



The Planning Inspectorate

Report to Southampton City Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 1st December 2014

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION

into

SOUTHAMPTON CORE STRATEGY PARTIAL REVIEW

And

SOUTHAMPTON CITY CENTRE ACTION PLAN

Document submitted for examination on 19 December 2013

Examination hearings held between 31 March 2014 and 04 April 2014

File Ref: PINS/D1780/429/7 & PINS/D1780/429/5

Abbreviations Used in this Report

ABP	Associated British Ports
MDZ	Major Development Zone
The Framework	National Planning Policy Framework
PUSH	Partnership for Urban South Hampshire
PSA	Primary Shopping Area
SHS	South Hampshire Strategy
CCAP	Southampton City Centre Area Action Plan
PR	Southampton Core Strategy Partial Review
SFT	Special forms of trading

Non-Technical Summary

This report concludes that the Southampton Core Strategy Partial Review (PR) and the Southampton City Centre Area Action Plan (CCAP) provide an appropriate basis for the planning of the City, providing a number of modifications are made to the plan. The Southampton City Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the modifications to address this were proposed by the Council and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications to the PR can be summarised as follows:

- **Changes to Policy CS 22 on biodiversity to comply with national planning policy;**
- **A reduction in the comparison goods floorspace requirement over the plan period to 90,000 m².**

The Main Modifications to the CCAP can be summarised as follows:

- **Changes to the retail policies to provide an effective strategy for the growth of the city centre as a regional shopping destination;**
- **Changes to the office policies to provide a justified and effective strategy for office growth with further details about where and how it will take place;**
- **Changes to ensure a balanced approach that enables the sustainable growth and competitiveness of the Port;**
- **Changes to make the plan more effective in terms of the protection and enhancement of the historic parks, green spaces and waterfront views;**
- **Changes to the site specific policies to make sure that the spatial implications of change are addressed in a positive and sustainable way;**
- **Changes to ensure that the plan provisions are delivered effectively.**

Introduction

1. This report contains my assessment of the Southampton Core Strategy Partial Review (PR) and the Southampton City Centre Area Action Plan (CCAP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of these Plans has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plans are sound and whether they are compliant with the legal requirements. Paragraph 182 of the National Planning Policy Framework (the Framework) makes clear that to be sound, a local plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the Examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for my examination are the draft plans submitted in December 2013, which were the same as the documents published for consultation in September 2013. Following the receipt of representations on the submitted documents, the Council made some proposed changes (**Documents CD3 and CD10**). These were placed on the Council's website but were not subject to formal consultation at this time. Nevertheless they were available for consideration and discussion at the Examination hearings.
3. My report deals with the main modifications that are needed to make the PR and CCAP sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plans unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that are necessary for soundness relate primarily to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and this schedule has been subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this Report. There are also a number of minor modifications proposed by the Council. These have also been publicised but they are not required to make the plans sound and so I have not commented on them. A few of the "main" modifications to the CCAP also fall into this category. They are minor changes to wording and can be made by the Council if it wishes, without affecting the soundness of the Plan. In the circumstances I have not commented further on these proposed changes (MM 42; MM 44; MM47-MM49; MM 55; MM 59; MM 64; MM 68; MM 70; MM 76; MM 83; MM 106; MM 107; MM 120; MM 128).
5. Main modifications are also proposed to various parts of the CCAP text in relation to a location within a Local Area of Archaeological Potential. However the CCAP includes no specific policy relating to this matter and reliance is placed on Policy CS 14 in the Core Strategy and saved Policy HE 6 in the Local Plan Review. Whilst the modified text provides useful linkage to the other statutory documents it can be included as a minor modification as it is not necessary in terms of soundness. In the circumstances I have not commented

further on these proposed changes (MM 74; MM 79; MM 92; MM 96; MM 102; MM 108; MM 111; MM 115; MM 118; MM 123; MM 125).

6. The Policies Map is not subject to Examination. Provided it is amended to reflect the CCAP, as modified, the CCAP will be effective and therefore sound. The main modifications in question are MM129-MM136. They include a change in response to representations from the Health and Safety Executive. This identifies the Explosive Safeguarding Zones relating to the Britannia Road gasholder site and the Eastern Docks Explosives Licence. Only a few areas will be affected and the CCAP makes reference in the design guidance for the relevant Quarters (St Mary's, Itchen Riverside and Ocean Village).

Assessment of Duty to Co-operate

7. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on it by Section 33A of the 2004 Act in relation to the preparation of the PR and CAAP. Section 33A specifies that the Council is required to co-operate with other local planning authorities and prescribed bodies in maximising the effectiveness with which the preparation of the development plan documents are undertaken and activities that support them, insofar as this relates to a strategic matter.
8. In view of the nature of these plans, they would have little impact on matters of strategic significance that would affect planning areas outside the boundaries of Southampton City. The Council's Local Development Scheme sets out how the Duty to Co-operate is to be discharged and the Council has also prepared a Statement on the matter (**Document CD 99**).
9. The South Hampshire local authorities have well established partnership arrangements, including the Partnership for Urban South Hampshire (PUSH) and Transport for South Hampshire and the Isle of Wight (now Solent Transport). Amongst other things this has produced a non-statutory sub-regional strategy, the South Hampshire Strategy (SHS), and a joint Local Transport Plan. There are regular officer level meetings within the PUSH authorities with discussion of cross-boundary issues, including housing and employment targets. The Council is also linked to the Solent Local Enterprise Partnership which is focused on driving economic growth and job creation in the sub-region. The Council has widely consulted on the plans and taken account of representations including those by Natural England, the Environment Agency and English Heritage.
10. Most of the key strategic issues were considered during the preparation and Examination of the Core Strategy. Although the Duty to Co-operate was not a requirement at this time, the PUSH authorities have been working together since 2003 and the SHS, which they jointly prepared, became part of the South East Plan. The SHS was updated in 2012 and was endorsed by the Solent Local Enterprise Partnership. The PR proposes lower targets for office floorspace to reflect the continuing recession. This was discussed at officer level meetings and there has been no suggestion from other PUSH authorities that this would result in a need to increase levels of office floorspace elsewhere as a result.

11. The PR is a focussed update and does not change the housing targets set out in the Core Strategy. Although the 2012 SHS Update agreed new housing targets for each district, those relating to Southampton City were slightly lower than that established in the Core Strategy. The CCAP allocates sites to meet the Core Strategy requirement. It is to be noted that the SHS is being reviewed again in 2014 and that the Council is also in the process of commencing work on its new Local Plan. Framework compliant housing targets will be an issue to be considered.
12. On the basis of all of the information received I am satisfied that the Council has complied with the Duty to Co-operate in the preparation of the PR and CCAP.

Assessment of Soundness

PREAMBLE

13. The Core Strategy was adopted in 2010 and therefore pre-dates the Framework. One of the requirements of the latter document is that local plans should be positively prepared and consistent with the principles and policies of the Framework, including the presumption in favour of sustainable development. This is specifically addressed in the PR through proposed additional text to Paragraph 4.3 relating to the Spatial Strategy. The Council has proposed also to introduce an amendment to Policy CS 22, which relates to biodiversity and protecting habitats, in the light of representations from Natural England (**MM 5**). The other revisions to the PR concern changes to the strategic policies concerning office and retail growth.
14. Southampton and Portsmouth are the main centres of growth in the South Hampshire sub-region. The CCAP delivers a relatively ambitious programme of economic development, whilst recognising the importance of the nationally significant port and the contribution from its many heritage assets, green infrastructure and open spaces. One of the recurring themes of the hearing sessions was whether the CCAP attained an appropriate balance between these different and sometimes conflicting elements and whether the policies and provisions were successful in achieving sustainable development.

MAIN ISSUES

15. Taking account of all the representations, written evidence and the discussions that took place at the Examination hearings, I have identified 7 main issues upon which the soundness of the PR and CCAP may be judged.

ISSUE 1: Whether the Core Strategy provides a presumption in favour of sustainable development and whether the CCAP provides clear policies to guide how the presumption will be applied within the city centre

16. The Framework makes clear that Local Plans are of key importance to the delivery of sustainable development. The Core Strategy was adopted in 2010 prior to the publication of the Framework. However Paragraph 211 of the latter makes clear that the policies in a plan should not be considered out-of-date simply because they were adopted before its publication. The Council has carried out an assessment of compliance of Core Strategy policies with the

Framework and has found that generally it fits well with current national planning policy (**Document CD 109**). The presumption in favour of sustainable development was not however made explicit and this is one of the important changes made through the PR, which includes additional text to Paragraph 4.3 relating to the Spatial Strategy.

17. Paragraph 14 of the Framework indicates that local authorities should positively seek opportunities to meet the objectively assessed development needs of their area with sufficient flexibility to adapt to rapid change. The Core Strategy relies on an evidence base which is several years old and the Council has taken the opportunity through the PR to undertake a discreet review of its office and retail policies. Paragraph 153 of the Framework makes clear that plans can be reviewed in whole or in part to respond flexibly to changing circumstances. The office and retail floorspace requirements are proposed to be reduced to reflect likely levels of economic growth during the plan period.
18. It seems to me that the Council could have also beneficially considered updating its housing requirement through the PR. The Core Strategy was examined in 2007 and the evidence base addresses housing targets in the South East Plan, which has now been revoked. Nevertheless the 2012 SHS included housing targets which were based on the 2010 economic forecasts and these are consistent with the Core Strategy target. PUSH has recently undertaken a Strategic Housing Market Assessment (**Document CD 51**). This seeks to consider objectively assessed housing needs in a Framework compliant manner, taking account of up to date household and population projections, market signals and economic evidence. However it does not seek to establish policy targets and in any event indicates a slightly lower annual housing need for Southampton City. If that proves to be the case the CCAP may be making provision for a higher level of housing than is necessary to meet its housing needs. What is clear is that there is a sufficient supply of deliverable sites to accommodate requirements over the next 5 years along with the relevant buffer as required by the Framework. The matter will be addressed again during the examination of a new city-wide Local Plan. In the circumstances it does not seem to me that the failure to review housing targets is a soundness issue for either the Core Strategy or the CCAP at the present time.
19. Natural England raised concerns about Policy CS 22 in the CS on the grounds that it does not comply with the Framework. The Council has made changes to the policy and text which addresses these concerns. In addition revisions and additional text has been inserted into the CCAP to make clear how the Council will ensure that visitor trips associated with new residential development will be mitigated to ensure no likely significant effect on European sites in the Solent and New Forest. The modifications are necessary to address Natural England's observations and ensure that the plans are in accordance with national planning policy (**MM5; MM6; MM 50; MM51**).
20. The Vision in the Core Strategy sets out a statement of objectives for the whole city to 2026. The Vision in the CCAP on the other hand is focused on a particular part of the city and is reflective of the Master Plan (**Document CD 37**). This was a document prepared by consultants on behalf of the Council in 2012

and, whilst many of the proposals have been taken forward in the CCAP, it is more ambitious in its aspirations with a timeframe extending beyond 2026. It is important to make clear that the Master Plan is a material consideration only insofar as it is consistent with the CCAP (**MM 126**). A modification has been proposed which sets out how the CCAP will be delivered by the Council and its various stakeholders. This makes the plan effective and replaces the page relating to consultation process (**MM 9**).

21. Not everyone agrees with the wording of the CCAP's Vision and alternative suggestions have been made. However, in my view it encapsulates in a few words the three dimensions of sustainable development set out in the Framework. It is forward looking and place specific and focuses on the main elements of change, demonstrating how the city centre is envisaged to grow and develop during the Plan period. The Port is undisputedly very important to the city and this is recognised in the Core Strategy's Vision, which remains current for the City as a whole. However, much of the operational port land is outside the CCAP boundaries and the omission of a reference to it in the CCAP's Vision is not a matter that detracts from the soundness of the plan.
22. There are six cross-cutting themes which provide a framework for the delivery of the Vision. These broadly follow the approach in the Master Plan although this included a seventh, which related to shopping. In the CCAP "*A great place to shop*" has been integrated into "*A great place to visit*". That does not diminish the importance of the city centre as a regional retail destination. A number of modifications to the wording of the cross-cutting themes are proposed by the Council, which respond to points made in the representations. They reflect the evidence base, aid clarity and improve consistency with national policy, especially in relation to the Port (**MM 12-MM 14**).
23. The Core Strategy includes a number of policies relevant to the city centre. Policy CS 1 sets out the approach which will be the focus for major development in accordance with the regional importance of Southampton. The policy however also refers to the distinctive sense of place and the importance of the city's heritage, parks and waterfront. The CCAP addresses the spatial implications of this higher level policy and indicates where development will go, how it will be achieved and when it will take place. The city centre has been subdivided into 13 Quarters which contain individual development sites and targeted policies. On the whole I consider that the approach has been successful, apart from the identification of office sites. Whilst the requirement for flexibility is appreciated the end result is not sufficiently site specific to ensure delivery in accordance with the office requirement. This has been addressed in the proposed changes and is discussed in detail under Issue 3.
24. Policy CS 9 in the Core Strategy seeks to promote and facilitate the growth of the international Port. Representatives of the Port Authority did not consider that the CCAP sufficiently reflected this positive stance and that the future growth and development of the Port would be adversely affected by the development proposals in the CCAP. Other Representors considered that too much emphasis was given to the needs of the Port and there was a fear that this could be at the expense of city centre growth and investment as well as its environmental wellbeing. Whilst there are undoubtedly tensions between these different interests, the modifications that have been proposed, including

to Policy AP 4 which relates specifically to the Port, will ensure the right balance and achieve a sustainable and well integrated pattern of development. This is discussed further under Issue 5.

25. In conclusion the Core Strategy does provide a presumption in favour of sustainable development. Furthermore subject to the main modifications referred to above and within the remainder of the Report, the CCAP provides clear policies to guide how the presumption will be applied in the city centre.

ISSUE 2: Whether the retail provision in the PR and the CCAP is justified, effective and in accordance with national policy

Whether the comparison goods floorspace requirement is justified

26. The PR proposes a reduction in the gross comparison goods floorspace requirement for the city centre in Policy CS 1 from approximately 130,000 m² to 100,000 m² between 2006 and 2026. The Core Strategy figure was based on the findings of a 2005 retail study¹ commissioned on behalf of PUSH and a subsequent Update in 2009². It therefore does not fully take account of the economic difficulties that have been experienced over the last few years.
27. A further retail study was undertaken by consultants in 2011 and a review of this work was commissioned by the Council as a sense check in February 2014 (**Documents CD 41 and 42**). The latter did not carry out a new household survey, population and expenditure forecasts or turnover estimates, relying on those in the 2011 study. The review introduced a slight reduction in actual and forecast expenditure growth per capita to reflect economic circumstances; an increase in the market share from special forms of trading (SFT) to reflect the increasing popularity of on-line retailing; and a slight increase in the forecast growth of floorspace efficiencies. As a result the gross capacity for new comparison goods floorspace between 2011 and 2026 was forecast as 49,672 m² rather than the 81,988 m² in the 2011 Study. There was also a substantial reduction in the floorspace from existing commitments to reflect the much lower level of comparison goods floorspace now expected to be delivered by the Watermark West Quay development. As a result the most up-to-date baseline requirement, including commitments and completions since 2006, is 87,785 m² (gross)³.
28. The 2014 work also included sensitivity testing by increasing the SFT market share to 18% compared with the Experian forecast of 15.9% and by introducing various increases in expenditure retention from the 33% assumed in the baseline through to 34%, 35% and 36% by 2026. This resulted in a range of gross capacity figures from 2011 to 2026 of between 41,982 m² reflecting a rise in SFT market share and 77,666 m² reflecting an increase in expenditure retention to 36%. When existing commitments and completions since 2006 are added in, the overall requirement ranges from 80,095 m² to

¹ South Hampshire Town Centres –Sub-Regional Study by DTZ.

² Addendum Report on Retail Capacity and Health Check Issues for Southampton City Centre by DTZ (2009).

³ This includes 2,765 m² floorspace for Watermark West Quay and 35,348 m² for Ikea, which has now been built.

115,779 m² in these scenarios.

29. The higher levels would represent a significant uplift in the city centre's market share and I am not convinced this is realistic. An existing market share of 33% has been assumed but it is not backed up by empirical evidence from a new household survey. There is likely to be ongoing competition from other centres within the region. Furthermore, the influences pull in different directions with a decrease in capacity as SFT market share rises and an increase in capacity as expenditure retention rises. Unfortunately there was no sensitivity testing undertaken of a combined scenario. However, taking all of the above factors into account I have considerable concern that the PR floorspace figure of 100,000 m² is likely to be too high.
30. Whilst it is important to be forward looking and plan for growth, it is also necessary to be realistic. There is a danger of encouraging retail developments in unsustainable out of centre locations if the "need" figure is unrealistically high. The evidence base gives confidence that 90,000 m² is a robust figure that can be supported. It is still an ambitious target that will encourage growth and investment. I consider that the proposed changes to the PR and the CCAP are necessary to ensure that the retail policies are justified, effective and consistent with national policy (**MM 1-MM3; MM8**).

Whether the CCAP makes adequate provision for convenience retailing

31. The CCAP relies on the 2011 retail study, which identified a small additional capacity for convenience floorspace in the city centre. Since then planning permission has been granted for the redevelopment of the former East Street Shopping Centre with a new Morrisons superstore, although construction has yet to commence. Along with the existing Asda superstore adjacent to the Marlands Centre there will be sufficient convenience floorspace to meet retail needs up to 2026. There are further small food stores within the Primary Shopping Area (PSA) that provide "top-up" basket shopping opportunities. Policy AP 7 relates to convenience retailing but in order to be effective and focussed the policy should delete the first sentence. This is merely descriptive and does not acknowledge that the Council would have no control over changes between comparison and convenience floorspace in the PSA (**MM 40**).
32. Whilst the new Morrisons would undoubtedly provide some competition for Asda there should be sufficient expenditure for both superstores to co-exist. The Council considers that Asda is important in providing a convenience anchor in the western part of the city centre and commented that there is a synergy between the footfall of the foodstore and the adjacent Marlands Centre. There was no evidence that Asda is seeking to vacate its site and whilst the City Industrial Park⁴ was mentioned as a potential place for relocation this would be sequentially inferior and thus unlikely to be favourable. Policy AP 7 allows for a possible relocation to the PSA expansion area if, for example, a comparison goods anchor store were to occupy the Asda site. This would be subject to a sequential assessment and good pedestrian links to the PSA being provided.

⁴ This is in the Western Gateway Quarter and outside the PSA or PSA expansion area.

Whether the policies in the CCAP reflect a "town centre first" approach to retail provision

33. The retail policies in the CCAP continue the approach in the Core Strategy that the priority for new retail development is the PSA. The Framework seeks to ensure that local plans include the allocation of a range of suitable sites to meet retail requirements. In the case of the city centre the main requirement is for additional comparison rather than convenience goods floorspace, for the reasons given above. The Council's decision to place the table of sites within the CCAP rather than the Core Strategy seems to me a sensible one, which aids the clarity and thus effectiveness of both plans. The new table in the CCAP shows sites with the potential to deliver over 60,000 m² of comparison goods floorspace including IKEA, which has now been built (**MM 36**).
34. The CCAP seeks to restrict major retail development to the PSA or its planned expansion, which is dealt with further below. The Framework advises that locally set thresholds below the default level of 2,500 m² can be set to ensure that new development does not have a significant adverse impact on vitality and viability. The locally set threshold of 750 m² was accepted as soundly based in the Core Strategy. In the case of the city centre several of the regeneration sites are outside the PSA or its expansion area. Without the locally set threshold larger shops could become established that would draw retail expenditure out of the PSA to the detriment of its vitality and viability. It is necessary to ensure that this does not happen and that an impact assessment would be required for any larger format development. In order to be sound the threshold should be included as a requirement in Policies AP 6 and AP 7 as proposed by the Council and explained in the supporting text (**MM 34; MM 35; MM 39; MM 40**).
35. There are many development sites outside the PSA and its expansion area where there is provision for small scale retail uses. In some cases these are referred to as "ancillary", which is a misleading term in this context. As they are below the locally set threshold of 750 m² such uses would not be subject to an impact assessment. Furthermore as their provision would be in accordance with an up-to-date local plan (ie the CCAP) there would be no requirement for sequential testing. Modifications have been proposed to the relevant policies to make clear the meaning of "small scale" and to omit the reference to "ancillary". This is necessary for the CCAP to be justified and effective (**MM 75; MM 80; MM 99; MM 103; MM 109; MM 113; MM 116; MM 119; MM 124**).
36. In the case of Chapel Riverside and Ocean Village the intention is to introduce small scale food shops and a cross-reference to Policy AP 7 is needed. Part of Station Quarter is within the PSA expansion area and a cross-reference to Policy AP 6 is required as well. These changes are necessary in order to ensure that the respective policies are sound (**MM 75; MM 99; MM 119**).
37. Royal Pier Waterfront includes provision for speciality retail. The intention is not necessarily to limit units to less than 750 m² and a convenience store or waterfront themed shops may materialise. The Council envisage this as a complementary retail destination that would have regeneration benefits without harmful impacts on the PSA. In as much as the retail uses would serve the new residential community at Royal Pier or else those seeking

purchases specific to waterside uses this is likely to be the case. I do however have some concern about this approach especially as such shops do often include a high end fashion offer which could be in direct competition with the PSA. The Council has proposed changes to Policy AP 24 and its supporting text which would require the requirements of Policy CS 3 in the Core Strategy and Policy AP 7 in the CCAP to be applied unless there are overriding regeneration benefits. I support these modifications as they provide a reasonable compromise between protecting the PSA from undesirable impacts whilst permitting reasonable flexibility in the development of this large and important regeneration opportunity (**MM 88; MM 90**).

38. The Council has made some other changes to Policy AP 6 to make sure that it is justified and effective and I endorse these changes accordingly. These include making clear in the policy and other text that the objective is to enhance Southampton's role as a regional shopping centre, in line with Policy 10 of the SHS. It is unnecessary for Policy AP 6 to set out provisions for major retail development outside the PSA or its expansion area because these would be subject to Policy CS 3 in the Core Strategy and the provisions of the Framework. This is clarified in supporting text (**MM 32; MM 35; MM 38**).

Whether the approach to retail development in the expanded PSA is justified and conforms with national policy

39. It is unlikely that there will be sufficient sites to meet the comparison goods retail floorspace requirement to 2026 within the PSA. A well linked expansion area is therefore to be provided as a strategic site in the western part of the city centre. This was identified in the Core Strategy although the details of phasing, layout and extent were left to the CCAP. Of course the Core Strategy provision was based on a higher comparison goods requirement, which was considered to be the appropriate level at the time. The matter should therefore be reconsidered in light of the need for less comparison goods floorspace.
40. On the basis of the requirement of 90,000 m² the evidence suggests that there would be a shortfall of just over 29,000 m² to be provided in the PSA expansion area. The table provided through **MM 36** does not include any particular time when expansion sites are expected to be needed. The supporting text indicates that this is unlikely to be before 2021 although if economic forecasts improve it could be earlier. This seems reasonable because the future of key sites such as the Bargate Centre, which has been vacant and boarded up since June 2013 and is currently in receivership, is likely to be dependent on whether a development project would generate sufficient value to become a viable proposition. There will therefore need to be careful monitoring to track progress of PSA delivery. The Planning Practice Guidance emphasises the importance of keeping retail allocations under regular review so that there can be a flexible response to relevant market signals. In order to ensure effectiveness in this respect additional indicators have been added to the Monitoring Table 10 (**MM 127**).
41. There are though some unknowns which could have an influence on timing and the extent to which the expansion area will be needed. Watermark West Quay is the third phase in the West Quay Shopping Centre development. The outline planning permission includes a range of A1-A5 uses and it was initially

thought that it would be a retail-led development with about 18,500 m² of A1 floorspace. The developer's intention now is to concentrate on A3-A5 uses and this has led to the consequent reduction in the retail element referred to above. However the planning permission allows the flexibility for this to change and if economic conditions improve it is quite possible that the developer will change the mix of uses again with a greater emphasis on comparison goods floorspace. West Quay Retail Park is an "L" shaped parade of retail units which is within the PSA. Whilst I was not made aware of any plans to do so, there is the potential to reconfigure the site to provide a higher density of retail floorspace on a new upper floor. In both of these scenarios there could be a significant increase in available comparison goods floorspace within the PSA, thus reducing the need to expand into the adjoining land.

42. The PSA expansion area is partly at a lower ground level and here it is occupied by a mixture of surface level and multi storey car parks, the coach station and retail warehouses. It also includes an area at the same level as the PSA in the Ogle Road, Regent Street and Portland Street area. The Council has proposed to include an additional area to the south of West Quay Retail Park, which is currently used for car parking. This is well located in relation to the PSA and is justified on the grounds of increasing flexibility and effectiveness (**MM 31**).
43. The PSA expansion area is not intended to be part of the existing PSA. Rather it would remain "edge of centre", albeit with a sequential advantage to other edge of centre sites outside the PSA. It is the case that the Policies Map does not split the expansion area into identified sites. This is justified because it is not presently known what proposals will come forward bearing in mind the various existing uses. However the land is adjacent to the PSA with no major roads or other barriers to pedestrian movement. The Framework indicates that edge-of-centre sites for main town centre uses can be allocated where suitable and viable town centre sites are not available. It seems to me that the PSA expansion conforms to this approach.
44. Policy AP 6 is the means by which the development of the PSA expansion sites will be controlled. One of the main provisions is accessibility and the need to ensure good pedestrian links between the proposed development site and the PSA. For that part of the expansion area at a lower ground level this is particularly important. However the wording includes a requirement for a "needs" test. It is the case that Policy CS 2 in the Core Strategy adopts a similar approach but this does not comply with current national retail policy. The Framework makes clear that needs should be established at the plan making stage and not through development management. The proposed change to remove this requirement is thus necessary for reasons of soundness (**MM 35; MM 37**).
45. The application of a sequential assessment is required to ensure that expansion sites are not brought forward before those in the PSA itself. The relationship between the PSA and its expansion area is further justified by additional supporting text (**MM 33**). However it is not appropriate to include an impact test because the PSA expansion has been justified on the basis that it will accommodate need not able to be met in the PSA. The key is for regular and rigorous monitoring of the delivery of PSA sites. If more land becomes

available within the PSA than is currently anticipated the Council will need to review its plan and whether sites in the PSA expansion area would still be required to meet forecast needs.

46. The low density retail units of the Mountbatten Retail Park are not within the PSA expansion area. The PSA expansion area does however include two large retail units⁵ and it was suggested in representations that these could be encouraged to relocate by designating land in the Western Gateway Quarter as a retail destination for large format bulky goods operators. Whilst this would be classified as an edge-of-centre site due to its proximity to West Quay Retail Park it is not presently very well located in terms of accessibility. There are unattractive pedestrian links requiring the crossing of the busy West Quay Road, which is a main route into the city centre and a strategic access to the Port. This may change with the proposed reconfiguration of the dual carriageway but there seems no particular imperative for the retail uses in question to relocate elsewhere for the foreseeable future. The PSA expansion area is of sufficient size to provide opportunities for retail growth should they be required.

Whether the policy relating to development within the PSA achieves the right balance between providing flexibility and maintaining vitality and viability

47. The Framework makes clear that the extent of the PSA should be based on a clear definition of primary and secondary frontages and what uses will be permitted in such locations. These are shown on Map 4 and Policy AP 5 sets out how development proposals will be treated in each zone. There is a reasonable amount of flexibility within the "A" class of uses, which are generally considered to be appropriate to the town centre. The policy encourages active frontages which are important to ensure the vitality and vibrancy of the centre. There is also a requirement that detrimental impacts are not caused to those living and working nearby. This recognises that successful centres comprise a mix of uses and serve many different purposes.
48. The main distinguishing requirement for primary shopping frontages is that Policy AP 5 does not permit changes from A1 use if three or more adjoining units are in non-A1 use. This is intended to replace a similar saved policy in the Local Plan Review. Some Representors considered that it is an inflexible requirement and unduly prescriptive in the face of a fast evolving retail sector. It was suggested that provision should be made for exceptions. Policy AP 5 does not prevent non-retail uses in primary frontages but it is reasonable that it seeks to prevent an unfavourable balance towards food, drink and A2 uses. The Council commented that there were few long term vacancies in the primary zone and that the application of the policy had not caused particular problems in the past. There is dialogue with city centre developers and a proactive stance in seeking to attract new development to the city centre. I did not get the impression that the similar existing policy requirement has resulted in a negative effect on the vitality and viability of the PSA. Furthermore, it only relates to street level floorspace and there is greater

⁵ These are currently occupied by Toys R Us and Mamas & Papas.

flexibility on the upper floors.

Whether the CCAP provides sufficiently for car-based journeys

49. The city centre provides a number of sustainable travel options and is readily accessible by various non-car modes, including bus and rail. Policy CS 18 promotes a modal shift to more environmentally sustainable travel. Nevertheless the Council recognises that in order for the regional centre to remain an attractive retail destination many people will wish to undertake their journeys by car. It is important to achieve the right balance so that the centre remains competitive but avoids levels of congestion that would unacceptably reduce the efficiency of the transport network and result in environmental detriment. The proposed change to Policy AP 18 is supported to provide an effective and balanced approach **(MM 63)**.
50. It is therefore concluded that, subject to the proposed modifications, the retail provision in the PR is justified and that the CCAP provides an effective strategy that shows how this will be delivered over the plan period. The retail provisions in both plans are compliant with national policy as set out in the Framework and its associated Planning Practice Guidance.

ISSUE 3: Whether the office provision in the PR and the CCAP is justified, effective and in accordance with national policy

Whether the office floorspace requirement would accommodate the major growth necessary to enhance Southampton's regional status

51. Policy CS 1 in the Core Strategy establishes that the city centre should be the focus for major development to enhance the city's regional status. At least 322,000 m² of additional office floorspace is to be provided. However this is based on the South East Plan and pre-recessionary economic growth rates and is deliberately ambitious in order to achieve a step-change in office provision. Growth rates have been significantly lower and as a result the Push Economic Strategy was updated in 2010 using a 2009 data base which took account of worsening economic circumstances. The 2012 SHS has reduced the requirement for Southampton to 181,000 m² additional office floorspace between 2011 and 2026. However it acknowledges that this remains an ambitious target and envisages that provision for 125,000 m² should be made available with the balance held in reserve for rapid release⁶.
52. The Council considers that the SHS requirements are also becoming out of date. Although they took account of the first period of the recession they anticipated a quicker rate of recovery than national projections now show to be likely. The SHS is due to be reviewed soon but the Council does not think that it reflects the reality of delivery to date, which has been much slower than anticipated. The Council's view is that office requirements should take account of what is achievable in the city centre, in accordance with the principles of sustainable development. Its revised office target in the PR is informed by

⁶ These two figures are for additional growth but also include an allowance to replace the loss of existing offices.

several factors, including a number of market reports that form part of the evidence base. Job densities have decreased to reflect changing working practices, including an increase in home working. The existing office market suffers from a lack of prime office floorspace, a large amount of dated stock and competition from more accessible out-of-centre locations. The Council has undertaken an assessment of its individual office sites and concluded that they would be able to deliver around 110,000 m² additional floorspace over the plan period. The analysis assumes that rates on the four strategic sites will gradually improve over the plan period in accordance with discussions between the Council and the potential developers.

53. Whilst I do not disagree with this approach care should be taken to ensure that the past does not stultify the future. Targets must also reflect an optimistic outlook to encourage investment and accommodate growth as and when economic circumstances improve. Clearly the success of the strategy will depend on careful monitoring and there is the potential for review of the plan targets in the longer term if economic growth rates improve faster than anticipated. The CCAP does also identify several sites which would provide a further 125,000 m² of office floorspace. These are not expected to come forward by 2026 although they provide a potential "reserve" in the event that economic growth is stronger than expected or if other sites do not come forward as envisaged. In addition the PR office requirement is a minimum figure and could be increased in the event that additional floorspace is required.
54. The text in Paragraph 4.6 of the CCAP provides the background for the office requirements. The matter is confused because the SHS covers a different time period to the PR and CCAP and its figures are gross rather than net. The Council would like the plans to be compatible with the SHS and has therefore recalculated the requirement to a gross figure for the period 2011-2026. On this basis the requirement in Policy AP 1 would be 111,500 m². In order for this to be comprehensible the supporting text needs to be much more clearly written and the requirement needs to be established in Policy AP 1 itself. I therefore recommend the modifications to the CCAP in the interests of effectiveness and clarity (**MM 17**).
55. With the above changes it is considered that the Council's strategy for office development is sound. The new office floorspace requirement in the PR has been justified by the evidence base and would be effective in accommodating the major growth necessary to enhance Southampton's regional status

Whether the reduction in office requirement has any implications for the duty to co-operate given that it is below the target in the SHS

56. The SHS sets an overall office target which has then been apportioned between the various local authorities in the sub-region. It is understood that the reduced office floorspace requirement in the PR has been discussed with the other PUSH authorities and there are no representations on the basis that the plan provision would have a detrimental impact on office delivery elsewhere. In any event there is justification in the Council's argument that much of the difference between the reduced PR requirement and the SHS target has been absorbed by the much lower growth rates that have actually occurred to date. The CCAP does also include provision for additional sites

should economic circumstances improve. These would provide a flexible resource for rapid release over and above the 181,000 m² total requirement referred to in the SHS. Whilst it is made clear that this is not a ceiling in accordance with the "cities first" approach, the target in the PR is also expressed as a minimum.

57. The SHS is due to be reviewed as noted above and the Council is now working on its new Local Plan which will carry forward its policies to 2036. In the circumstances there is the opportunity for further review should this prove necessary. However taking account of the above it is concluded that the reduced office requirement would not at present have any adverse implications for the duty to co-operate with other nearby local authorities.

Whether the CCAP makes it sufficiently clear which key sites are required to deliver the identified need for office growth over the plan period and whether the rates of delivery are realistic

58. Policy CS 8 in the Core Strategy identifies the city centre as the preferred location for major office development, which is in accordance with the Framework. Policy CS 2 includes provision of a strategic site for a Major Development Quarter where the mix of uses will include retail and offices. There is also reference to a new city centre business district in the SHS and the inference that this is where the new office development will be concentrated. In the CCAP this is called the Major Development Zone (MDZ) and mainly comprises the Station Quarter, Western Gateway and Heart of the City with parts of the Royal Pier and Old Town Quarters also included.
59. The main sites that will provide the necessary office floorspace during the plan period are Station Quarter, Royal Pier Waterfront, West Quay Site B and Cumberland Place. There is information about each of these and when the offices are anticipated to be delivered. Policy AP 1 includes "reserve sites" such as Western Gateway which is unlikely to be delivered before 2026. This is acceptable because the office requirement is not a ceiling and the reserve will be useful if economic growth is faster than anticipated or if for any reason the main sites stall.
60. It is appreciated that the Council wishes to allow flexibility in order to ensure that the regeneration benefits flowing from these sites are achieved. It is nevertheless necessary to have a policy imperative to ensure that the office floorspace actually materialises. The Framework indicates that local plans should address the spatial implications of economic change and also provide detail of the quantum of development where appropriate. However in the submitted plan this remains unclear. Furthermore the policy wording is not sufficiently positive to guide developers and decision makers and instil confidence that delivery will take place in preference to other uses. The Council has proposed a number of modifications with new policy wording, replacement maps and changes to the supporting text, including some helpful new tables. These are necessary for reasons of soundness and to make sure the CCAP is fully justified and effective (**MM 17; MM 18**).
61. The office developments that are likely to be delivered first are West Quay Site B and Cumberland Place, both of which have the benefit of planning permission and are being marketed for offices. There is thus reasonable

certainty that these two sites will deliver around 15,000 m² of office floorspace by 2018. The Station Quarter offices are intended to be delivered in 2 main phases in the medium and long term. The Council has commissioned a feasibility and delivery strategy which forms part of the evidence base. This indicates that the area around the station would be delivered first with the larger commercial site to the west of Southern Road during the latter part of the plan period when economic conditions can be expected to have improved and therefore viability improved. The site is dependent on works to Western Esplanade and whilst there do not appear to be technical or funding constraints this would result in delivery of the first phase sometime between 2018 and 2021.

62. The Royal Pier Waterfront is mainly outside but adjoining the MDZ and comprises a major and complex redevelopment scheme. Indeed its future importance is reflected by specific reference in the CCAP Vision. As with the Station Quarter there has been detailed viability testing and feasibility work undertaken and at the relevant examination hearing the developer's representative gave oral confirmation of the commitment to deliver the project, which would include about 73,000 m² of office floorspace. There are a number of constraints, including the relocation of the Isle of Wight car ferry terminal, and so it seems unlikely that the offices will come on-stream until later in the plan period.
63. Western Gateway is an integral part of the MDZ. It comprises three main elements – City Industrial Park in the north, Leisure World complex in the middle and West Quay Industrial Estate in the south. The site is seen as an important part of the new business district contributing large scale office development. It is appreciated that Western Gateway is unlikely to come forward until later in the plan period or even post-2026 and it is not being relied upon to provide the office policy requirement (**MM 15**). Nevertheless sites such as Western Gateway provide the plan with flexibility, especially with the prospect of a growing economy. Policy AP 1 does not set out an order of timing preference between the various office sites, although the Station Quarter and Royal Pier Waterfront are envisaged to come forward before Western Gateway. The Council has provided justification for its approach to Western Gateway. In the circumstances I do not consider that its inclusion as one of the locations for significant office provision in Policy AP 1 is unsound.
64. There is no reason why the requirement for a significant office contribution at Western Gateway would prevent a phased approach to include a mix of other high quality uses. A proposed modification to Policy AP 23 and its supporting text makes this clear (**MM 80; MM 81**). In any event the text states that lower proportions of office floorspace may be acceptable providing justification is given. The concern that the Leisure World part of the Quarter does not have the same imperative for office provision as the northern and southern parts of the Quarter is perhaps a reflection of its existing use either side of two industrial estates. This does not seem to me to be a matter which would make the CCAP unsound. Those acting on behalf of the landowners query how the 35,000 m² of offices envisaged for the City Industrial Park has been derived or whether it could realistically be provided. However this is satisfactorily explained in the Offices Background Paper, which forms part of the evidence base (**Document CD 30**).

65. The proposed changes to Policy AP 1 and its supporting text are required to make the CCAP justified and effective so that it is clear which key sites are needed to deliver the identified need for office growth (**MM 17**).

Whether the predicted loss of office floorspace between 2006 and 2026 is properly justified

66. Policy AP 2 addresses the loss of existing office floorspace. However the policy itself does not make clear how such proposals will be dealt with outside of the identified prime and intermediate office areas. This is referred to in the supporting text although for the CCAP to be effective it should be included in the policy itself. It also needs to be clarified that mixed uses will be secured to meet employment or community needs (**MM 19; MM 20**).
67. The evidence indicates that vacancy rates in Southampton are below the national average. The requirement set out in Policy CS 1 in the Core Strategy is for additional floorspace. In making such provision it is clearly important to have regards to likely losses in order to ensure that the required overall level of growth is achieved. The CCAP assumes a loss of 55,000 m² of existing office floorspace (2006-26). The Council has tested a number of scenarios as set out in the Offices Background Paper. On the basis of the evidence it seems to me that the choice of 55,000 m² is robust. It is slightly lower than the amount that would ensue if 50% of offices were to be lost from all intermediate office areas in accordance with Policy AP 2 but higher than the rate assumed in the SHS and the past rates between 2001 and 2013. Indeed it is broadly similar to past rates between 1996 and 2013, which reflected the boom in the housing market before the recession when many office buildings were converted into flats. The Council has also taken account of the new permitted development rights to convert offices into residential use. Clearly it will be important to monitor losses carefully to ensure that the overall target in Policy CS 1 of the Core Strategy is achieved.
68. In the proposed modification to Policy AP 1 and its supporting text the requirement for 111,500 m² includes the forecast losses and covers the period 2011-2026. The loss for this shorter time period is 49,600 m² and takes account of actual losses recorded between 2006 and 2011 (**MM 17**).

Whether the "reserve" sites provide a realistic contingency

69. There are 4 main "reserve sites", which are estimated to be able to provide about 125,000 m² office floorspace. Three are within the MDZ and are included in Table 7 of the Offices Background Paper. The land in the Station Quarter to the south of Western Esplanade and West Quay Industrial Estate include high value uses and a mix of ownerships. The City Industrial Park and East Park Terrace are both within individual ownerships. The former is in an accessible location. As well as the concerns about the emphasis on significant office provision, the landowner of City Industrial Park considers that the site would be suitable for large format retail uses. However the Western Gateway Quarter is not part of the PSA expansion area and so City Industrial Park would not be a sequentially favoured site for retail use. East Park Terrace is part of Solent University's landholding and part may be available as surplus to its expansion requirements. Although it is not in the MDZ it is well located in relation to existing offices, bus services and the retail core.

70. It seems unlikely as things stand that the above sites would come forward for office development much before the end of the plan period. However this could happen if the economy were to grow faster than currently anticipated. In the circumstances the reserve sites do provide a realistic contingency that could accommodate more office growth if it was considered necessary.
71. In conclusion, and subject to the proposed modifications, the office provision in the PR and the CCAP is justified, effective and in accordance with national policy. The office floorspace requirement provides a challenging but realistic target that will accommodate the major growth required to enhance Southampton's regional status. The CCAP sets out clearly where the identified office growth will take place with reserve sites to provide flexibility.

ISSUE 4: Whether the CCAP addresses the spatial implications of change in a sustainable way

Whether the CCAP is sufficiently site specific; also, whether the related policies clearly set out the opportunities for development and give a clear indication of what will be permitted, when and where

72. The first part of the CCAP sets out a suite of policies to guide development management decisions throughout the city centre. The second part divides the city centre into 13 urban Quarters. Each has its own features and challenges based on the City Centre Characterisation Study (**Document CD 38**). This was work undertaken by consultants to provide a baseline against which the Council could assess opportunities for development and change.
73. The MDZ is identified in the Core Strategy as a strategic site for high density mixed use development that will form a major new business district within the city. The Core Strategy includes a specific policy relating to this area and although its title has changed from Major Development Quarter, Policy CS 2 provides the higher level guidance applicable to its future development, whilst Policies AP 20 and AP 21 and their supporting text set out the more detailed requirements for the MDZ. Some of the other general and site specific policies are also relevant. The Council has proposed combining the above two policies and providing links to the other policies in the supporting text as minor modifications to the CCAP.
74. The MDZ includes all or part of various Quarters and includes most of the land intended for major commercial development. An exception is the Royal Pier Waterfront, which is mainly outside the MDZ. This site is important to achieving the targets for office provision during the plan period. It is though a very important regeneration site in its own right and there is no reason, in terms of the soundness of the CCAP, why it should be included within the MDZ. The submitted plan relies on land to the west of Southern Road for major office development after 2021. Although the site is shown as part of the Station Quarter and MDZ in the CCAP, it is excluded from the city centre boundary in that document and this needs to be remedied. There are other small adjustments to the boundary of the MDZ, including to the north of the station to reflect the public realm improvements taking place. For reasons of soundness these anomalies need to be addressed, both within the CCAP and also through the PR as the extent of the city centre was defined through the

Core Strategy (**MM 4; MM 7; MM 68; MM 69**).

75. Within most of the Quarters key sites have been identified. Many of these were established through the Master Plan, where they were called Very Important Projects. Other parts of the evidence base that supports the identification of the key sites include consultants' reports on the Station Quarter and Western Gateway/ Town Depot and the 2013 Strategic Housing Land Availability Assessment (**Documents CD 37, 39, 43 and 50**). It is therefore considered that the CCAP captures the main areas where development and change is likely to happen during the plan period. The only Quarters with no key sites are Bedford Place and the Central Parks as these are envisaged as areas where things will stay substantially as they are.
76. That is not of course to ignore the fact that some development proposals will come forward on land outside the key sites. Some Representors considered insufficient guidance was provided within each Quarter to address this point. However these are likely to be small scale schemes to which the general development control policies in the first part of the CCAP will apply. Their acceptability will rely on policies such as AP 16, which will ensure that development is high quality, inclusive and locally distinctive. The proposed modifications to Policy AP 16 and its supporting text however make this part of the plan stronger and more effective (**MM 52-MM 54**). It would result in unnecessary duplication if such policy requirements were repeated within the sections on the individual Quarters.
77. In conclusion it is considered that the CCAP is sufficiently site specific and addresses the spatial implications of economic, social and environmental change. It includes policies that make clear what will be permitted, when and where in accordance with Paragraph 154 of the Framework.

Whether the supply of sites within the city centre are sufficient to deliver the Core Strategy housing requirement both in the short and longer term. Also, whether the sites on which this will take place are deliverable or developable and clearly identified

78. Policy CS 1 in the Core Strategy establishes a requirement for approximately 5,450 dwellings in the city centre. Policy AP 9 in the CCAP sets out the housing requirement and how it will be met. A minor modification has been made to the supporting text and Table 4 to include completions up to 2013, leaving a residual requirement of about 4,480 dwellings by 2026. There is evidence to show that the Council has identified sufficient land within the city centre boundary to meet its remaining housing commitments to 2026.
79. The city centre is home to Southampton Solent University, which occupies premises on East Park Terrace and comprises a specific Quarter on the eastern side of the Central Parks. The University of Southampton Oceanography Centre is to the south of Ocean Village. The city centre is a popular location for student accommodation not least due to its good public transport links and accessibility. It is appreciated that there are local concerns about the effect of large numbers of student occupiers on the parks, particularly as student flats often provide little associated private green space. On the other hand the provision of this specialist housing will result in a re-distribution within the housing market because properties that were previously in multiple occupancy

will be released to return to family housing. It seems to me that the Council may wish to consider the matter within the context of its new Local Plan when housing numbers will be re-visited. However it is difficult to see what particular provision the CCAP could make in terms of pressure on the parks and open spaces, other than the general amenity policies which already exist.

Whether the CCAP addresses the parks and open spaces in a suitably positive way, recognising their important contribution to the attractiveness of the city centre and the health and wellbeing of its residents, workers and visitors

80. The Central Parks have been designated Grade II* in the English Heritage Register of Historic Parks and Gardens and provide a good example of how municipal parks were laid out in the Victorian era. A number of proposed modifications have been included to make the CCAP more effective in terms of the status of these heritage assets and respect for their setting (**MM 94; MM 105; MM 112; MM 124**). There are Representors who consider that the CCAP should be much more proactive in its approach to the protection and enhancement of the parks. They do not consider that there is a coherent strategy that recognises the value of these historic green spaces as a community asset as well as their importance to the economic and social wellbeing of the city.
81. However Policy CS 21 in the CS recognises the importance of the various types of open and green spaces within the City and includes a provision to protect and enhance key spaces. A similar theme is carried forward into the CCAP through Policy AP 12, which includes a specific provision that the Central Parks, along with other green spaces, will be protected and enhanced. A proposed modification to the wording of the policy provides a more positive approach (**MM 43**). Furthermore the Council has produced the Central Parks Management Plan (2013) which sets out a programme of improvements and a management strategy up to 2016. I also note that green open spaces are one of the infrastructure sectors that benefits from the Community Infrastructure Levy charging regime adopted in 2013 (**Document CD 62**).
82. There is concern by some Representors that the CCAP policies do not adequately address the relationship between the Central Parks and their surroundings. The links between the parks and adjacent areas are addressed through Policies AP 12 and AP 19 and **MM 66** is necessary to make the latter effective. The Council is also intending to produce a Streets and Spaces Framework. Paragraph 180 of the CCAP indicates that neighbouring development should respect and enhance the setting of the parks. It is noted that the Council is hoping to produce a Conservation Plan for the Central Parks and their environs. This will be subject to consultation with community groups, although the Council made clear that it will depend on the availability of public resources. In the circumstances it would be inappropriate to make the production of this document a requirement of the CCAP.
83. There are some areas adjoining the parks which are identified in the CCAP for

change and other areas that are not. Of specific concern to some Representors are the retail sites "Above Bar Street/ Pound Tree Road"⁷ and "Above Bar Street/ Civic Centre Road". These are referred to in Table X as part of proposed modification **MM 36**. These sites are not specifically identified as development sites within the Heart of the City Quarter although they are referred to as the potential source of a considerable amount of retail floorspace in the PSA. This does not seem to me to be an unsound approach and, whilst such sites may well come forward for redevelopment during the plan period, any proposals would be subject to the general policies, including Policy AP 16 on design. However in order to ensure a robust and effective response to such proposals the addition of a requirement for active frontages to the parks and a contribution to extending the city centre's "green grid" is necessary (**MM 53**).

84. Policy AP 17 sets out the strategy for tall buildings, defined as those of 5 storeys or above. This seems a reasonable definition within the context of the local urban environment. One of the places that the CCAP envisages tall buildings is around Central Parks to provide an edge, increase the sense of enclosure and respond to the scale of the parks. I observed that many of the existing buildings around the edges of the parks could be described as tall buildings. The Council's intention is not to encourage a wall of high rise development encircling the Central Parks but rather to encourage well designed buildings that will add positively to the parkland setting. This design philosophy has a considerable provenance and was supported in the policies of the Local Plan Review. It was also advocated in the City Centre Characterisation Study and the Master Plan. Whilst not everyone agrees with the approach that does not mean it is wrong or that the CCAP is unsound. Nevertheless the proposed modifications to Policy AP 17, its supporting text and Map 12 are necessary to make sure the plan is justified and effective (**MM 58; MM 60; MM 61**).

Whether the CCAP deals effectively with the protection of important views to and from the waterfront and whether it is justifiable to include circumstances when such views could be lost or interrupted

85. The CCAP defines a number of strategic views and Policy AP 16 on design includes a provision that seeks to ensure that these are protected. It is appreciated that there are a number of views which are valued. However apart from the modification that seeks to retain views from French Street as well as Bugle Street, if possible, and to extend the view from Arundel Tower to the waterfront, it is not necessary for reasons of soundness to add to the list (**MM 57; MM 68; MM 69**). The supporting text in Paragraph 4.162 introduces a provision that such views may be lost. However, it seems to me that a strategic view should be one that is important to retain and if allocated sites cannot be developed without compromise to the view then the provisions of the plan will conflict. Sometimes the view may be part of a wider panorama or there may be a number of similar views and such situations should be

⁷ This is incorrectly termed Pound Tree Lane in both Table 1 of the CS and Table X in **MM 36**.

recognised. The suggested changes to Paragraph 4.162 are necessary in order that strategic views are given the importance they deserve **(MM 56)**.

86. Policy AP 16 encourages new views of the waterfront to be opened up. The cruise liners, Solent Flour Mills, movement of shipping and operation of Port infrastructure provide an insight into the rich history of this maritime city and its docks and are an important component of its distinctiveness. It is appreciated that Port activities will change over time and are not subject to the control of the planning regime. Nevertheless the plan should seek to capitalise on opportunities as they arise and a changing panorama of views in many ways adds to their value and interest. There is no reason why the desire to create new views should compromise the security or functioning of the Port estate.

Site specific issue: Royal Pier Waterfront Quarter

87. There are various changes proposed to the boundary of the Quarter, including the inclusion of the De Vere Hotel car park, which was previously in the Heart of the City Quarter. This seems more logical as the Royal Pier development site includes this triangular area of land. A further suggested change is the exclusion of a section of the River Itchen to the west of Mayflower Park, which extends in an arc to the end of Town Quay. This addresses concerns about potential interference with Port operations and particularly Berth 101. However it may be necessary to work within the river and beyond the boundary in order, for example, to fix sockets to the river bed to anchor pontoons or for demolition work to the pier. It is proposed to revise the text to allow such incidence, subject to the agreement of the relevant authorities. These are all reasonable revisions that are required to ensure that the plan is effective **(MM 7; MM 84)**.
88. The Royal Pier Waterfront is to be developed with a mix of uses by a joint venture company known as Royal Pier Waterfront Ltd on land owned by the Council, Associated British Ports (ABP) and Crown Estates. It is appropriate to allow a reasonable degree of flexibility for the mix of uses, whilst recognising the contribution that it will make to office provision in particular. There are also likely to be competing physical requirements including the protection and enhancement of important views, accessibility to the waterfront and respect for heritage assets. The proximity to the Port is a further significant constraint and the marina, which was considered by ABP as an unacceptable use in proximity to the Port, would be a water basin instead. Through the various proposed modifications to Policy AP 24 and its supporting text I am confident that an appropriate balance has been reached that will achieve an effective context for a high quality and viable mixed-use development **(MM 16; MM 84-MM 90)**.
89. The Quarter boundary is further proposed to be changed to include Town Quay, which was not within any Quarter in the submission document. It has been suggested that there could be a floating link between the development site and Town Quay to allow a pedestrian circuit to be achieved. However Town Quay is not part of the site itself and the Council has not chosen to include it as a development site in its own right with specific policy guidance. I appreciate from the representations that there are proposals to redevelop 5-

7 Town Quay and the proposed modification to include this site within the "evening zone" on Map 6 is justified (**MM 41**). However as I have commented earlier there are many development opportunities that are not subject to site specific policies. Such opportunities will continue to arise throughout the plan period and will be subject to the various development management policies in Part B of the plan. The omission of Town Quay as a development site does not mean that the plan has not been positively prepared or that it is unsound.

Site specific issue: Itchen Riverside Quarter

90. Town Depot (now known as Chapel Riverside) is to the south of the wharves. The majority was used as a waste transfer and recycling facility but most of this has now relocated to a new site in the west of the city. A portion of this land is outside the ownership of the Council and is occupied by industrial uses. The Council is currently marketing its site and it will offer the opportunity for a new development with significant public access to the waterfront. A number of proposed modifications to the design guidance, supporting text and Policy AP 27 itself help to provide greater focus and effectiveness to this section of the CCAP (**MM 95; MM 97-MM 100**).
91. The Central Trading Estate is within the Quarter but is not identified as a development site and is safeguarded for employment use in Policy AP 3 of the CCAP. This reflects Policy CS 6 in the Core Strategy relating to economic growth and competitiveness and Policy CS 7 relating to safeguarding of employment sites. Although the South East Plan has now been revoked, the SHS has continued to support strong economic growth across the sub-region and Southampton has a challenging target for new industrial and warehousing floorspace. It is therefore important to retain existing sites in employment use unless there is a particular reason for releasing them. In the case of the Central Trading Estate I observed a sizeable, well established development within a wider commercial area with good accessibility. The units appeared to be well maintained and I saw little evidence of vacancy.
92. Paragraph 5.73 of the CCAP mentions the possibility of future regeneration, for example in connection with the expansion of Southampton Football Club or the relocation of the wharves. However these are likely to be long term outcomes and even though the present buildings may need replacing in 10 years time that does not justify the release of the site from safeguarding now. Policy CS 7 does, in any event, set out situations in which safeguarding may be reconsidered. These include regeneration benefits and site suitability, for example. In the circumstances the inclusion of the Central Trading Estate as a safeguarded employment site under Policy AP 3 is sound.

Site specific issue: Fruit and Vegetable Market Development Site

93. This comprises various distribution warehouses, some of which are vacant. There are also other active uses including the 1865 nightclub and a longstanding industrial use, Martins Rubber. The site is placed within two different Quarters – Holyrood/ Queens Park and Old Town. This seems to me rather confusing even though the Council points out that the boundary of the Old Town Quarter is defined by the historic town walls. Whilst it is not a soundness issue, the Council has included some extra text into Paragraph

5.142 through minor modifications to provide helpful clarification.

94. Policy AP 28 envisages a residential led mixed-use scheme for this development site. However I can appreciate that Martins Rubber and the 1865 nightclub have concerns that they are not acknowledged in the envisaged regeneration. This is addressed by **MM 114** which ensures that the policy is properly justified and likely to be effective. The abovementioned uses are on the eastern side of the development site and in the longer term occupy land that will provide part of a link between the High Street and Oxford Street, which is an important area for the night time economy. Nevertheless in the short term it needs to be recognised that these uses exist and are unlikely to relocate unless it is viable for them to do so. Although Martins Rubber is no longer safeguarded under Policy AP 3 it does provide significant local employment. It is therefore an appropriate and sensible response to recognise the presence of Martins Rubber and the 1865 nightclub and require future housing schemes on surrounding land to incorporate the necessary mitigation to allow existing and new uses to co-exist satisfactorily for the time being (**MM 103; MM 104**).

Site specific issue: St Marys

95. There are two development sites within this Quarter. Buildings in St Mary Street are typically between 2 and 4 storeys in height whilst in Northam Road they are mainly 2 storeys in height. These are attractive and vibrant localities and the absence of high rise development affords them a domestic scale that plays an important part in defining their character and appeal. Policy AP 37 does not permit tall buildings in these locations. It is appreciated that this is not a conservation area but nevertheless there is no evidence that the restriction on building height would stultify economic growth or prevent appropriate development within the area in question. The Council has proposed a modification to allow slightly higher buildings along the St Marys Place frontage of up to 5 storeys (**MM 122**).

Site specific issue: Blechynden Terrace

96. This small public open space is to the north of the station and is identified for protection and enhancement under Policy AP 12. The policy however allows for its remodelling or replacement by a civic space. The proposed modification to Policy AP 22 relating to the Station Quarter requires enhanced public open space and the same amount of green space or green link. There is though no requirement for the walls that border the public open space at Blechynden Terrace to be retained as part of the redevelopment. These comprise the remnants of bomb damaged buildings said to be constructed of Bursledon brick. I appreciate that the walls and open space have local value and that some would like them preserved as a World War II memorial garden. Whilst this could happen, the location of this space and its walls means that any such requirement could place a significant constraint on the future regeneration of the area. The site is not recognised by the Council through any formal heritage designation and the above proposed modification offers a proportionate and justified response (**MM 75**).
97. For all of the above reasons it is concluded that, subject to the proposed modifications, the CCAP addresses the spatial implications of change in a

sustainable way. It gives a clear indication of the main opportunities for development and when and how it will be delivered. This does not require that every potential development site is identified and there are policies in the plan that would provide adequate guidance in such circumstances. The importance of the parks, open spaces and views is also positively recognised within the terms of the plan.

ISSUE 5: Whether the CCAP would support the sustainable growth and competitiveness of the Port in accordance with national policy

98. The Port of Southampton is one of the country's leading ports and an asset of national and indeed international importance. It is owned and operated by ABP. The *National Policy Statement for Ports* (2012) recognises the importance of ports in local and regional economies and their contribution to national prosperity. It seeks to encourage sustainable growth whilst recognising environmental and social constraints and objectives. The access routes that serve the operational Port cross through the city centre although much of the Port estate itself lies outside the city centre boundary. Policy CS 9 in the Core Strategy seeks to promote and facilitate the growth of the port within its existing operational boundaries.
99. It was made clear in the written and oral representations by ABP that the Port estate is needed to accommodate growth and development and that there is no intention of releasing it for other purposes during the lifetime of the CCAP. Concerns were raised about the inclusion of operational port land within the Ocean Village Quarter and it is appropriate that this should be removed in accordance with the boundary change proposed in **MM 117**. A similar adjustment has been made to the Western Gateway boundary, albeit as a minor modification, and also to the flood defence zone on Map 10 (**MM 45**).
100. Representations were made that the CCAP and PR should be amended to include the Eastern Docks with a specific policy to control any future redevelopment in the event that the current Port operations cease. It was argued that it is important to include policy provisions in the statutory plan now so that if circumstances change and the land becomes surplus to Port requirements there are provisions in place to capitalise on the benefits of this waterside land in the public interest. However there is no evidence that the Eastern Docks will be released by the Port for non-port related uses within the next 15 years. Indeed it was quite the reverse and that such a change would be counter to national policy which seeks the growth of the country's ports in the interests of national prosperity. The Council was opposed to the suggested changes and there is no substantiated evidence that they are necessary for reasons of soundness.
101. Of particular importance to the Port is unimpeded access to the Port estate. The CCAP makes clear that access by sea or rail will be the first priority although a proposed modification includes consideration of practicality and viability and this is a necessary clarification (**MM 21**). The text also makes clear that there will continue to be a need for major movement by road. ABP stressed throughout the Examination the importance of ensuring that good road access is maintained. Map 13 shows that the main strategic access is from the west off the M27, M271 and via Mountbatten Way and West Quay

Road. The latter does however act as a major barrier to movement, particularly by pedestrians and cyclists. In order to improve better linkages through the MDZ and beyond, this route is to be remodelled. This will be a challenge in view of the importance of the route as the main strategic access to the Port.

102. There is also a secondary access shown from the M3 south along the A33. This runs along St Marys Place and the eastern side of Central Parks and the proposed modification makes the supporting text relating to the character of the area justified and effective (**MM 121**). Some Representors have concerns about encouraging heavy lorries along this route, not least because of environmental impacts on the important green spaces. I can appreciate this concern but this is a longstanding approach route to the Port and provides an important alternative in the event of problems on the strategic route from the west. The supporting text to Policy AP 4, as proposed to be modified, does not indicate that the two routes have equal status.
103. The Port estate is close to several of the development sites including Royal Pier Waterfront, Western Gateway and Ocean Village where policies include residential uses. A balance is needed between the benefits of housing within accessible locations and the requirement to ensure that Port activity is not unduly constrained and the safety and security of the Port is not compromised. The proposed modification to Policy AP 4 includes the requirement that design solutions should be incorporated to take these matters into account whilst also securing a viable development on these important sites.
104. Paragraph 5.35 makes reference to the City Cruise Terminal, which adjoins the Western Gateway development site, becoming a waterfront destination if the Port were able to facilitate it. ABP has made clear that this will not happen during the plan period. The Council has proposed a modification which makes it clear that there are no present plans to do this. This seems to me a necessary clarification and whilst I consider that it may be better to remove the reference altogether, this is not a policy requirement and with the proposed modification the plan is sound (**MM 78**).
105. ABP recognise that there is a balance to be struck between ensuring that port interests are not prejudiced and ensuring the growth and prosperity of the city. Where that balance lies was the subject of considerable debate at the hearings. The proposed modifications to Policy AP 4 and its supporting text have resulted from constructive discussions between ABP, the Council and other stakeholders and seems to me to make clear to the decision-maker how the balance is to be achieved in the event that a proposal were to impact on port activity. In the circumstances I support the modifications to Policy AP 4 and its supporting text, which are necessary to make the plan sound and effective (**MM 21-MM 30**).
106. There are many other references to the Port throughout the CCAP, including in individual site policies. In order to reflect the proposed modifications to Policy AP 4 and its supporting text there have been numerous changes proposed elsewhere. Whilst not all wordings are exactly comparable the CCAP should be read as a whole with Policy AP 4 being the part of the plan which the decision maker turns to first when considering proposals that may impact on Port activity. I consider that the proposed modifications listed below are necessary

to make the plan sound (**MM 10; MM 11; MM 12; MM 14; MM 46; MM 62; MM 65; MM 66; MM 67; MM 71; 72; MM 73; MM 77; MM 80; MM 82; MM 85; MM 87; MM 88; MM 89; MM 91; MM 93; MM 101; MM 110; MM 114; MM 121**).

107. It is therefore concluded that the CCAP would support the sustainable growth and competitiveness of the Port in accordance with national policy.

ISSUE 6: Whether the CCAP gives sufficient guidance on the infrastructure needed to support the envisaged development

108. The Framework makes clear that local plans should include strategic policies to deliver the provision for infrastructure. Part D of the CCAP comprises the Delivery Plan and includes a section on infrastructure dealing with various aspects, including transport, flood resilience and energy. Minor modifications to Paragraph 3.11 of the CCAP have been proposed that should aid delivery even though these do not affect the soundness of the document. The comments of Southern Water as statutory undertaker are noted. However whilst the proposed modified text mentions that sustainable drainage measures can reduce the need for additional foul water infrastructure in line with government policy, it does not say that the need for new waste water infrastructure would be obviated.

109. Southern Water as the statutory water and sewerage provider has concerns that Policy AP 12 in the CCAP does not make provision for essential utility provision in the green spaces, such as a new pumping station for example. However there is no specific evidence-based need identified by the statutory undertaker for such infrastructure. In the circumstances it seems inappropriate to include a general provision which would weaken the overall objective to retain and protect designated open spaces. Clearly if there were to be an operational need that could not be met elsewhere this could be considered as an exception to the policy.

110. The CCAP has no specific policy relating to the provision of surface water or foul drainage to serve new developments. However this is a city-wide issue and the development plan already includes sufficient provision in the Core Strategy and the saved policies in the Local Plan Review. It is appreciated that these are not incorporated into the CCAP and in order to draw attention to the requirement further text is proposed until such time as a new Local Plan draws everything together in one place. Whilst this aids clarity it is not necessary in terms of the soundness of the plan.

111. The Council has proposed modifications as a result of comments by the Environment Agency. These do not seem to me to concern the soundness of the CCAP and indeed the Environment Agency has not judged the relevant paragraphs to be unsound without the changes.

112. It is therefore concluded that the CCAP gives sufficient guidance on the infrastructure needed to support the envisaged development.

ISSUE 7: Whether the CCAP makes robust provision for the delivery of development through the monitoring of its effectiveness and inclusion of flexibility and contingency measures

113. Part D of the CCAP refers to the monitoring and management of the plan to ensure its effective delivery. A table is provided with key indicators and in many cases these are the subject of ongoing monitoring through the Annual Monitoring Review in connection with the Core Strategy. As a result of discussion at the hearings an expanded monitoring table will be inserted, which not only provides more information but also increases the key indicators, particularly in relation to office and retail development. This is necessary to ensure that the CCAP is effective and properly justified (**MM 127**).

Assessment of Legal Compliance

114. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The PR and CCAP are identified within the approved LDS February 2014 which sets out an expected adoption date of August 2014. The content and timing of the PR and CCAP are broadly compliant with the LDS albeit that the adoption date was somewhat optimistic in view of the need for publication of the modifications, consideration of responses and some further consultation.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in April 2013 and consultation on both the PR and CCAP has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM).
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	<p>The Habitats Regulations AA Screening Reports on the PR (July 2013; December 2013) establish that Appropriate Assessment is unnecessary because there are unlikely to be significant effects other than those that have been formally assessed in the context of the Council's higher level planning documents.</p> <p>A Habitats Regulations Assessment on the CCAP has been undertaken in view of the potential for significant effects (August 2013; December 2013). This concluded that the CCAP and its proposed modifications would not lead to adverse effects on integrity and the modified CCAP was thus considered to be Habitats Regulations compliant.</p>
National Policy	The PR and CCAP comply with national policy except where indicated and modifications are recommended.

Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
Public Sector Equality Duty (PSED)	The PR and CCAP comply with the Duty.
2004 Act (as amended) and 2012 Regulations.	The PR and CCAP comply with the Act and the Regulations.

Overall Conclusion and Recommendation

115. **The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**
116. **The Council has requested that I recommend main modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Southampton Core Strategy Partial Review and the Southampton City Centre Area Action Plan satisfy the requirements of Section 20(5) of the 2004 Act and meet the criteria for soundness in the National Planning Policy Framework.**

Christina Downes

INSPECTOR

This report is accompanied by the Appendix containing the Main Modifications