

2. CHAPTER TWO - SUSTAINABLE DEVELOPMENT PRINCIPLES

2.1 POLICY SDP 1: QUALITY OF DEVELOPMENT

Representations

Southampton Federation of Residents Associations	SDP-231/7-RD-O
Consortium of Registered Social Landlords	SDP01-526/15-ID-O
English Heritage	SDP01-628/11-ID-O
Mr G Carr	SDP01-1016/1-ID-O

Issues

- a. Whether the policy adequately contributes to providing a sustainable development framework to the Plan.
- b. Whether Paragraph 2.3 is consistent with the Council's policy on Houses in Multiple Occupation.
- c. Whether affordable housing is adequately addressed in the Plan.

Inspector's Reasoning and Conclusions

- 2.1.1 National and Regional policy stress the importance of development plans in securing sustainable development principles through the application of land use planning policies. Policy SDP 1 is one of a raft of policies that provide the sustainable development framework for the Plan and a "sustainability checklist" for individual development proposals. However, it is important to remember that the Plan must be read as a whole and development control decisions will be based on all relevant policies, including those in Parts 2 and 3. Policy SDP 1 and the other policies in this Chapter should not be overly detailed but should provide the context for what is to follow.
- 2.1.2 It is government policy that everyone should have the opportunity of a decent home. One of the key priorities of Planning Policy Guidance Note 3: *Housing* (PPG 3) is to meet the housing requirements of the whole community, including those in need of affordable homes. Paragraph 2.3 of the Plan accords with these objectives. Policy H5 deals with the issue of Houses in Multiple Occupation (HMO) in deprived housing areas. I deal with this in more detail in that section and I do not consider that changes are necessary to Policy SDP 1 in response to the objection raised by the Southampton Federation of Residents' Associations.
- 2.1.3 Policy SDP 1 addresses the quality of development and requires, where appropriate, for a complementary mix of uses, which accords with policies in RPG 9 and the Structure Plan. This includes the integration of housing with employment and other facilities as explained in Paragraphs 2.11 and 2.12 of the Plan. Measures such as this should result in greater social inclusion. In Chapter 7 there are more detailed policies that seek to improve housing provision for those in greatest housing need. In the circumstances, I do not

consider that a further policy is necessary that specifically recognises the importance of affordable housing in realising the objectives of sustainable development through social regeneration as suggested by the Consortium of Registered Social Landlords.

2.1.4 The Local Plan seeks to ensure that land uses occur in sustainable locations that are accessible to all modes of travel as detailed in Policy SDP 2. Conservation aspects are dealt with in detail in the Historic Environment Chapter (Chapter Four). Issues relating to congestion and pedestrian access that are not based on specific land uses are dealt with more aptly in the Local Transport Plan. In the circumstances, I do not consider that changes are needed in response to the objections of English Heritage.

RECOMMENDATIONS

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

2.2 POLICY SDP 2: INTEGRATING TRANSPORT AND DEVELOPMENT

Representations

GOSE	SDP02-172/35-ID-O
GOSE	SDP02-172/36-ID-O
WestQuay Shopping Centre Ltd	SDP02-352/3-ID-O
Southampton and Fareham Chamber of Commerce	SDP02-1032/16-RD-O

Issues

- Whether the policy is too prescriptive.
- Whether Paragraph 2.15 reflects advice in Circular 1/97: *Planning Obligations* and Planning Policy Guidance 13: *Transport* (PPG 13).
- Whether the Plan deals adequately with traffic impact.

Inspector's Reasoning and Conclusions

2.2.1 PPG 13 makes clear that the Government regards land use planning as a key tool in implementing its integrated transport strategy. This seeks to promote sustainable transport choices, promote accessibility by modes other than the car and reduce the need to travel. The Local Transport Plan has the objective of reducing car journeys in favour of those made by alternative modes. Policy SDP 2 seems to me to accord with these principles and I do not consider that it is too prescriptive as suggested by West Quay Shopping Centre Ltd.

2.2.2 Paragraph 2.15 includes a proviso that funding for transport network improvements will be required when the proposal generates travel requirements that cannot be accommodated by the current infrastructure.

This provides a clear statement that a development will be expected to ameliorate the harm that it causes and sets the framework into which a planning obligation could fit in accordance with Paragraph B16 of Circular 1/97. I do not therefore share GOSE's concerns that the text fails to reflect advice in Circular 1/97. However, it does seem to me that the possible need to seek a planning obligation to mitigate harm should be highlighted in the policy itself.

- 2.2.3 PPG 13 is clear that the availability of parking has a major effect on modal choice. I agree with GOSE that the Plan should be discouraging parking at or around the maximum standard wherever possible. The use of the word "excessive" levels of car parking provision in Paragraph 2.15 of the Plan implies "above maximum". As a strategic objective I would prefer the Council to encourage lower levels of parking provision wherever practicable as advised in the Regional Transport Strategy.
- 2.2.4 The aim of an integrated transport and planning strategy is to focus development in locations where there are alternative transport choices, thus reducing the impact of private car travel. Development proposals would be subject to Policies SDP 2, 3 and 4, which all have this objective in mind. The Local Transport Plan also has a series of policies aimed at managing demand on the transport system with measures that seek to encourage people to walk, cycle and use public transport. Individually, larger proposals will be required to produce Transport Assessments and, where appropriate, Green Transport Plans. These will need to consider impacts on the wider transport system and what measure, if any, are required to mitigate them. I deal with cumulative traffic impacts in the next section. In the circumstances, I do not consider that changes to the plan are necessary in relation to the objection by Southampton and Fareham Chamber of Commerce.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By adding the following sentence to Policy SDP 2:**

"Where the proposal does not integrate satisfactorily with existing transport networks the Council will seek relevant improvements to transport infrastructure through the use of an appropriate Planning Obligation".

- ◆ **By replacing the third bullet point in Paragraph 2.15 with the following:**

"Provides parking at as low a level as possible, having regard to the needs of the development".

2.3 POLICY SDP 3: TRAVEL DEMANDS

Representations

GOSE	SDP03-172/37-ID-O
HBF Southern Region	SDP03-365/14-RD-O
Mr P Hine	SDP03-692/2-ID-O
English Nature	<u>SDP03-1031/6-ID-O</u>

Issues

- a. Whether the circumstances relating to the need for a Transport Assessment and a Green Transport Plan have been adequately addressed in the supporting text.
- b. Whether there is sufficient integration between transport and environmental policy.

Inspector's Reasoning and Conclusions

- 2.3.1 Paragraph 2.20 of the Plan does not seem to me to address the point raised by GOSE. Where development is likely to have significant traffic implications a Green Transport Plan (GTP) should be submitted at planning application stage and this should be made explicit in the text. The content and detail of such plans will depend on the individual development and it is correct to say that this will depend on the functioning of a particular occupier. However, the wording in Paragraph 2.20 implies that the need for a GTP would be set aside in the case of speculative development. Whilst a detailed GTP may not be able to be worked up in such cases, the mechanism can be in place whether or not a specific occupier is known. I suggest that the wording of this part of the text should be amended accordingly.
- 2.3.2 A GTP can be afforded greater weight if it has been lawfully secured by means of conditions or a planning obligation. However, as GOSE and the House Builders Federation (HBF) point out, these are only appropriate if the statutory and policy tests outlined in Circular 1/97 have been met. I recommend that changes be made to Paragraph 2.24 to reflect this point.
- 2.3.3 Congestion is identified as a major problem in the Government's 10 year Transport Plan (2000)¹. Bassett Avenue (A33) is a major route into the city from the north and undoubtedly suffers in this respect, especially at peak periods. However, a developer should not be expected to remedy an existing problem unless the proposal would materially exacerbate it. I agree with the HBF that there may be some types of development, which due to their scale or nature may not give rise to unacceptable harm in terms of traffic congestion. On the other hand it should be recognised that the cumulative

¹ See Core Document CD3/11

effect of a number of small proposals can be far greater than their impact individually. In such circumstances it is not unreasonable to expect a developer to help alleviate some of the cumulative harm. The problem however is in how this can fairly and reasonably be related to the development in question.

- 2.3.4 Circular 1/97 makes clear that a blanket formulation is generally inappropriate. However without knowing the amount of development likely to come forward and what measures are needed to address the cumulative harm that would arise, it is impossible to assess the proper level of contribution. Whilst I can appreciate the Council's concern about cumulative impact, it seems to me that the most that can be reasonably expected is that small scale development "consumes its own smoke" in the light of the situation as it exists at the time. For these reasons I consider that Paragraph 2.21 needs to be amended along the lines suggested by the HBF.
- 2.3.5 A key objective in the Local Transport Plan is to reduce private car journeys and encourage travel by other modes. Whilst this Local Plan does not adopt the TDA approach² it does incorporate many of the principles that seek to carry forward this objective, as I have already commented. Mr Hine considers that there should be a more formal methodology for assessing accessibility, perhaps in the context of Transport Assessments and Green Transport Plans, using "pedshed" techniques or the "PTAL" mechanism for example. I comment about the way that the City Council has approached the issue of measuring accessibility levels in the next section, but I do not consider that changes to Policy SDP 3 or its supporting text are needed in response to Mr Hine's objection.
- 2.3.6 In Policy SDP 3 the term "environment" is used to mean the external context within which the transport network operates. The nature of the surroundings, along with factors such as safety and efficiency will all determine whether people choose to use a particular mode of travel. English Nature suggest that there should be further clarification of the term "environment" and a stronger emphasis on integrating transport with environmental policy. However, the policy seems to me to provide an adequate link between transport provision and environmental matters at the strategic level.
- 2.3.7 In their objections to Policies REI 1 and REI 11³, Associated British Ports (ABP) were concerned to ensure that the importance of retaining unimpeded access to and from the Port should be recognised. This particularly related to the proposed retail allocation at Millbrook but also to the Council's preferred alternative for B1 uses for the site put forward in its Proposed Change 60. ABP have proposed an addition to the Policy and a new paragraph in the supporting text. This explains the national importance of the Port and that good access should be maintained, especially around Dock Gate 20 which is the main entrance to the Container Terminal and Western Docks. The Council does not consider that this is necessary or that it is desirable to single out the Port above other uses. However, the Port is of national

² See Paragraphs 1.3.11-1.3.13 of my Report.

³ Although ABP did not object to Policy SDP 3, they did suggest changes to the policy that would meet their objections to Policies REI 1 and REI 11. See Paragraphs 8.4.14 and 8.15.8.

significance and that unimpeded access is of vital importance if it is to continue to function efficiently and maintain its competitiveness. Furthermore, as the Dibden Bay terminal no longer seems likely to go ahead⁴ it is probable that traffic movements through the existing Port will increase. For all of these reasons I consider that there is merit in making the changes to the Plan suggested by the Objector and I recommend accordingly.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ By adding *“including access to the Port of Southampton”* to the end of the first paragraph to Policy SDP 3.
- ◆ By deleting the fourth sentence in Paragraph 2.20 and replacing it with:
“The city council will require the submission of a Transport Assessment and seek to secure a Green Transport Plan alongside planning applications for proposals that are likely to give rise to significant transport implications”.
- ◆ By deleting Paragraph 2.21 and replacing it with the following new paragraphs:
“Some parts of the city, such as Bassett, have the available capacity to accommodate additional development through increased density. Where development relies on access directly or indirectly onto Bassett Avenue, contributions may be required towards transport improvements, commensurate with the scale and nature of the development proposed. This should enable greater use of public transport, walking and cycling in order to relieve pressure from congestion on Bassett Avenue. Where a development would give rise to significant traffic implications, a Green Transport Plan will be sought to show how the development will deal with any additional traffic that will use Bassett Avenue”.
“The nationally important Port of Southampton is a key part of the City’s transport infrastructure. National port policy seeks to protect routes to and from key ports. The maintenance of good access to the Port of Southampton will be material to the consideration of any proposals for uses that would generate significant additional flows of traffic, particularly in the vicinity of Dock Gate 20”.
- ◆ By deleting the third sentence in Paragraph 2.24 and replacing it with:
“ Where appropriate the Council will seek to make a Green Transport Plan legally binding through the use of planning conditions or a planning obligation in accordance with advice in Circular 1/97”.

⁴ Inspector’s Note – The Secretary of State refused permission for a new container terminal at Dibden Bay on the opposite side of Southampton Water to the existing Port in April 2004.

2.4 POLICY SDP 4: DEVELOPMENT ACCESS

Representations

GOSE	SDP04-172/38-ID-O
WestQuay Shopping Centre Ltd	SDP04-352/4-ID-O

Issues

- a. Whether the policy accords with government guidance regarding cycling.
- b. Whether the policy is too prescriptive.

Inspector's Reasoning and Conclusions

2.4.1 Policies in the Local Transport Plan aim to improve facilities for cyclists and promote the greater use of this travel mode. The Council also has a Cycling Plan⁵, which I understand is due to be updated in 2004 and will pay particular regard to land use allocations in the Local Plan when determining cycle route improvements. GOSE is concerned that Paragraph 79 of PPG 13 regarding cycling is complied with. Policy SDP 4 places cycling as a high priority and I am satisfied that it accords with this advice.

2.4.2 A key objective of national and strategic policy is to achieve an integrated transport and planning system. By locating development in places that can be reached easily on foot, cycle or public transport the level of car use can be reduced. West Quay Shopping Centre Ltd believe that the policy and prioritisation is too prescriptive. However, Policy DM 4 in the Local Transport Plan sets out a similar hierarchy in terms of considering the needs of different users. It also seeks to encourage modal shift away from the car. These seem to me to be correct principles, which are reiterated in Policy SDP 4 through a sequential approach to accessibility.

RECOMMENDATION

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

⁵ See Core Document CD14/2

2.5 POLICY SDP 5: PARKING

(Proposed Changes 8, 31 and 61)

Representations

Wm Morrison Supermarkets Plc	SDP05-125/6-ID-O
Wm Morrison Supermarkets Plc	SDP05-125/9-RD-O
GOSE	SDP05-172/39-ID-O
West Quay Shopping Centre Ltd	SDP05-352/5-ID-O
Hawthorne Kamm Planning Consultancy	SDP05-361/4-ID-O
Hermes Property Asset Management Ltd	SDP05-413/12-RD-O
First Group Plc	SDP05-414/7-RD-O
First Group Plc	SDP05-414/8-RD-O
Consortium of Registered Social Landlords	SDP05-526/16-ID-O
IKEA Properties Investments Ltd	SDP05-571/8-ID-O
IKEA Properties Investments Ltd	SDP05-571/9-ID-O
IKEA Properties Investments Ltd	SDP05-571/16-RD-O
Orchard Homes	SDP05-697/1-ID-O
Quintain Estates & Development Plc	SDP05-981/2-ID-O
IKEA Properties Investments Ltd	PC08-571/19-PC-O
IKEA Properties Investments Ltd	PC31-571/20-PC-O

Issues

- a. Whether the car, cycle and motorcycle parking requirements in the Plan are reasonable and accord with national and regional guidance.
- b. Whether it is appropriate to use accessibility zones to control parking levels.

Inspector's Reasoning and Conclusions

2.5.1 In answer to GOSE's point it seems to me reasonable to place the parking and cycling standards in Appendices to the Plan. These form part of the Plan and therefore S38(6) of the Planning and Compulsory Purchase Act 2004 is applicable.

Accessibility Zones

2.5.2 An important way that reliance on the private car can be discouraged is through parking strategy. The County Council has used a public transport accessibility model to define a number of accessibility zones across

Hampshire. Within "*Hampshire Parking Strategy and Standards*" (HPSS)⁶, adopted in 2002, the County Council outlines its parking policy. This advocates a reduction in parking standards for areas of high accessibility. Such areas are served by at least 8 buses an hour within a walking distance of 400 metres and with good cycling and pedestrian facilities. The City Council has signed up to the approach detailed in the document and it seems to me to accord with the Regional Transport Strategy, which advocates tighter levels of parking provision in accessible locations.

- 2.5.3 The principle of applying lower parking standards in the city centre where accessibility is higher is already well established in the adopted Local Plan. The emerging Plan takes this further by dividing the City into three (high, medium and low) accessibility zones, which are shown on the Accessibility Map⁷. The medium accessibility zones are defined as being served by 10-19 buses per hour and high accessibility zones as being served by more than 20 buses an hour within a walking distance of 400 metres. This information is provided in the Council's response to the IKEA objections⁸. Whilst there are undoubtedly different ways of measuring accessibility I see no reason to object to this form of assessment. However, I consider that the methodology should be made explicit in the Plan. Orchard Homes suggest more zones are needed to reflect the actual needs of residents of the city. However, I agree with the Council that this would make the Plan unmanageable.

Parking Standards - General

- 2.5.4 A number of Objectors consider that the parking standards in Appendix 1 are not compliant with PPG 3 and PPG 13. The Council has sought to rectify this in the Revised Deposit version through Proposed Changes 8 and 31, which relate to food retail and sports halls/ health clubs. IKEA has objected to these changes but has given no reasons for the objection. Proposed Change 8 meets the objection of First Group Plc. I support these changes, which are in line with guidance in the HPSS and PPG 13. There are though still anomalies, including food and drink, nursing homes, health centres and car sales. In the absence of any justification for adopting different standards, I consider that those advocated in the HPSS should be adhered to.
- 2.5.5 The cycle standards in Appendix 2 are in many cases quite different from the HPSS and seem to be based on the Council's "Cycling Plan" approved by the Council in 2000. This pre-dates the HPSS and in the absence of any justification for divergence I recommend that the Plan should follow the standards in the HPSS. For consistency I make a similar recommendation with regards to the motorcycle standards in Appendix 3.
- 2.5.6 The HPSS suggests that parking in relation to certain C2 and D1 uses should be determined by a Transport Assessment above a certain threshold. The Local Plan seems to make no distinction in terms of size of development but for small developments a Transport Assessment could be unnecessary and unduly onerous. Whilst not the subject of a specific objection, I suggest that for the sake of consistency the standards should recognise this.

⁶ See Core Document CD23/1

⁷ The Accessibility Map is part of the Proposals Map to the Plan.

⁸ See Paragraph 2.18 of the Council's proof of evidence Ref: SCC/SDP05/P7 (Appendix 6A of my Report).

- 2.5.7 The reduction in the proportion of journeys made by car is a cornerstone of national planning policy. It is recognised that the availability of parking has a strong influence on modal choice. I agree with GOSE that the Plan needs to spell out the advice in PPG 13 that developers will not be required to provide more spaces than they wish, except in exceptional circumstances, such as where there are significant road safety issues. An appropriate reference could be added to Paragraph 2.29. The HPSS advocates lower parking levels in areas of high accessibility, which in Southampton would cover the zones of medium and high accessibility. However, there is no correlation between the percentage reductions in this document and Appendix 1 of the Local Plan. The City Council explains in its written response to Objectors⁹ that this reflects the "*different characteristics of Southampton, which is a densely populated city well served by public transport*". However, the areas of high accessibility in the HPSS are mainly confined to Southampton and Portsmouth and so this explanation is difficult to understand.
- 2.5.8 Southampton City Council has signed up to the HPSS, which provides a consistent approach and has been drawn up having regard to Southampton's Local Transport Plan. It seems to me that unless there are good reasons for doing otherwise, the Local Plan should follow its provisions. Accordingly, I consider that the parking reductions in the areas of medium accessibility should accord with the table in Paragraph 5.3 of the HPSS. Whilst it is reasonable to reduce the maximum standards further for the areas of highest accessibility, 10% of base level provision seems very low. I appreciate that the city centre is well served by short term parking facilities, which were provided in association with West Quay Phase 2. Furthermore, the Local Transport Plan includes modal split targets for peak period travel to and from the city centre¹⁰. However, there appears to be no approved Parking Plan and the Local Plan provides no explanation as to how the parking reductions in high accessibility areas have been derived. It is thus impossible to tell whether such large reductions are reasonable or not. As GOSE has pointed out, PPG 13 warns that care must be taken not to threaten town centre investment by enforcing parking levels that are too low.
- 2.5.9 Shirley Town Centre and Woolston and Bitterne District Centres are also defined as areas of high accessibility. However, no information has been provided about existing car parking provision and whether it could support such a low level of parking for new developments. The parking reductions have been made considerably more stringent between Initial and Revised Deposit stages. I understand that this was in response to the settlement letter from GOSE in respect of the Local Transport Plan¹¹. Although GOSE has commented that the Council's parking proposals in the Local Transport Plan appear to be inconsistent with traffic reduction targets¹², this does not explain the rationale behind the levels of reduction for different land uses or accessibility zones.

⁹ See Paragraph 2.11 of Statement No: SCC/SDP5/WR74 (Appendix 6B to my Report).

¹⁰ Local Transport Plan Paragraph 4.4.3 – See Core Document CD14/1.

¹¹ See Paragraph 2.5 of Council's Proof ref: SCC/SDP05/P7 (Appendix 6A to my Report) and Core Document CD23/4, Annex 5.

¹² In its settlement letter on the Local Transport Plan – See Core Document CD 23/4.

- 2.5.10 Paragraph 2.31 in the Plan allows for flexibility by allowing parking above the maximum level for medium or high accessibility zones where the need can be demonstrated by retail and leisure developers. However, this should not be seen as a way of overcoming overly stringent parking standards. Proposed Change 61 brings the parking reduction for A2 uses in high accessibility zones into line with other uses in these areas. However, for the reasons given above I find no justification for the level of reduction advanced in this change and therefore do not support it.
- 2.5.11 In the circumstances, I recommend that the Council reconsiders its proportional reductions for different land uses and for the medium and high level accessibility zones. It should remember that these are maximum levels and that in many instances local factors will dictate that a much lower level of provision would be appropriate.

Parking for Retail Uses

- 2.5.12 The maximum base level standard for food retail has been reduced in Proposed Change 8 to one space per 14 m² gross floorspace in line with PPG 13 and HPSS. I support this change, which meets a number of objections. William Morrison Supermarkets Plc (Morrison's) consider that this standard should be applied regardless of the accessibility zone. They say that this would reflect the fact that bulk food shopping is generally undertaken by car and that insufficient parking will render a town or district centre site uncompetitive in comparison with out of centre sites where parking is plentiful.
- 2.5.13 The argument regarding car travel to supermarkets has some credence and is recognised by a lower parking reduction in areas of medium accessibility for retail uses in comparison with employment uses, for example. I am recommending that the proportional reductions for medium accessibility areas follow those in the HPSS (Paragraph 2.5.8 above), which would be 75% for retail. I have also said that I consider the reductions in the case of high accessibility areas to be too high. However, not everyone does a weekly shopping trip by car. There are those who through necessity or choice use the bus or travel by cycle, motorcycle or on foot. Small food trips for example may be carried out in this way, which means that cycle and motorcycle parking provision is a necessary requirement. A balance needs to be struck between the commercial needs of the foodstore and sustainable transport objectives. I consider that the application of lower levels of parking in accessible locations meets this objective.
- 2.5.14 Apart from the accessibility to non-car modes, one of the advantages of siting a foodstore at the edge rather than out of a centre is that it allows people to make linked trips. Users of the foodstore would then go on to shop in the centre rather than make a separate trip to an out-of-centre store. Encouragement of such behaviour is in line with national planning policy and objectives in the LTP to reduce car journeys. There may however be instances where edge-of-centre retail or leisure developments genuinely provide short term parking facilities that meet a shortfall in the town centre as a whole. This is envisaged in Paragraph 56 of PPG 13. Whilst I doubt that this would happen very often, it is the sort of circumstance that would be covered by Paragraph 2.31 of the Plan. I suggest that it would be useful if further text is included to specifically refer to this kind of eventuality.

- 2.5.15 Morrisons raise the issue of the definition of “uncovered” retail areas. This derives from the HPSS and relates to non-food retail uses. It seems to me self explanatory and would include external display areas that are found outside of the building, for example. In the circumstances I do not consider that changes need to be made in response to this objection.
- 2.5.16 I have already discussed the issue of reduced levels of car parking in areas of medium or high accessibility in relation to food retail uses. The same principle is applicable to other uses, including non-food retail development. It encourages higher density of development in areas well served by alternate modes of travel hence making better use of existing land resources in sustainable locations. I do not agree with IKEA that the parking standards should be the same regardless of accessibility and that reductions should be set through individual Transport Assessments. This would not provide developers with certainty and would be likely to result in inconsistency with the objective in the LTP to reduce car travel. In accordance with advice in PPG 13, the base levels are lower than food retail but the Council has given no reason why the proportional reduction is also lower¹³. The HPSS advocates a 75% parking reduction for all retail uses in highly accessible areas. In the absence of justification for doing otherwise, I recommend a similar reduction level for areas of medium accessibility in Southampton.
- 2.5.17 IKEA has suggested that Policy SDP 5 and the text in Paragraph 2.34 should be amended to allow for the specific requirements of an IKEA store. This relies on a wide catchment area and the developer contends that the nature of the shopping activity means that large areas of parking are needed close to the store. This seems to me to be a good illustration of why such stores should be encouraged to locate within or adjacent to the city centre. This would encourage linked shopping trips and car parking could also serve the town centre. I do not consider that the policy or supporting text should cater for the exceptional. As I have said, Paragraph 2.31 in the Plan does allow for higher levels of car parking if the need can be adequately demonstrated.

Parking for Residential Development

- 2.5.18 Southampton is highly urbanised and PPG 3 is clear that higher residential densities should be encouraged through full and effective use of land. Notwithstanding that it is mentioned in the HPSS, I consider that a parking standard of 3 spaces, albeit that it would be a maximum, conveys the wrong message. There is a footnote in Appendix 1 to the effect that average parking provision should not exceed 1.5 spaces per unit in accordance with PPG 3. However, in relation to the individual standards I recommend that 2-3 bed units should have a maximum of 1.5 spaces and 4 or more bed units should have a maximum of 2 spaces. With regards to the reduction in parking levels in areas of medium accessibility I recommend that the 50% reduction advocated in Table 3 of HPSS be adopted and that in areas of high accessibility this be reduced further, perhaps to 25%.
- 2.5.19 Affordable housing will often be provided as part of a larger development. Government guidance makes clear that developers should not be required to

¹³ 50% in areas of medium accessibility and 10% in areas of high accessibility as opposed to 70% and 30% respectively for food retail.

provide more parking than they consider necessary. This will take account of such factors as household type and anticipated levels of car ownership and in some instances car free development may be appropriate. In the circumstances it seems to me unnecessary and inappropriate for standards to be developed specifically for affordable housing as suggested by the Consortium of Registered Social Landlords.

- 2.5.20 Paragraph 2.37 in the Local Plan mentions that developers may be required to fund the introduction of a controlled parking zone. Paragraph 84 of PPG 13 makes clear that this may be achieved through planning obligations but that these will be subject to the statutory and policy tests in Circular 1/97. For clarity this should be stated in the text. With regards to the mention of limitations on the use of a B1 building, I agree with GOSE that this requirement should be included in the policy itself in order to form a basis for the determination of planning applications. I recommend accordingly.
- 2.5.21 PPG 13 places a high priority in ensuring that development meets the accessibility needs of disabled people. The HPSS advocates that 5% of the total parking allocation should be so designated and the Council's standards in Appendix 1 seem to accord with this. I do not agree with Quintain Estates & Development Plc that such a standard is unrealistic for changes of use or that it should be treated any differently from new build. The minimum requirement for office developments in the Plan has been reduced from 6 to 1 and this seems to me reasonable. Clearly if spaces could not be provided for any reason the Council would need to consider the case on its individual merits.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By adding an additional sentence to Policy SDP 5 as follows:**
"In the case of B1 development a condition or legal agreement will be sought to limit the use to ensure that parking provision remains appropriate".
- ◆ **By rationalising Paragraphs 2.29-2.36 to give a clear explanation of the methodology used to establish the accessibility zones and how they apply to each of the areas concerned. Further points to be included are:**
 - ◆ **That the accessibility map, due to its scale, is not definitive and does not take account of factors such as the quality of individual pedestrian routes. It should therefore be used as a guide and a site-specific accessibility statement may be necessary to determine the maximum parking requirement for individual proposals.**
 - ◆ **That developers will not be required to provide more parking than they wish, unless there are exceptional circumstances such as road safety issues.**
 - ◆ **That the flexible approach would only apply to leisure and retail development in zones of medium and high accessibility and that the base (ie low accessibility) maximum should not be exceeded. An example would be where it can be demonstrated that the**

parking facilities would genuinely meet a need in the town centre as a whole.

- ◆ By adding the following words to the end of the last sentence in Paragraph 2.37:

“Subject to the statutory and policy tests outlined in Circular 1/97”.

- ◆ By changing the standards in Appendix 1 as follows:
 - ◆ Low accessibility level to incorporate the changes in PC 08 and PC 31 and to accord with the standards in HPSS. C3 standards to be 1.5 spaces for 2-3 bed dwellings and 2 spaces for 4+ dwellings, with an average of 1.5 spaces per unit across the development.
 - ◆ Medium accessibility level reductions to accord with the reductions for high accessibility areas in the HPSS.
 - ◆ High accessibility level reductions to be half of the medium accessibility levels or such other reduction that the Council considers to be justified.
 - ◆ Transport Assessment levels to be clarified and parking standards specified for smaller school and hospital developments.
- ◆ By changing the cycle and motorcycle standards in Appendices 2 and 3 to accord with HPSS.

I recommend that no modification be made to the Plan in respect of Proposed Change 61.

2.6 POLICY SDP 6: URBAN DESIGN PRINCIPLES

Representations

Hampshire and Isle of Wight Wildlife Trust	<u>SDP06-341/13-ID-O</u>
WestQuay Shopping Centre Ltd	<u>SDP06-352/6-ID-O</u>
Consortium Of Registered Social Landlords	<u>SDP06-526/17-ID-O</u>
English Heritage	<u>SDP06-628/12-ID-O</u>
Quintain Estates And Development Plc	<u>SDP06-981/3-ID-O</u>
Hampshire County Council	<u>SDP06-1025/6-ID-O</u>
English Nature	<u>SDP06-1031/7-ID-O</u>

Issues

- a. Whether the design principles are appropriate and adequately expressed.
- b. Whether the policy is too prescriptive.

Inspector's Reasoning and Conclusions

2.6.1 The importance of good design in the promotion of sustainable development

is a cornerstone of national planning policy. PPG 1 stresses that development proposals should demonstrate how they have taken account of the need for good design. It advocates the submission of a design statement at the start of the planning application process and this is supported in *By Design* the government's guidance on design matters¹⁴. PPG 3 encourages the efficient use of land and higher density of development in appropriate locations through imaginative design and layout. The use of good design to achieve safe and sustainable places for people to live and work is advanced in PPG 13. The draft PPS 1 says that development plan policies should be based on the defining characteristics of each local area and that the design and layout of proposals should be suitably appropriate. Within this context it seems to me vital that the Local Plan has policies that address the issue of urban design.

- 2.6.2 Policy SDP 6 includes a number of matters that need to be covered in a design statement. The inclusion of a threshold means that it does not apply to very small-scale development with minimal impact. The Council has confirmed in its response that the policy also applies to changes of use. I see no reason why such development should be excluded as this kind of proposal can often have a substantial impact on its surroundings. For the same reason I do not agree with the Consortium of Registered Social Landlords that affordable housing schemes should be excluded from the provisions of the policy. I see no reason why the requirement for a design statement should stifle innovation or high quality sustainable development. I note that this Objector makes the same comment in relation to Policies SDP 7-SDP 13. My response to these objections is the same.
- 2.6.3 English Heritage, Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council suggest that the policy should include further guidance on what should be covered in design statements in respect of individual principles. However, Paragraph 2.44 in the Plan makes clear that Policy SDP 6 provides a framework and that each principle is subject to a more detailed consideration in Policies SDP 7-SDP 13. Paragraph 2.45 in the Local Plan makes clear that the importance of each design principle will depend on the individual proposal and that the form of the statement will depend on the nature and scale of the development. I do not therefore consider it appropriate to try to specify a particular set of standards for design statements as suggested by the Hampshire and Isle of Wight Woodland Trust.
- 2.6.4 Further guidance as to the content and form of design statements is provided in the Development Design Guide for Southampton City Centre¹⁵. Although I understand that this is only in draft form at present it is intended to support the urban design policies in the Local Plan and to be adopted as Supplementary Planning Guidance in due course. I suggest that this could be referred to in Paragraph 2.46 of the Plan along with the City Centre Urban Design Strategy¹⁶. I do not therefore consider that the policy is too

¹⁴ *By Design – Urban Design in the Planning System: Towards Better Practice* (2000). Produced jointly by DETR (as it then was) and the Commission for Architecture and the Built Environment (CABE).

¹⁵ See Core Document CD18/1.

¹⁶ See Core Document CD18/2.

prescriptive as suggested by West Quay Shopping Centre Ltd. It is important though that the design input is commenced at the earliest possible opportunity. In order to be effective this will mean that the local planning authority will need to ensure that it has the staff resources to enable pre-application discussions to take place and an ongoing and constructive dialogue with the developer. This is vital if the ambitions of this and the other design policies are to be properly realised.

RECOMMENDATION

I recommend that the Plan be modified by referring to the Development Design Guide for the City Centre in Paragraph 2.46.

2.7 POLICY SDP 7: CONTEXT

Representations

Hampshire and Isle of Wight Wildlife Trust	<u>SDP07-341/14-ID-O</u>
Consortium Of Registered Social Landlords	<u>SDP07-526/18-ID-O</u>
English Heritage	<u>SDP07-628/13-ID-O</u>
English Nature	<u>SDP07-1031/8-ID-O</u>

Issues

- a. Whether the policy criteria are adequate to properly assess context in relation to a development proposal.
- b. Whether the supporting text should refer to the need for a characterisation study.

Inspector's Reasoning and Conclusions

- 2.7.1 My response to the objection of the Consortium of Registered Social Landlords regarding affordable housing is set out in Paragraph 2.6.2 above.
- 2.7.2 I agree with the Hampshire and Isle of Wight Wildlife Trust and English Nature that use of the words "account will be taken of" is not clear or precise. The policy provides a checklist of factors rather than informing the decision making process. A good criteria based policy needs to make clear the circumstances in which planning permission will (or will not) be granted and the criteria that will be used for making that decision. Whilst I do not consider that it is necessary to rank the criteria as suggested by English Nature, I do believe that the policy needs to be worded in a clearer and more positive way. I suggest two other changes. In the first criterion it is those landforms and natural features that contribute to environmental quality that need to be respected. In the second criterion, enhancement may be too stringent a requirement in some cases. The word "important" should be added as not all urban spaces, townscape, etc will necessarily be worthy of

retention.

2.7.3 Paragraph 2.47 of the Plan now makes reference to Conservation Area Appraisals, which should provide an assessment of the area's special interest and its character and appearance. The local planning authority needs to ensure that all of its conservation areas are provided with such information as detailed in Paragraphs 4.4 and 4.5 of PPG 15, although I note that this is not presently the case. Those appraisals that have currently been carried out are listed in Paragraph 4.4 in the Local Plan. Furthermore, a design statement will be required for development proposals within and adjacent to such areas, not just under the general design policies of the Plan but also by Policy HE 1. This would address existing character and context as explained in the draft Development Design Guide. In the circumstances, I do not consider it necessary to require a further characterisation study as suggested by English Heritage.

RECOMMENDATION

I recommend that the Plan be modified by deleting Policy SDP7 and replacing it with the following new policy:

“Development which would cause material harm to the character and/or appearance of an area will not be permitted. Proposals should:

- (i) be compatible with existing landforms and natural features that contribute to the quality of the local environment;***
- (ii) retain, and where possible enhance, important existing urban spaces, townscape, parkland, natural or historical features;***
- (iii) respect the existing layout of buildings within the streetscape;***
- (iv) respect the scale, density and proportion of existing buildings;***
- (v) Integrate into the local community”.***

2.8 POLICY SDP 8: URBAN FORM AND PUBLIC SPACE

Representations

GOSE	SDP08-172/40-ID-O
Consortium Of Registered Social Landlords	SDP08-526/19-ID-O
English Heritage	SDP08-628/15-ID-O
Environment Agency	SDP08-850/27-ID-O

Issues

- a. Whether the policy criteria are adequate to properly assess the layout and form of development proposals.
- b. Whether the supporting text is too prescriptive.

Inspector's Reasoning and Conclusions

- 2.8.1 My response to the objection of the Consortium of Registered Social Landlords has been given in Paragraph 2.6.2 above.
- 2.8.2 It does seem to me that GOSE's concern about excessive detail in the first sentence of Paragraph 2.51 of the Local Plan is justified. In its response the Council concur that there may be instances where a centrally located building could be acceptable. The second sentence states that generally buildings fronting streets will be the most efficient design solution. In the circumstances, I suggest that the first sentence of Paragraph 2.51 is unduly prescriptive and should be deleted.
- 2.8.3 English Heritage's concern about the use of the word "opportunity" in criterion four has been addressed in the revised text where it makes clear that new public art will be required "where appropriate". Paragraph 2.53 of the Plan expands on this and makes clear that the Council will look for provision in significant proposals that have a major impact on important public places.
- 2.8.4 The Environment Agency's comment that Paragraph 2.54 should refer to Policy SDP 12 and not SDP 13 has been addressed in the Revised Deposit version.
- 2.8.5 Whilst not subject to a specific objection my comments regarding the wording of Policy SDP 7 equally applies to Policy SDP 8. For the sake of consistency I would suggest that the wording should be much more positive for the reasons I have already rehearsed.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By deleting Policy SDP 8 and replacing it with the following new policy:**
"Planning permission will only be granted where the layout and form of buildings and spaces are integrated into the existing urban structure and relate positively to the public realm. Proposals should:
 - (i) position doors and windows in order to create active street frontages;*
 - (ii) provide defensible space and a clear distinction between public and private space;*
 - (iii) provide townscape opportunities including the creation of public spaces which are well-defined, usable and connected;*
 - (iv) retain and/or enhance existing public art and through "Percent for Art" take the opportunity to incorporate new public art where appropriate".*
- ◆ **By deleting the first sentence of Paragraph 2.51.**

2.9 POLICY SDP 9: SCALE, MASSING AND APPEARANCE

Representations

Hawthorne Kamm Planning Consultancy	SDP09-361/5-ID-O
Consortium of Registered Social Landlords	SDP09-526/20-ID-O
English Heritage	SDP09-628/16-ID-O
English Heritage	SDP09-628/37-RD-O
City of Southampton Society	<u>SDP09-640/8-ID-O</u>
Mr G Carr	<u>SDP09-1016/3-ID-O</u>
Mr C Wood	SDP09-1019/8-ID-O

Issues

- a. Whether the policy adequately assesses the impact of tall buildings.
- b. Whether tall buildings should be allowed in other locations.

Inspector's Reasoning and Conclusions

2.9.1 My response to the objection of the Consortium of Registered Social Landlords regarding affordable housing provision has been given in Paragraph 2.6.2 above.

2.9.2 Other outstanding objections refer to the part of the policy relating to tall buildings. I agree with English Heritage that it would be helpful to include a definition in the Glossary even though a 5-storey threshold is mentioned in Paragraph 2.57 of the Plan. Tall buildings can successfully relate to much smaller scale development as is evidenced in many major world cities. The success of such projects depends on their design quality and ability to make a positive statement whilst respecting their overall context. I do not think that a separate tall buildings policy is however required, as suggested by English Heritage. This is because the relationship with the scale and mass of adjacent existing structures is dealt with in Policy SDP 7. I believe that Policy SDP 9 should concentrate on what is required of the development itself and for the reasons already given in relation to Policy SDP 7, I recommend a much more positive wording so that everyone is clear on what is being asked for.

2.9.3 It seems to me that the policy accords with advice in the English Heritage/ CABA guidelines on tall buildings¹⁷ and I see no reason why they need to be explicitly referred to in the text. The draft Development Design Guide contains more detailed guidance and the Council intend that this will be adopted as SPG. I have suggested that this should be referred to within the supporting text to Policy SDP 6.

¹⁷ Inspector's Note – The Guidance on Tall Buildings was published jointly by CABA and English Heritage in March 2003.

- 2.9.4 Tall buildings usually have a major impact and it is therefore important to the Council's overall urban design strategy to identify locations where they could be acceptable. This draws partly from the City Centre Urban Design Strategy, which has been adopted as SPG. Although tall buildings will be particularly appropriate in the city centre there are other locations such as the District centres, the University campus and the general hospital site. I do not agree with the Hawthorne Kamm Planning Consultancy who suggested that locations should be more generalised.
- 2.9.5 The policy refers to tall buildings on "appropriate sites" and so there is no suggestion that they would be acceptable everywhere in the named locations as feared by several Objectors. The supporting text has been amended in the Revised Deposit version to refer to the importance of maintaining key skylines and views and avoiding uniform blocks of tall buildings. There is also no suggestion that high quality buildings need necessarily be tall. I note Mr Carr's concern about maintaining existing character. Whilst the existing townscape has to be respected this does not necessarily mean that development should always maintain the status quo.
- 2.9.6 Mr Wood was particularly concerned about tall buildings in Ocean Village and the destruction of its village character. The waterfront was mentioned in the adopted Local Plan as an appropriate location for higher buildings and this has been carried forward in the Urban Design Strategy. Whilst one objective is to build up architectural mass and scale towards the water's edge and create a distinctive skyline it is also intended to create new public spaces, and protect key vistas and views. There are already tall buildings in Ocean Village and I see no reason why others could not be acceptable in principle. Such development need not be incompatible with existing character of discourage people from visiting and enjoying the waterfront scene. Indeed, another objective of the Urban Design Strategy is to improve opportunities for pedestrian access to the water's edge. Future proposals for tall buildings would have to be evaluated against the requirements of the design policies, which include considerations of visual impact and effect on local amenity.
- 2.9.7 Many of Mr Wood's concerns seem to relate to post-war development, which he considers to be of generally poor quality. However, this was permitted under a different policy regime where design was not seen as such an important issue as it is today. I consider that the current design policies in the Plan and the associated SPG will provide the Council with the right tools to deliver a high standard of development and quality of life for the people of Southampton as envisaged in Paragraph 2.8 of the Plan.
- 2.9.8 I note the concern of the City of Southampton Society about graffiti and rubbish but this is a management issue and not one that I am able to address in my Report.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By including a definition of "Tall Buildings" in the Glossary.**
- ◆ **By replacing the wording in the first part of Policy SDP 9 with the following wording:**

“Planning permission will only be granted where the building design is of a high quality. Proposals should respect their surroundings in terms of:

- (i) scale, massing and visual impact;***
- (ii) the impact on the skyline;***
- (iii) the quality and use of materials;***
- (iv) the quality and use of architectural detailing;***
- (v) the impact on surrounding land uses and local amenity.***

2.10 POLICY SDP 10: SAFETY AND SECURITY

Representations

WestQuay Shopping Centre Ltd

SDP10-352/7-ID-O

Consortium Of Registered Social Landlords

SDP10-526/21-ID-O

Issue

- a. Whether the policy is too prescriptive.

Inspector's Reasoning and Conclusions

2.10.1 My response to the objection of the Consortium of Registered Social Landlords regarding affordable housing provision has been given in Paragraph 2.6.2 above.

2.10.2 The objection by West Quay Shopping Centre Ltd gives no explanation as to why it considers the policy to be too prescriptive. Circular 5/94: *Planning Out Crime*, makes clear that crime prevention is capable of being a material consideration when planning applications are considered. Crime prevention measures are needed at the outset of the design process and Local Plans should establish the principles that will provide people with a safer and more secure environment. Creating inclusive, healthy, safe and crime-free environments is a key element in the delivery of the Government's sustainable communities agenda¹⁸. Policy SDP 10 seems to me to be an appropriate response to these objectives and I do not consider that its provisions are too prescriptive.

RECOMMENDATION

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

¹⁸ See for example draft PPS 1: *Creating Sustainable Communities and Safer Places: The Planning System and Crime Prevention* (ODPM 2004).

2.11 POLICY SDP 11: ACCESSIBILITY AND MOVEMENT

Representations

Consortium of Registered Social Landlords	<u>SDP11-526/22-ID-O</u>
GOSE	SDP11-172/41-ID-O
GOSE	SDP11-172/85-RD-O
English Nature	<u>SDP11-1031/9-ID-O</u>

Issue

- a. Whether the policy adequately assesses accessibility and movement issues in relation to development proposals.

Inspector's Reasoning and Conclusions

2.11.1 My response to the objection of the Consortium of Registered Social Landlords regarding affordable housing has been given in Paragraph 2.6.2 above.

2.11.2 I do not agree with English Nature that reference to the natural environment is necessary in this policy. There are a number of others, for example Policies SDP 7 and SDP 12, where this matter is covered.

2.11.3 It is government policy to encourage the provision of inclusive environments that are accessible to everyone irrespective of age, gender or disability¹⁹. Policy SDP 11 seems to me to be a strategic level policy that meets this objective and does not duplicate provision under other legislation such as Part M of the Building Regulations.

2.11.4 I share GOSE's concern about the third criterion and the use of the term "where appropriate". I note the Council's response that the provision may not apply in all cases but this results in a lack of clarity and could lead to misinterpretation. Whilst opportunities to resolve existing accessibility problems may arise through new development, much will depend on the nature of the project and whether such benefits can be seen to reasonably relate to the particular proposal. In the circumstances it does not seem to me to be a requirement that properly belongs within the policy itself. If the Council wishes to retain a reference to such improvements I suggest that it is added to the supporting text in Paragraph 2.62 along with an appropriate explanation of when such a provision may apply.

RECOMMENDATION

I recommend that the Plan be modified by deleting the third criterion from Policy SDP 11 and placing its provisions into Paragraph 2.62 of the supporting text.

¹⁹ See for example "Planning and Access for Disabled People: a Good Practice Guide" (ODPM 2003).

2.12 POLICY SDP 12: LANDSCAPE AND BIODIVERSITY

Representations

Hampshire and Isle of Wight Wildlife Trust	<u>SDP12-341/15-ID-O</u>
Consortium Of Registered Social Landlords	SDP12-526/23-ID-O
Mr G Carr	SDP12-1016/4-ID-O
English Nature	<u>SDP12-1031/10-ID-O</u>
Southampton and Fareham Chamber of Commerce	<u>SDP12-1032/7-ID-O</u>

Issue

- a. Whether the policy provides adequate controls to ensure that development does not unduly impact on landscape and biodiversity.

Inspector's Reasoning and Conclusions

- 2.12.1 My response to the objection of the Consortium of Registered Social Landlords regarding affordable housing has been given in Paragraph 2.6.2 above.
- 2.12.2 Paragraph 2.63 in the Revised Deposit version clarifies the type of landscape and wildlife features that are covered in the policy and reference is also made to enhancement. This seems to me to satisfy the objections of the Hampshire and Isle of Wight Wildlife Trust, English Nature and the Southampton and Fareham Chamber of Commerce.
- 2.12.3 Mr Carr considers this to be a weak policy that offers no protection for existing features on a site and no disincentive to clearance. The policy requires that trees or habitats that are to be retained should be protected during the course of construction. However, prior to the grant of planning permission there is no legal impediment to a developer or landowner clearing a site unless, for example, trees are protected by a Tree Preservation Order, the land is within a Conservation Area or there is protection under the Hedgerows Regulations (1997). I would expect in appropriate cases for a planning permission to include planning conditions that set out the protective measures to be employed for tree protection for example. BS 5837: 1991 – *Trees in Relation to Construction* is a good practice guide but does not need to be specifically referred to in the policy. In the circumstances, I do not consider that the policy or its supporting text should be changed.

RECOMMENDATION

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

2.13 POLICY SDP 13: RESOURCE CONSERVATION

(Proposed Change 14)

Representations

Future Energy Solutions	<u>SDP13-4/2-ID-O</u>
Future Energy Solutions	SDP13-4/10-RD-O
GOSE	SDP13-172/86-RD-O
GOSE	SDP13-172/87-RD-O
Consortium of Registered Social Landlords	SDP13-526/24-ID-O
Environment Agency	<u>SDP13-850/28-ID-O</u>
Environment Agency	<u>SDP13-850/29-ID-O</u>
Hampshire County Council	<u>SDP13-1025/5-ID-O</u>

Issues

- a. Whether the Plan promotes and secures sustainable forms of development.
- b. Whether the policy requirements comply with regional planning guidance on energy efficiency.

Inspector's Reasoning and Conclusions

2.13.1 The wording of the policy has been changed in the Revised Deposit version to make it more positive by removing the words “take into account”. This addresses the point made by Future Energy Solutions. GOSE is concerned that the intent goes further than advice in Policy INF4 of RPG 9. That policy relates to energy conservation only and hence is narrower in scope than Policy SDP 13, which relates to resource conservation generally. This part of the RPG is being reviewed and will be replaced by a new regional strategy that seeks to deliver regional renewable energy targets²⁰. It seems to me that new policies will have to be devised in response to the new regional steer within the context of the Local Development Framework. In the meantime, I am satisfied that Policy SDP 13 is not at odds with the broad thrust of current regional policy on energy efficiency. I note GOSE’s concern about the use of the words “where possible”. However, in this instance some qualification is necessary in recognition that not all proposals will be able to meet some or all of the policy criteria.

2.13.2 Proposed Change 14 recognises that photo-voltaic cells and active solar panels are not energy minimisation features. It replaces these words with “or other renewable energy resources”. This change meets the objection by

²⁰ South East Regional Assembly – Proposed Alterations to Regional Planning Guidance, South East – Energy Efficiency and Renewable Energy (May 2003).

Future Energy Solutions and I note that it was also supported by the Environment Agency and Hampshire County Council, amongst others²¹.

2.13.3 Criterion eight refers to the reduction and recycling of waste and I agree with the Council in its response that this is an appropriate topic to include in the policy. It also meets the objection raised by Hampshire County Council. However, I do concur with GOSE that there is too much detail and I consider that reference to the various provisions would best be placed in Paragraph 2.70 of the supporting text.

2.13.4 My response to the objection of the Consortium of Registered Social Landlords regarding affordable housing has been given in Paragraph 2.6.2 above.

2.13.5 In the Revised Deposit version changes have been made to the seventh criterion and Paragraph 2.73 to make clear that there may be other more appropriate and sustainable ways of reducing water consumption in development such as low flow taps, showers and toilets. This meets the objections of the Environment Agency.

RECOMMENDATIONS

I recommend that the Plan be modified in accordance with Proposed Change 14 and as follows:

- ◆ **By deleting the words “including where appropriate the provision for separation, storage, collection, recycling and composting of waste” from criterion eight of Policy SDP 13 and placing them into Paragraph 2.70 of the supporting text.**

2.14 POLICY SDP 14: RENEWABLE ENERGY

Representations

Future Energy Solutions

SDP14-4/4-ID-O

GOSE

SDP14-172/42-ID-O

Issue

- a. Whether the policy and supporting text complies with national planning guidance on renewable energy.

Inspector's Reasoning and Conclusions

2.14.1 Paragraph 2.75 of the Revised Deposit version has included the definition of renewable energy from PPG 22 as suggested by Future Energy Solutions. However, this has now been superseded by Planning Policy Statement 22: *Renewable Energy* (PPS 22) and I recommend that the Council adopts its

²¹ See Table of Supporting Representations in Appendix 1B to my Report.

definition as the most up-to-date advice. The point regarding cost on consumers has been added to Paragraph 2.75 in the Revised Deposit version and meets the objection of Future Energy Solutions. It seems to me unnecessary, as suggested by the Objector, to reiterate Government policy objectives for renewable energy, which are set out clearly in PPS 22.

2.14.2 GOSE has pointed out that Paragraph 25 of PPG 22 advises that specific sites should be identified for renewable installations. However, the advice in Paragraph 6 of PPS 22 is that specific sites should only be allocated for renewable energy in plans where they have been confirmed by a developer as viable and likely to be implemented during the plan period. In this respect Policy MSA 27 allocates land at Redbridge Lane for a Combined Heat and Power Generating Station. Otherwise the advice is for criteria based policies and I accept the Council's comment that the constraints of the city boundaries make it difficult to identify specific sites. PPS 22 also makes reference to the regional steer, which is evolving in the new regional strategy²². In the circumstances, I am satisfied that the policy does not need to be changed in response to GOSE's objection.

RECOMMENDATION

I recommend that the Plan be modified by deleting the first sentence of Paragraph 2.75 and replacing it with the following new sentence:

"Renewable energy is the term used to cover those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass".

2.15 POLICY SDP 15: AIR QUALITY

(Proposed Change 76)

Representations

IKEA Properties Investments Ltd

SDP15-571/10-ID-O

Issue

- a. Whether the policy allows a balanced approach to air quality in accordance with national planning guidance.

Inspector's Reasoning and Conclusions

2.15.1 The points made by IKEA regarding the inflexibility of the policy seem to me to be valid. The Local Plan clearly needs to address the issue of air quality in accordance with guidance in PPG 23: *Planning and Pollution Control* (PPG 23)

²² See Paragraph 2.13.1 of my Report.

and Policy E7 of RPG 9. However, I agree that as worded Policy SDP 15 would not allow development where small breaches in relevant air quality standards occurred, regardless of circumstance. It seems to me that this does not accord with the balanced approach advocated in the draft revision to PPG 23, which updates the advice to take account of the National Air Quality Strategy²³.

2.15.2 In response to IKEA's objections the Council has put forward Proposed Change 76, which introduces the qualifying words "contribute significantly" and "materially" to the two criteria. It seems to me that this satisfies the Objectors' concerns. IKEA also suggested introducing the word "normally" at the start of the policy. This would reduce the clarity of the policy and is not necessary. I agree with the Council that it should not be included.

2.15.3 I note that in the Revised Deposit version reference has been made to Air Quality Management Areas and Action Plans. This was in response to an Objection by GOSE, which was subsequently withdrawn²⁴. GOSE did not specifically request that this reference be placed in the policy itself and the use of the words "account will be taken" make it unclear what the developer needs to do to comply. In the circumstances I suggest that this provision would be better placed in Paragraph 2.80 of the supporting text.

RECOMMENDATIONS

I recommend that the Plan be modified in accordance with Proposed Change 76 and by deleting the final sentence from Policy SDP 15 and placing it into Paragraph 2.80 of the supporting text.

2.16 POLICY SDP 16: NOISE

Representations

English Nature

SDP16-1031/13/ID-O

Issue

- a. Whether the policy has adequate regard to the natural environment.

Inspector's Reasoning and Conclusions

2.16.1 In the Revised Deposit version "disturbance" in the first criterion has been replaced with "noise impact". Also additional text has been added in Paragraph 2.84 of the Plan that relates to Sites of Special Scientific Interest (SSSI) and the effect of noise on other areas of landscape. This seems to me to meet English Nature's objection.

²³ See "The Air Quality Strategy for England, Scotland, Wales and Northern Ireland" (DETR 2000).

²⁴ See Table of withdrawn objections in Appendix 1C to my Report.

RECOMMENDATION

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

2.17 POLICY SDP 17: LIGHTING

Representations

Sport England	<u>SDP17-248/6-ID-O</u>
English Heritage	<u>SDP17-628/18-ID-O</u>
English Nature	<u>SDP17-1031/14-ID-O</u>

Issue

- a. Whether the policy provides a reasonable balance between the needs of development and adverse impacts of lighting on the environment and amenity.

Inspector's Reasoning and Conclusions

- 2.17.1 Sport England is concerned that overly restrictive conditions should be avoided when seeking to minimise the impact of floodlighting on residential amenity as they can affect the viability of a sports operation. It may be necessary to impose restrictions on the use of floodlights but this will depend on the particular circumstances involved. It seems to me that this is a matter to be dealt with through the development control process rather than through Local Plan policy.
- 2.17.2 English Heritage suggest that an additional criterion should be added requiring light columns and fittings to be appropriate to the character of the area. The Council points out in its response that columns are now referred to in the third criterion of the policy as well as in Paragraph 2.89 of the text in the Revised Deposit version. This seems to me to satisfy the objection of English Heritage.
- 2.17.3 Good external lighting systems can bring many benefits, for example in terms of improvements to safety, extending the hours of use of facilities and enhancing the appearance of buildings and spaces. However, if they are excessive or badly designed this can also cause problems, including light pollution, glare and intrusion into people's homes. The policy seems to me to strike the right balance by including criteria that aim to minimise adverse effects, including on areas of wildlife interest. In the Revised Deposit version Paragraph 2.89 has been expanded to provide further clarification and this seems to me to meet the substance of English Nature's objection. I do not consider that it is necessary to phrase the policy in a similar way to Policy SDP 16.

RECOMMENDATION

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

2.18 POLICY SDP 18: HAZARDOUS SUBSTANCES

(Proposed Changes 2, 17 and 87)

Representations

GOSE	SDP18-172/44-ID-O
GOSE	SDP18-172/88-RD-O
Health & Safety Executive	SDP18-1358/1-RD-O
Vosper Thornycroft Ltd	SDP18-694/8-ID-WDC
Associated British Ports	SDP18-1113/12-ID-WDC

Issue

- a. Whether the policy accords with national planning guidance regarding development and the location of polluting uses.

Inspector's Reasoning and Conclusions

- 2.18.1 It seems to me that the policy does not adequately reflect advice in PPG 23. It is important that new development in proximity to hazardous installations does not impose unreasonable additional constraints on the operation of those uses. Proposed Change 17 amends the text and meets GOSE's objection in this respect. I support this change. However, I do not agree with the Council's response that the policy itself does not need changing as the criteria ensure that sensitive developments are kept apart from polluting uses. It only addresses one side of the equation – the location of the polluting use but not the location of the sensitive use. I recommend that the policy is amended to rectify this shortcoming.
- 2.18.2 The Health and Safety Executive (HSE) is concerned to ensure that the policy reflects advice in PPG 12. This states that the Plan should include policies relating to the location of establishments where hazardous substances are used or stored and relating to the development of land within the vicinity of such establishments. The Objectors consider that the Proposals Map should show locations of such establishments and hazardous pipelines. However, I note that the HSE have not considered the contents of the Local Plan in detail and from the tone of the representation it seems to me to be an observation rather than an objection. I would expect site-specific policies to be shown on the Proposals Map. However, the consultation zones are referred to in Paragraph 2.91 of the supporting text and its accompanying table. They will form the basis for consultation during

the course of the development control process and inclusion on the Proposals Map therefore seems unnecessary. I consider that the policy, with the recommended change, satisfies the points raised by the HSE.

2.18.3 Proposed Change 2 deletes reference to the Docks in Table 2.1. The HSE have confirmed that the reference is incorrect and I support the proposed change. This satisfies the objection of Associated British Ports who have withdrawn their objection conditional on acceptance of the change.

2.18.4 Vosper Thornycroft Ltd have vacated their site at Woolston Shipyard and the reference in Table 2.1 to their occupation is therefore now incorrect. I agree with the Council that the table should be updated and on that basis the Objectors have withdrawn their objection.

2.18.5 The Council has also put forward Proposed Change 87, which amends the text in Paragraphs 2.90 and 2.91. This corrects and updates the reference to the Regulations and also Circular 11/92, which has now been replaced by Circular 04/2000: *Planning Controls for Hazardous Substances*. I support these changes.

RECOMMENDATIONS

I recommend that the Plan be modified in accordance with Proposed Changes 2, 17 and 87 and as follows:

- ◆ **By adding the following provision to Policy SDP 18:**
"New development will not be permitted within the vicinity of existing hazardous uses if it is likely to result in unreasonable additional constraints on the operation of those uses".
- ◆ **By deleting reference to Vosper Thornycroft Ltd from Table 2.1.**

2.19 POLICY SDP 19: PUBLIC SAFETY ZONE

(Proposed Change 71)

Representations

GOSE	SDP19-172/45-ID-O
GOSE	SDP19-172/89-RD-O
GOSE	SDP19-172/90-RD-O
GOSE	SDP19-172/91-RD-O
GOSE	SDP19-172/92-RD-O
GOSE	SDP19-172/93-RD-O
HBF Southern Region	SDP19-365/2-ID-O
BAA	SDP19-1503/1-RD-O

BAA	SDP19-1503/2-RD-O
BAA	SDP19-1503/3-RD-O
BAA	SDP19-1503/4-RD-O

Issues

- a. Whether the policy and supporting text adequately reflects government guidance on Public Safety Zones (PSZ).
- b. Whether the safeguarded areas should be shown on the Proposals Map.
- c. Whether the supporting text adequately addresses the consultation procedures relating to development affecting PSZ.

Inspector's Reasoning and Conclusions

- 2.19.1 GOSE made objections at Initial Deposit stage relating to the compliance of Paragraphs 2.94, 2.96 and 2.97 with the draft Circular on Public Safety Zones (PSZ). This had now been adopted as Circular 1/2002: *Control of Development in Airport Public Safety Zones* (2002). In the Revised Deposit version additional text was inserted that has addressed the points raised in these early GOSE objections.
- 2.19.2 Circular 1/2002 is quite clear that there should be no increase in the number of people living, working and congregating in PSZ in order to limit those at risk from an aircraft accident. Furthermore, the numbers should be decreased as circumstances allow. Paragraphs 11 and 12 of the guidance set out the types of development that would and would not be acceptable and these have been carefully considered to ensure that they would not result in an increase in the population at risk.
- 2.19.3 In Proposed Change 71, the Council proposes to amend Paragraph 2.92 of the Plan to fully reflect Paragraph 11 of the Circular and this would satisfy GOSE's objection on this point. However, the Council does not wish to change the policy itself by deleting the word "significant" in order to allow flexibility and take account of local circumstances. However, the Circular advice seems to me to be quite clear on this point. Although the Southampton PSZ includes areas of built development I cannot see why this should justify a less stringent approach to new development. On the contrary, it seems to me unacceptable to allow the potential for an increase in the numbers of people who may be at risk. I consider that the word "significant" should be deleted.
- 2.19.4 Proposed Change 71 also includes a number of factual alterations to the text in Paragraphs 2.94 and 2.98 in response to objections by GOSE. These include reference to consultation with the Civil Aviation Division of the Department for Transport (DfT) and the Civil Aviation Authority who issue the safeguarding maps. GOSE refer to a separate safeguarding map in respect of windfarm development for the Southampton VOR²⁵, which they

²⁵ Inspector's Note – VOR stands for "omni directional radio range equipment" and is a civil en-route technical site safeguarded by National Air Traffic Services Ltd (NATS).

consider should be mentioned. GOSE believe that the text should be amended to say that the Council will consult with the aerodrome operator and the National Air Traffic Services Ltd (NATS) as appropriate on relevant planning applications. I support these parts of Proposed Change 71.

- 2.19.5 GOSE point out that Paragraph 28 of Annex 2 to Circular 01/2003: *Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas* states that the outer boundaries of safeguarded areas should be shown on the Local Plan Proposals Map. However, the Council has pointed out that the outer boundary of the safeguarded areas associated with Southampton Airport extends across the whole of the City Council's area. In the circumstances, I agree that it is unnecessary to show it on the Proposals Map, although mention should be made in the text as suggested in Proposed Change 71.
- 2.19.6 GOSE has not objected to Paragraph 2.96 even though Circular 01/2002 does not refer to societal impact. I agree with the Council's response that the matters concerned deal with important issues of public safety in areas near to the PSZ and that no changes are needed to this paragraph.
- 2.19.7 I concur with the Council's response to the HBF objection that Paragraph 2.92 (as proposed to be changed by Proposed Change 71) and Paragraph 2.93 reflect government advice in Circular 01/2002 with regards to residential development. I have already commented on the use of the word "significant" in the policy itself in Paragraph 2.19.3 above. I do not consider that the text should be changed in response to this objection.
- 2.19.8 Proposed Change 71 seeks to amend the title of the Policy to include aerodrome safeguarding. It also seeks to amend the content of the policy to prevent development that adversely impacts on the safe operation of Southampton Airport. This would satisfy the relevant objections by BAA. I support these changes but I consider the policy should also cover wind turbine proposals in relation to the Southampton VOR en-route Technical Site. I recommend a change to the title and content of the policy accordingly.
- 2.19.9 BAA have requested additional text that explains the consultation procedure relating to the safeguarded area around Southampton Airport and the Council has responded with Proposed Change 71. As is stated in the Council's response, the safeguarded area around Southampton Airport includes the whole of the City Council's area and this would also seem to apply to the 13 km birdstrike zone. The Council's wording is, I think, incorrect in its reference to "aviation" use, which is mentioned in Paragraph 10 of Annex 2 to Circular 01/2003 but does not seem relevant to the objection. The simple point is that the safeguarding map will indicate to the Council the types of development on which consultation with the Airport Authority is required. This, along with the birdstrike hazard needs to be explained in the text and I have suggested an alternative wording that should satisfy the objection by BAA.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By not incorporating the amendments suggested in Proposed Change 71 into the title or content of Policy SDP 19.**
- ◆ **By deleting Policy SDP 19 and replacing it with the following new policy:**
“Aerodrome and Technical Site Safeguarding and Airport Public Safety Zone
Planning permission will not be granted for:
 - (i) development or changes of use within the Airport Public Safety Zone, which would result in an increase in the number of people within the zone;***
 - (ii) development that would adversely impact upon the safe operation of Southampton Airport;***
 - (iii) wind turbine development that would adversely affect the aeronautical systems of the Southampton VOR”.***
- ◆ **By changing Paragraph 2.92 to incorporate the amendments in Proposed Change 71.**
- ◆ **By changing Paragraph 2.94 to incorporate the amendments in Proposed Change 71.**
- ◆ **By changing Paragraphs 2.97 and 2.98 to incorporate the amendments in Proposed Change 71, save for the last sentence in the new Paragraph 2.97, which should be replaced with the following sentence:**
“The Airport Authority will be consulted on any proposal for development that is likely to attract birds”.

2.20 POLICY SDP 20: FLOOD RISK AND COASTAL PROTECTION

Representations

GOSE	SDP20-172/46-ID-O
HBF Southern Region	<u>SDP20-365/3-ID-O</u> ²⁶
HBF Southern Region	SDP20-365/15-RD-O
Environment Agency	<u>SDP20-850/30-ID-O</u>

Issues

- a. Whether areas subject to flood risk should be shown on the Proposals Map.
- b. Whether the policy adequately reflects government guidance on flood risk.

²⁶ Inspector’s Note – although the Council has shown the HBF objection (SDP20-365/3-RD-O) to be withdrawn, this only seems to be correct in relation to the part of the objection relating to Sustainable Urban Drainage Systems. In the circumstances I shall treat the first part of the objection relating to the policy itself as an unresolved objection.

- c. Whether the policy adequately deals with mitigation of flood risk.

Inspector's Reasoning and Conclusions

- 2.20.1 In the Revised Deposit version areas of risk from river and tidal flooding have been shown on the Proposals Map. However, this does not completely satisfy the objection by GOSE as the identified zones only relate to areas of "significant" flood risk (1 in 100 year fluvial and 1 in 200 tidal). Planning Policy Guidance Note 25: *Development and Flood Risk* (PPG 25) advocates a risk based approach through a sequential test and in order to apply this properly it is also necessary to define those areas with a low to medium probability of flooding (1 in 1000 year and greater). The Environment Agency consider that reference should be made in the supporting text to the indicative maps that they produce indicating potential areas at risk from flooding. This has been done in Paragraph 2.103 of the Revised Deposit version. However, I consider that these areas should also be identified on the Proposals Map following consultation with the Environment Agency.
- 2.20.2 Furthermore, I suggest that the supporting text should explain the difference between the two flood risk zones and how the sequential test will be applied to development proposals in accordance with Table 1 of PPG 25. I appreciate the point made by the Council that in a highly developed urban area like Southampton it may be necessary to develop sites within the high risk flood zone. Indeed Paragraph 35 of PPG 25 accepts that a balanced and flexible approach is needed to address flood risk whilst recognising the benefits of recycling previously developed land. However, in Southampton's case, many of the sites in the high risk flood area are already in commercial and industrial use associated with traditional waterside activities and the Plan is seeking to safeguard these rather than encourage redevelopment to other uses such as residential. Nevertheless, it should be recognised that an important objective of government policy is to reduce the risk to people from flooding. If development can take place in areas of lower risk then it should.
- 2.20.3 I would agree with the HBF that the policy as it stands does not reflect the flood risk approach in PPG 25. The adequacy of flood protection measures will be a factor in determining the number of people exposed to flood risk as a result of a proposal. Furthermore, the second criteria of the policy is not consistent with Paragraph 2.102 of the text which makes clear that redevelopment can be acceptable in areas of flood risk, subject to appropriate mitigation. The changes I have recommended separate the policy requirements into two main parts. The first part relates specifically to sites within flood risk areas and requires a flood risk assessment, which is fundamental to the risk-based approach. The assessment will be appropriate to the scale and nature of the development and the level of risk involved. The second part relates to development in all areas and more or less follows the wording of the original policy. I have added "where necessary" to the criterion relating to access to watercourses. This is because it is not always essential to provide access at every point along the watercourse for the Environment Agency to satisfactorily carry out its maintenance requirements.
- 2.20.4 GOSE have pointed out that Paragraph 2.9 of Planning Policy Guidance Note 20: *Coastal Planning* (PPG 20) advises restrictions on development not requiring a coastal location. In the Local Plan the Council has not defined a

coastal zone as advised in the guidance. I have carefully considered whether this would be advisable and whether a separate policy is necessary, taking account of the PPG advice and also Policies C4 and C5 in the Structure Plan. It seems to me however that a coastal zone would not necessarily be the same as the tidal flood risk zone.

2.20.5 PPG 20 says that it will be for local authorities to consider how best to define the coastal zone for their areas, bearing in mind key coast-related planning issues. In the case of Southampton however, much of the land bordering Southampton Water is in port related uses. Also, along the Itchen Estuary there are many water-based industries and uses. Policies in Chapter Eight of the Plan seek to protect such uses or only permit redevelopment that requires a waterside location. There are also MSA Policies in Chapter 11 of the Plan that allow mixed-use development but not necessarily uses depending on a waterside location. This does not seem to me to contravene the general thrust of advice in PPG 20 relating to regeneration within urban areas of developed coast. It also accords with other government policy initiatives that seek to encourage mixed-use development on recycled urban land.

2.20.6 Southampton's area also includes stretches of undeveloped coast, particularly along the Itchen estuary. There are sites of international and local importance to nature conservation and these are covered by policies in Chapter Three of the Plan. The principles and objectives expounded in PPG 20 therefore seem to me to be recognised in the Plan even though a specific coastal zone has not been designated. This does not totally satisfy GOSE's objection but, for the reasons I have given, I do not believe that any further changes are needed to the Plan in this respect.

RECOMMENDATIONS

I recommend that the Plan be modified as follows:

- ◆ **By deleting Policy SDP 20 and replacing it with the following new policy:**

"In areas at risk from tidal or fluvial flooding an appropriate flood risk assessment will be required. Development will only be permitted where it can be demonstrated that flood defence or flood protection measures exist or will be provided as part of the development to minimise the risk of flooding on the site.

In any area development will only be permitted where:

- (i) it would not increase the risk of flooding elsewhere;***
- (ii) it would protect or enhance where necessary existing or proposed coastal or river defences;***
- (iii) it would make adequate provision for access to watercourses and existing coastal defences for future maintenance where necessary.***

Development involving coastal defences will only be permitted where these are in accordance with the West Solent and Southampton Water Shoreline Management Plan".

- ◆ **By changing the Proposals Map as follows:**

- ◆ **Replace areas of “Tidal Flood/ Areas of Fluvial Flood” with “Areas of High Risk of Tidal Flood/ Areas of High Risk of Fluvial Flood”;**
- ◆ **Add areas of Low to Medium Risk of Tidal Flood/ Areas of Low to Medium Risk of Fluvial Flood”, following consultation with the Environment Agency.**
- ◆ **By expanding Paragraph 2.102 to explain the difference between the high and low to medium risk flood zones and how the sequential approach will be applied in the case of Southampton to take account of the guidance in PPG 25.**

2.21 POLICY SDP 21: WATER QUALITY AND DRAINAGE

(Proposed Changes 15 and 16)

Representations

English Nature	<u>SDP21-1031/37-ID-O</u>
Environment Agency	<u>SDP21-850/31-ID-O</u>
Environment Agency	<u>SDP21-850/32-ID-O</u>
Environment Agency	SDP21-850/48-RD-WD
Environment Agency	SDP21-850/49-RD-WD

Issue

- a. Whether the plan adequately addresses issues of water quality and drainage.

Inspector's Reasoning and Conclusions

2.21.1 The text in the Revised Deposit version refers in Paragraph 2.107 to site hydrology and in Paragraph 2.106 to impacts on wetland and maritime habitats or species. The policy itself considers the effect of water run-off on the environment. I consider that the objections of English Nature have therefore been satisfied. The objections to the wording of Paragraphs 2.106 and 2.107 by the Environment Agency have also been satisfied by changes to the relevant text in the Revised Deposit version.

2.21.2 The Environment Agency point out that sustainable drainage systems are not just relevant to urban situations. Proposed Changes 15 and 16 suggest removing the word “urban” in Paragraphs 2.106 and 2.107. The Environment Agency have withdrawn their objections on this issue, subject to the changes being accepted. I agree that the changes are appropriate. There are therefore no outstanding objections to this policy or supporting text.

RECOMMENDATION

I recommend that the Plan be modified in accordance with Proposed Changes 15 and 16.

2.22 POLICY SDP 22: CONTAMINATED LAND

Representations

The Highways Agency

[SDP22-1191/5-ID-O](#)

Issue

- a. Whether the integrity of any adjacent Trunk Road should be safeguarded.

Inspector's Reasoning and Conclusions

2.22.1 The likely impact of the development of a contaminated site on surrounding land, including Trunk Roads, would be a matter that would be considered through the development control process. The Highways Agency is concerned about the effect of measures to ventilate contaminated material remaining in situ. This would be part of the remediation referred to in the second criterion of the policy. As for the concern about instability through excavation, this seems to me to be covered by Policy SDP 23. In the circumstances, I see no need for changes to the Plan to take account of this objection.

RECOMMENDATION

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

2.23 POLICY SDP 23: UNSTABLE LAND

Inspector's Reasoning and Conclusions

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

2.24 POLICY SDP 24: ADVERTISEMENTS

Inspector's Reasoning and Conclusions

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