan allocation, which seems to me to be acceptable in principle subject to the changes I have recommended.

## RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ By revising Policy MSA 26 as follows:
  - ◆ Delete the first sentence and replace it with the following:  
*“Test Lane South is safeguarded for B1(b) and B1(c) uses”.*
  - ◆ Delete the final sentence and replace it with the following:  
*“Built development will not be permitted on the southern part of the site”.*
- ◆ By deleting the first sentence of Paragraph 11.78 and replacing it with the following new sentence:  
*“In order to meet the city’s need for employment uses, land at Test Lane south has been allocated for light industrial uses within use classes B1(b) and (c)”.*
- ◆ By deleting the second part of the final sentence of Paragraph 11.78 and replacing it with the following new sentences:  
*“A substantial landscaped area will be required, which will be in the form of a linear park. A Masterplan will be prepared and this will address the issue of providing safe and convenient connections between the site and the residential area to the east of the M271 motorway for cyclists and pedestrians”.*
- ◆ By deleting the second sentence of Paragraph 11.79 and replacing it with the following new sentence:  
*“Office uses will only be permitted if they are ancillary to the industrial uses on the site”.*

I recommend that no modification to the Plan be made in respect of Proposed Changes 55 and 92.

## **11.29 POLICY MSA 27: COMBINED HEAT & POWER GENERATION AT REDBRIDGE LANE**

### ***(Proposed Changes 56 and 57)***

#### **Representations**

GOSE	MSA27-172/126-RD-O
SCAPPS	MSA27-846/32-RD-O
Test Valley Borough Council	MSA27-56/5-ID-WD
RSPB	MSA27-363/21-ID-WD

#### **Issues**

- a. Whether the policy adequately accommodates adjoining land uses.
- b. Whether unsatisfactory environmental impacts would arise as a result of the MSA proposal.

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

- 11.29.1 This MSA site is very close to the boundary with Test Valley Borough and its proposed park and ride site. There is also a major employment site to the south east of the M271/ M27 junction (Adanac Park). Proposed Change 56 includes an addition to the third criterion of the policy that seeks to ensure that these adjacent land uses would not be prejudiced. Also, an inclusion in Paragraph 11.83 of the Plan that Test Valley Borough Council and the adjoining Parish Council should be consulted. I support these changes and note that Test Valley Borough Council has conditionally withdrawn its objection.
- 11.29.2 GOSE objects to the sixth criterion of the policy on the basis that it is not relevant to the development and use of land. The Council has responded that Single Regeneration Budget funding is dependant on the ability to contribute to the energy requirements of the regeneration of the Millbrook and Nursling areas. Whilst I can appreciate the Council's point, I agree with GOSE that this should not be a policy requirement. Reference to this matter is made in Paragraph 11.82 of the supporting text and I recommend that criterion six of the policy be deleted accordingly.
- 11.29.3 RSPB request that the fourth criterion includes reference to the Solent and Southampton Water SPA/ Ramsar Site in view of its proximity to the MSA site. This is covered by Proposed Change 57. I support this change and note that RSPB have conditionally withdrawn their objection.
- 11.29.4 SCAPPS object to the allocation on the basis that they believe the MSA site to be in a strategic gap and of nature conservation importance. This is not the case. One of the requirements in criterion four is that the Environmental Impact Assessment will

need to take account of the effect on adjoining residential property and schools. One of the requirements of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 is for a non-technical summary of the information provided. The main concerns of SCAPPS therefore seem to me to have been addressed and I do not consider that any further changes to the Plan are necessary.

#### **RECOMMENDATION**

**I recommend that the Plan be modified in accordance with Proposed Changes 56 and 57 and by deleting criterion six of Policy MSA 27.**