



Report to Southampton City Council

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION INTO THE SOUTHAMPTON CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 30 March 2009

Examination hearings held between 7 and 16 July 2009 at Jury's Inn,
Southampton.

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1 Introduction and Overall Conclusion

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a development plan document (DPD) is to determine:
- (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Southampton Core Strategy DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
- 1.3 I am satisfied that the DPD meets the requirements of the Act and Regulations. My role is also to consider the soundness of the submitted Core Strategy (CS) against the tests set out in PPS 12 paragraphs 4.51-4.52. In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan.
- 1.4 The changes I have specified in this binding report are made only where there is a clear need to amend the document in the light of the tests of soundness in PPS 12. None of these changes should materially alter the substance of the overall plan and its policies, or undermine the sustainability appraisal and participatory processes already undertaken.
- 1.5 My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the examination in terms of testing justification, effectiveness and consistency with national policy. My overall conclusion is that the CS is sound, provided it is changed in the ways specified. The principal changes required are, in summary, in relation to:
- a) Flood risk, particularly rising sea levels,
 - b) City Centre Retail, especially future needs,
 - c) Transport, notably concerning the strategic road network,
 - d) Biodiversity/Nature Conservation and
 - e) The Port of Southampton.

The report sets out all the detailed changes required, including all those made public and open to comment by the Council themselves both between publication and submission and post submission, to ensure that the plan is sound.

2 Legal Requirements

- 2.1 The Southampton Core Strategy DPD (CS) is contained within the Council's Local Development Scheme (LDS), the Third Revision being approved in February 2009. There, it is shown as having a submission date of March 2009, which was just met. I also conclude that the content of the CS is as envisaged in the LDS.
- 2.2 The Council's Statement of Community Involvement has been found sound by the Secretary of State and was formally adopted by the Council before the examination hearings took place. It is evident from the documents submitted by the Council, including the Regulation 30(d) and 30(e) Statements, that the Council has met the requirements as set out in the Regulations.
- 2.3 Alongside the preparation of the DPD it is evident that the Council has carried out a parallel process of sustainability appraisal (SA) and the final SA report was submitted with the DPD. This test has therefore been met. Criticisms of the adequacy of the SA in relation to particular elements and policies of the DPD are more appropriately dealt with when considering the coherence, consistency and effectiveness tests (see below).
- 2.4 In accordance with the Habitats Directive, I am satisfied that an Appropriate Assessment (AA) has been undertaken and that, subject to the changes specified and commitments identified, there would be no significant harm to the conservation of designated SACs, SPAs and European sites as a result of the policies and proposals within this DPD.
- 2.5 I am also satisfied that the DPD has regard to national policy. The South East England Partnership Board (SEERA's successor) has indicated that the DPD is in general conformity with the approved Regional Spatial Strategy (The South East Plan – May 2009) (SEP) and I see no reason to disagree. I am further satisfied that the DPD has had regard to the sustainable community strategy (SCS) for the area.
- 2.6 I consider that the DPD complies with the specific requirements of the 2004 Regulations (as amended), including the requirements in relation to publication of the prescribed documents; availability of them for Inspection and local advertisement; notification of DPD bodies and provision of a list of superseded saved policies. Accordingly, I conclude that the legal requirements have all been satisfied.

3 Strategy - Justified; Effective and Consistent with National Policy Tests

Introduction [Chapter 1]

- 3.1 This chapter provides an accurate and satisfactory introduction to the CS. Throughout the examination I have taken into account that the Council will be preparing a City Centre Area Action Plan (AAP) and a Sites and Policies DPD following the CS, as referred to in para 1.1.3 and now termed the “next stage” DPDs. However, part 1.2 of this chapter will no longer be relevant in the adopted version of the CS and should therefore be deleted for clarity.

Southampton in Context [Chapter 2]

- 3.2 Taking into account the Council's post submission proposed text corrections and minor changes (parts 1 and 2 of CD73), I am satisfied that, save for para 2.3.11, the remaining text of this chapter is sound and satisfactorily clear in its setting out the current context for the CS. However, the significant changes proposed elsewhere in the CS, arising from the concerns of the EA in relation to flood risk and coastal planning, indicate that an amendment is also required to para 2.3.11 for consistency therewith. In the light of the debate on this matter at the examination and taking into account that the relevant work is already underway, the second sentence should start “A local, more detailed, Flood Risk Assessment (SFRA 2)” replacing the word “It”.

Vision and Objectives [Chapter 3]

Issues – i) can the overall strategy deliver the new development required to meet the city's share of growth in South Hampshire required by the South East Plan (SEP), whilst satisfactorily addressing the constraints of climate change and flood risk ? ii) does the strategy, vision and objectives deal satisfactorily with cross border issues, such as the implications of new development for the New Forest and South Downs National Parks and protected nature conservation sites ?

- 3.3 There is no doubt that the overall levels of development proposed in the CS, subject to the necessary clarification of the targets referred to below, are entirely consistent with those of the recently adopted SEP (CD51) and the Regional Economic Strategy (CD59), as well as endorsed by the Partnership for Urban South Hampshire (PUSH). Moreover, the overall strategy of urban concentration, including building at higher densities on previously developed land, particularly in the city centre, is clearly consistent with national guidance and regional policies in the SEP (CD51). Bearing in mind the latest changes agreed by the Council at the examination (e.g. in relation to S4 and S20), I consider that the content, especially the 20 strategic objectives in para 3.3.1, provides an appropriate and realistic spatial vision for the city to 2026.

- 3.4 Importantly, the objectives are consistent with national guidance without repeating it and clearly derive from both the regional strategy and specific policies of the SEP (CD51) and the SCS (CD89). Accordingly, given the well established joint working arrangements through PUSH, I consider that there are soundly based and realistic prospects that the CS will deliver the required growth over the plan period, sustainably focussed on the city centre.
- 3.5 It is equally clear that the CS has taken into account the potential implications of the growth proposed on flood risks and on the environs of the city, including the National Parks and international (SPA, SAC and Ramsar) and other designated nature conservation sites, at a strategic level. This is evidenced in the key issues in Chapter 2, the strategic objectives in Chapter 3, including S5, S6, S14 and S20, and in policies CS20 – CS23 inclusive. The Council's commitment to continued joint working with neighbouring authorities through PUSH, notably in relation to the completion and implementation of the Green Infrastructure Strategy (GIS), amongst other things, also provides material reassurance that cross border issues have been and will continue to be addressed satisfactorily over the plan period.
- 3.6 From the conclusions reached and the recommendations made later in this report regarding new retail floorspace in the city centre over the plan period, the words "at least" in the second line of the second bullet point in para 3.2.1 should be replaced with "about" for the sake of soundness and consistency, as acknowledged by the Council during the examination.
- 3.7 Regarding S8, following the examination debate and in response to representations from EH, the Council now suggests that this objective should be amended by replacing all the text after "historic environment" with ", ensuring that designated sites are safeguarded. Historic conservation opportunities in new development will be maximised and local awareness of heritage issues raised,". As it is consistent with national guidance in PPGs 15 and 16, as well as policy BE6 of the SEP, and essentially reflects current practice in any event, I see no objection to this change and recommend accordingly.
- 3.8 In relation to S20, as a result of the EA's representations and the examination debates, the Council now accepts the need for this objective to more accurately reflect national guidance in PPS 25 by including the word "avoid" before "reduce and mitigate". In the light of the conclusions elsewhere in this report I endorse this change and so recommend for it to be sound. However, in all of the relevant circumstances and as referred to later in this report, I see no reason to delay the adoption of the CS to await the completion of the SFRA 2.

Spatial Strategy and Policies [Chapter 4]

Issue – Does the spatial strategy set out appropriate principles for i) the city centre, including the waterfront and in relation to leisure/recreation, ii) town and district centres, iii) other neighbourhoods and iv) the Port and other employment areas ?

- 3.9 It is now agreed by the Council that significant redevelopment in the Major Development Quarter (MDQ) is not likely to come forward until the later part of the plan period (and certainly not before 2016 at the earliest) as no retail need will exist until then. Therefore, time is available for practical and sustainable solutions to be brought forward for coping with the predicted rise in sea levels and increased risks of flooding in the city centre through the various studies being undertaken, particularly the SFRA 2 now underway, that will form an important input to the “next stage” DPDs.
- 3.10 Consistent with the change to S20 referred to above, the Council now considers that the third bullet point of para 4.1.2 also requires amendment to better reflect the EA’s representations on flood risk in particular and the application of the sequential test under PPS 25, including in respect of sites within the MDQ. Accordingly, the addition of “avoidance may not be appropriate and” is proposed to the second sentence before “mitigation”. I agree that this would be sound and suitable in the light of the other changes to be made to the document.
- 3.11 Consequently, with the changes proposed, I am satisfied that, at the strategic level, the CS now deals suitably and satisfactorily with the issue of flood risk (both tidal and fluvial) consistent with PPS 25 and policy NRM4 of the SEP (CD51), including in relation to the city centre and the waterfront. The more specific policies, projects and programmes that may be necessary to address rising sea levels due to climate change in connection with redevelopment schemes in the MDQ (and elsewhere in the city) will be a matter for the “next stage” DPDs following completion of the various studies currently underway or planned, including the SFRA 2.
- 3.12 In the strategic context similar conclusions apply in respect of the proposed mitigation measures required to avoid harm to the international (SPA, SAC and Ramsar) and other designated nature conservation sites in the light of ongoing research, the full details of which will need to be set out in the “next stage” DPDs for funding and implementation on a sub regional basis as part of the GIS, amongst other things.
- 3.12 Arising from debate at the examination the Council now recognises that there is inconsistency throughout the submitted document on the description and use of the various numerical “targets” for new development in the city over the plan period, deriving from the SEP and PUSH allocations. Consequently, it is essential that any

potential confusion is clarified throughout the CS to provide certainty as to what is actually intended.

- 3.13 In para 4.3.1 “at least” should be added before “322,000 sq.m” in relation to office space and “At least” replaced with “About” regarding new retail floor space. In the interests of clarity and consistency, as well as to assist future monitoring, the word “comparison” also needs to be added between “new” and “shopping”.
- 3.14 In response to valid criticisms that the submitted CS lacked a clear spatial vision for areas of the city outside the centre, the Council has now proposed a significant addition to the text to replace the current descriptions of “Shirley Town Centre and Bitterne, Portswood, Lordshill and Woolston District Centres” and “Residential Neighbourhoods”, which would be repositioned after the text relating to “The Port, Employment Sites and Areas” within part 4.3.1 (page 20). Although entirely descriptive, the plan would not be locally distinctive without such a section.
- 3.15 With minor amendments to assist clarity and avoid duplication I am satisfied that this will provide the necessary information, description and objectives to indicate the Council’s 20 year vision for the future of these areas in a clear and individually relevant fashion that complements that for the city centre, port and employment areas and therefore forms part of a cohesive whole. I endorse it accordingly so that the plan is sound in this respect.
- 3.16 In the light of the extended descriptive sections drawn up by the Council for part 4.3.1 of the document, the actual boundaries of the Suburban Neighbourhoods identified therein should be shown on Maps 2 and 3, as well as the local road network, the correct port boundary and the relevant accompanying notation. The revised versions should be incorporated into the adopted CS to make it sound.
- 3.17 Regarding the role of the Port of Southampton, the Council now proposes a number of relevant changes to the published version, notably to objective S4 but also to paras 2.1.2, 2.1.7 and 2.3.3, in response to criticisms from the operators. These are designed to clarify the current and future contribution of the Port to the local economy and the overall life of the city. I am satisfied that they achieve this aim without presuming or prejudicing important decisions about potential long term growth outside the city, that require to be made during the plan period. Accordingly, no further changes in this respect are required to provide a clear and sound vision for the future of the city to 2026.
- 3.18 I am also satisfied that taken as whole, but with particular reliance on objectives S1 – S4 inclusive and policies CS6, CS7 and CS8, the CS provides an appropriate set of principles for achieving the necessary growth in local employment opportunities across the city

in accordance with national guidance, including the emerging draft PPS 4, and policies SH1, SH3 and SH4 of the SEP (CD51).

- 3.19 The last sentence under “Supporting Health and Education” in para 4.3.1 refers only to one project that is already under construction and to another that is still under consideration. Strictly speaking, neither forms part of the future spatial strategy, as things stand, and the sentence should therefore be deleted for clarity.

Sustainability

Issue – Has the CS been the subject of a suitably comprehensive and satisfactory sustainability appraisal (SA), strategic environmental assessment (SEA) and appropriate assessment (AA), including in terms of flood risk and impact on the natural environment ?

- 3.20 The Council's consultants carried out the SA, SEA and AA to a consistent methodology, in accordance with national guidance (CD38/CD39) and objectives based on those used for the SEP (CD51). In particular, the studies have also taken into account the requirements of policy CC8 of the SEP (CD51) in respect of the active planning and management of the network of multi functional open space, or green infrastructure (GI), on a sub regional basis.
- 3.21 This includes in respect of sites of international nature conservation importance (SAC, SPA and Ramsar sites). As a result, policies CS20 – CS23 inclusive refer and relate to the forthcoming GI Strategy (GIS) for the PUSH area and are thus consistent, in general, with the relevant regional policies in sustainability terms.
- 3.22 On the evidence before me, I am also satisfied that the range and scope of the work undertaken in the various appraisals carried out throughout the process was suitably comprehensive and without material omissions. This conclusion is reinforced by the strategic level endorsement of NE in this respect, including in relation to the sites of international nature conservation importance following the increase in the size of the buffer zone assessed from 5 km to 10 km (CD85). Accordingly, I am satisfied that the relevant statutory procedures have been complied with.
- 3.23 Following publication the Council has responded to further criticisms in respect of flood risk by accepting the need for several important changes recommended by the EA. These include adding the word “avoid” to S20 for consistency with PPS 25, significant amendments to policy CS23 and substantial additions to its supporting text, as well as changes to section 7.4. Maps showing the extent of flood risk zones 2 and 3 across the city in 2009 and (as predicted for) 2115 are also now to be included for information.
- 3.24 I consider these changes to be directly relevant regarding the overall sustainability assessment of the plan in relation to flood risk and endorse all accordingly. Taking them into account, as well as

the commencement of a SFRA 2 study to inform the preparation of the “next stage” DPDs, I therefore consider that, as amended, the plan is consistent with PPS 25 in principle and sound in its overall assessment of flood risks in the city in sustainability terms.

- 3.25 Similarly, outstanding concerns raised by NE and others on the published version of the CS have been largely addressed by the Council's proposed changes, notably the 3 extra paras of text to support policy CS22 and additions to policy CS13 (6), para 4.8.1 and section 7.3 (Ecology). Given the strategic nature of the CS, with no site specific allocations other than the identification of the MDQ, the detailed redevelopment of which in the later part of the plan period will be determined through the City Centre AAP, I am satisfied that these changes are sufficient for me to conclude that potential impacts on the natural environment, including international nature conservation sites, have been properly considered in the work carried out to date. Moreover, the Council and its sub regional partners are committed to the emerging GIS, further relevant studies are already underway, including the Solent Disturbance and Mitigation Project, and there is an acknowledged need for further Habitats Regulations Assessment (HRA) on the “next stages” DPDs.
- 3.26 Taking all of these factors into account, I endorse the conclusion of the final HRA report (CD96) to the effect that the CS would not be likely to result in adverse effects on the integrity of the international nature conservation sites, following the application of appropriate mitigation measures, such as the new Lords Wood Forest Park (section 7.3), and for which there are realistic prospects of delivery through PUSH over the plan period. Nevertheless, the fact that some of these measures would be implemented outside the city through the GIS means that it is necessary to introduce a reference into para 5.6.5 to that effect by adding the words “within and outside the city” after “used” in line 1, as agreed at the examination.

4 Policies – Justified; Effective and Consistent with National Policy Tests

CS1 – City Centre Viability and Vitality

Issue – Are the proposed levels of retail and commercial provision in the city centre reasonable and realistic in the light of national guidance and regional policy ?

- 4.1 Part (i) of policy SH4 of the SEP (CD51) refers specifically to the expansion of retail, office, leisure and cultural facilities in Southampton to enhance its role as a primary regional centre, in line with national guidance in PPS 6 and policy TC1 of the SEP (CD51). In particular, it outlines that this should be achieved by firstly consolidating the existing primary shopping area (PSA) and then integrating the major city centre sites to the west in the medium term. Thus, there can be no doubt that both policy CS1 and CS2 are consistent with both national guidance and regional policies, in general terms, in pursuing such a strategy for the city centre in principle.
- 4.2 In response to various criticisms of the detailed policy wording and supporting text in the published version, the Council has proposed a number of minor changes, notably to paras 4.4.2, 4.4.5 and 4.4.6, to clarify their intentions, particularly with regard to the proposed content of the City Centre AAP. I endorse all of these amendments and additions, particularly as they are helpful in setting out clearly what the “next stage” DPD will be expected to deliver, notably in respect of the Major Development Quarter (MDQ) (see policy CS2).
- 4.3 However, it seems to me that the importance of the AAP in these respects would be better acknowledged in the CS if the last sentence of the policy wording was moved to become the second, so that there can be no doubt that it is the vehicle that is expected to deliver all the other elements set out in policy CS1. This would also be consistent with paras 4.4.3 and 4.4.4 of the supporting text and the specific identification on the Proposals Map (PM) of the area that the AAP will cover.
- 4.4 Turning to the proposed level of new retail floorspace for the city centre over the plan period, the Council acknowledged at the examination that, in the light of the most recent update study (DTZ – June 2009) (CD151), the range set out in part 2 of the policy, which was based on earlier work (DTZ – 2005) (CD115) was no longer considered to be realistic in terms of the higher end of the scale (+ 200,000 sq.m. gross of comparison retail floorspace).
- 4.5 Given that the earlier study was prepared before the recent economic downturn, albeit on relatively cautious, long term, assumptions about the growth in local retail expenditure, I agree that an expectation of an approximate doubling of the amount of

retail floorspace in the city centre by 2026 is unrealistic in present circumstances, as acknowledged in the recent update (CD151).

- 4.6 Taking into account such factors as the recent commitment at West Quay 3 and the opening of a new Ikea store adjacent to the present PSA, as well as the current level of vacancies in both the primary and secondary shopping streets of the city centre, I further agree that the lowest end of the range set out in part 2 of the policy, as effectively endorsed in the scenarios examined in the recent update study (DTZ – June 2009) (CD151), represents a more reasonable target over the plan period.
- 4.7 Moreover, I consider that, notwithstanding the demonstrable long term need for more retail floorspace outside the present PSA, there is a clear risk that any over-ambitious and/or premature retail expansion to the west would reinforce a drift in the geographical focus of the centre. This would be to the further detriment of other parts of the city centre, such as Bargate, East Street and High Street, where present apparent weaknesses need to be addressed through improvements to help restore investor confidence in accordance with the overall strategy of concentrating new development in the existing PSA first.
- 4.8 Thus, in the light of all of the above, I recommend that, in order for the policy to be sound “- 200,000” should be deleted from part 2 of the policy (and that consequent changes should be made to Table 1 as a result). This would also ensure consistency with other changes relating to development targets throughout the CS for clarity and to assist monitoring, for example in relation to new office space.
- 4.9 The proposals and policies in the CS in relation to convenience retailing, leisure and offices in the city centre are essentially uncontroversial and consistent with both regional policies and the PUSH economic growth and employment floorspace targets. Accordingly, I consider that they are based on robust evidence and are sound.

CS2 – Major Development Quarter

Issue – Are the proposals for a MDQ suitable and appropriate in relation to national guidance and regional policy, including in terms of impact on the rest of the city centre ?

- 4.10 Both PPS 6 and policy SH4 (i) of the SEP (CD 51) clearly envisage the need to plan for the growth and development of major retail centres such as Southampton and that, where a need for new floorspace is identified for the plan period (see policy CS1) it should be directed first to the existing PSA and then, if necessary, to an expansion thereof, if practical. The latter also already acknowledges the redevelopment potential of the major sites to the west of the city centre, albeit this now seems more likely to be realistic in the longer, rather than the medium, term towards the

end of the plan period. Consequently, I have no doubt that the CS would be unsound if it did not directly address the issue of future city centre expansion over the plan period.

- 4.11 I also endorse the Council's suggested minor additions to the text at the end of para 4.4.11 and in para 4.4.14 (amongst others) to clarify that delivery under the City Centre AAP is likely to be phased and to take account of emerging proposals for adjoining areas, such as Royal Pier. Importantly, the Council has also responded positively to criticisms of the published version of this policy by proposing changes to the third para and part 2 of the wording to expand upon the role and content of the AAP, including in respect of phasing, and confirm that the PPS 6 sequential test will continue to apply. These changes are necessary for soundness and to reassure those concerned about the continuing viability and vitality of the city centre as a whole that retail expansion in the MDQ should only be permitted when there is a genuine need that can no longer be met within the existing PSA.
- 4.12 The Council now accepts that such need is unlikely to be manifest before 2016 at the earliest, given existing vacancies and opportunities in the present PSA and as a result of the current economic downturn. I agree and accordingly, as discussed at the examination, it is therefore necessary to amend the penultimate paragraph of the policy wording to make it accurate and therefore, as the Council accepts, sound. Similarly, the last para of the policy needs rewriting to ensure that it is clear about the Council's intentions regarding non retail developments within the MDQ and the general acceptability of mixed uses in that location. I recommend accordingly.
- 4.13 In the light of the above it seems to me that the definition of an extensive MDQ through this policy is, essentially, a strategic identification of a preferred area deemed suitable in principle for mixed use redevelopment of which retail will be only part, albeit potentially an important one. It is not an allocation of a site for new retail development as such, because apart from already being largely built up with active uses, essential details still need to be addressed in the forthcoming City Centre AAP that will cover matters such as phasing and the distribution of uses, as well as looking at the retail potential of other sites outside the present PSA (as referred to in para 4.4.16).
- 4.14 The MDQ is in a highly sustainable location, adjacent to the present PSA and the city's main rail station and with the opportunity to provide improved links to both. It has the potential to consolidate the extent of the city centre, including by incorporating new office, leisure and residential elements in addition to retail uses. Providing that it is phased suitably according to needs and following incremental increases in floorspace in the existing PSA first, so as to ensure its continuing vitality and viability, I consider that it is fully capable of providing the necessary longer term growth that cannot

be met in the present PSA alone. This should not only help retain Southampton's position in the regional retail hierarchy and its 21% market share within South Hampshire but also help to claw back a degree of trade from out of town centres in accord with PPS 6 and the SEP (CD51), without materially harming any other parts of the city centre or other town and district centres in the sub region.

- 4.15 On deliverability, I am satisfied that sufficient evidence to demonstrate realistic prospects of bringing forward the anticipated redevelopment schemes in the city centre, and in the MDQ in the later part of the plan period, has been provided in the relevant studies undertaken (e.g. Donaldsons 2007 - CD111) and at a sufficient level of detail for a CS. In making this judgement I have borne in mind that financial viability will vary over the timescale of the overall economic cycle and that detailed design and implementation is not now anticipated until after 2016 at the earliest.
- 4.16 Taken together, I am satisfied that, with the changes proposed, both policies CS1 and CS2 provide a suitable long term vision and appropriate policy framework to facilitate the necessary reasonable and realistic level of growth in the city centre, including in terms of its sub-regional retail role and in accord with PPS 6 and policy SH4 (i) of the SEP (CD51). As reinforced by the latest update (DTZ – June 2009 - CD151), they are supported by a substantial and sufficient evidence base, as referred to in the Council's retail background paper (CD98). They give the necessary direction and provide the appropriate scope at the new lower floorspace level now proposed for the "next stage" City Centre AAP to direct, manage and phase redevelopment in the MDQ and elsewhere over the plan period, without harm to other parts of the city centre or to other centres.
- 4.17 For consistency with conclusions recorded elsewhere in this report, the Council's suggested addition of a new para (that should be numbered as 4.4.18) at the end of the supporting text to clarify the essential approach to flood risk in the MDQ is fully endorsed. Also, following on from my conclusions in respect of policy CS1, Table 1 (p.27) requires to be amended so that the figures therein are consistent with the change made to part 2 of that policy. The figures in Table 1 should also be updated in relation to both West Quay 3 and Bargate/Hanover Buildings/Queens Way in column c) to reflect the latest evidence in the 2009 DTZ study (CD151 - Table 4.1).

CS3 – Town, District and Local Centres

Issue – Is the policy for other centres in the city suitable and appropriate to ensure that they retain vitality and remain viable ?

- 4.18 There is no suggestion that this policy fails to comply with national guidance in PPS 6 and it is also consistent with policies TC2 and

SH1 of the SEP (CD51), as well as objective 6 of the SCS (CD89) and the Local Neighbourhood Renewal Strategy (CD142). The latter identifies district shopping centre improvements as one important element of the physical regeneration of the city and the supporting text refers to specific opportunities, such as at Portswood, Lordshill and Woolston.

- 4.19 Together with policies CS1 and CS2, this policy effectively confirms that the existing retail hierarchy of the city is operating satisfactorily at present and does not need to be altered, albeit some centres would benefit from new investment, as evidenced by the most recent studies (e.g. CD117) and the AMR (CD88). This key strategic decision, which is effectively unchallenged in principle, means that, given the limited redevelopment opportunities available within the existing town, district and local centres, there is no real need to define particular floor space targets or precise boundaries for each within the CS, in my view. In my judgement, these matters may be left to be addressed in subsequent DPDs in the Southampton context, particularly as any boundary changes are likely to be minor only and are thus not key strategic decisions.
- 4.20 The last paragraph of the policy requires that new retail provision of 750 sq.m or more outside the centres, will be subject to the PPS 6 sequential test. Given the acknowledged stability of the city's retail hierarchy and the current relative vitality of the district and local centres, as well as Shirley town centre, I am satisfied that this will provide the necessary level of control in relation to schemes that might threaten the individual viability of the existing centres across the city to fulfil their respective roles. Bearing in mind that the threshold level selected has been operating satisfactorily for some years under the extant policies of the Local Plan Review (LPR) (CD92), policy RET11 of which is still "saved", I am content that this is an appropriate starting point for the application of the sequential test in the current circumstances of Southampton and its well established retail hierarchy.
- 4.21 Part of the policy seeks to prevent the loss of community facilities across the city as part of a wider objective of creating and/or enhancing "community hubs" where they remain viable. Whilst desirable in principle, experience elsewhere suggests that such a policy can be difficult and complex to operate reasonably and realistically in practice, especially in relation to commercially run facilities and privately owned businesses, such as public houses and cafes, as distinct from public sector organisations.
- 4.22 Moreover, in a densely built up area such as Southampton, unlike a small rural settlement, equivalent or similar businesses are usually available nearby and within a reasonable walking distance. In such circumstances it is not necessary or realistic for the Council to seek to control the operations of the free market in this way in relation to public houses and cafes, which can be distinguished from the

other types of community facilities listed by virtue of their normally operating in the fully commercial sector.

- 4.23 Accordingly, it seems to me that the Council's suggested addition of the words "(for public houses in particular)" after "commercial" in line 2 of para 8 of the policy would not be a sufficient change to address the real nature of the problem. Therefore, "public houses/cafes" should instead be deleted from the list to make the policy sound.

CS4 – Housing Delivery

Issue – Is the number and timing of new housing units sought deliverable within the plan period given the constraints imposed by other policies ?

- 4.24 The policy derives directly from policies H1 and SH1 of the SEP (CD51) and accords with the PUSH Housing Strategy (CD70), strategic objective 4 of the SCS (CD89) and the Council's Housing Strategy (CD125) in aiming to provide a further 16,300 dwellings over the plan period up to 2026. Although it does not specifically say so, this is based on the assumption that 95% of new housing will be on previously developed land and that there will be no new "greenfield" development over and above existing commitments, in line with both national guidance in PPS 3 and the SEP (CD51).
- 4.25 Whether or not the new housing figures for the PUSH area in the SEP (CD51) are reviewed in the near future in the light of the latest available household projections, the CS must be consistent with the recently adopted version, at least until it too is reviewed at some point. Consequently, the figure of 16,300 new homes in total is appropriate as the overall target.
- 4.26 The Council's confidence that, despite the current economic downturn, this target will be achieved, if not exceeded, by 2026 is based on a number of different factors. Firstly, the SHLAA (CD124) has identified sufficient suitable sites to deliver the necessary numbers of new dwellings for both the first and second five year periods of the plan, without any reliance on "windfalls", in compliance with national guidance in PPS 3 (para 59). Secondly, the anticipated supply for the third five year period is very likely to be augmented by further sites in identified broad locations in the city, such as those associated with the Council's own Estate Regeneration Project, which it is estimated (para 2.22 – CD124) could provide a further 400 – 500 new units before 2026.
- 4.27 Furthermore, in a very tightly constrained, including by the sea, and fully built up urban area, such as Southampton, it is also reasonable to assume that some currently unidentified "windfall" sites are likely to continue to come forward over the plan period. Effectively, there is no remaining undeveloped land within the city's boundaries. In these particular local circumstances, it is not possible for a SHLAA to identify every single opportunity that will

become available over the next 15 years or so in its “snapshot” picture of potential new housing land availability, at any one particular time in a dense major urban area, as is the case in London. Such sites would also make a contribution to overall housing numbers against the potential failure of any of the sites allocated in subsequent DPDs or other SHLAA sites to come forward in their anticipated timeframe, in the longer term beyond the first ten years or so.

- 4.28 Moreover, the number of new dwellings that could be built on large sites alone in the first 10 years of the plan period comfortably exceeds the residual requirement for that period, according to the SHLAA (CD124), with no allowance made for any new small sites to come forward in that time beyond those that already have planning permission. Taking into account the Council's “track record” of achieving new housing delivery rates above strategic targets for the last few years, as well as the current economic downturn, I consider that further small sites will inevitably emerge, whatever the exact practical effects of the constraints imposed by other plan policies assumed by some representors.
- 4.29 Furthermore, the Council's new housing delivery trajectory assumes a lower total figure than might otherwise be the case for the next year or so, due to the present economic conditions, with an improvement thereafter, and the number, type of units and phasing of delivery on all new housing sites will continue to be monitored through the AMR.
- 4.30 Whilst it may have been undertaken rather later in the overall process than ideal, I am nevertheless satisfied that the SHLAA represents a robust element of the evidence base for the CS. Suggestions that there was a lack of proper consultation with landowners over its preparation and that errors were therefore made in the assessments of the realistic housing delivery prospects of certain sites are matters more pertinent to subsequent DPDs and specifically in relation to new housing site allocations, than to the overall target in this policy of the CS.
- 4.31 Similarly, it is not yet possible to judge the validity of criticisms that too much housing is being expected to come from the city centre, in contrast to the rest of the city, until actual site allocation comparisons and delivery assessments can be made in the course of the preparation and examination of subsequent DPDs, albeit bearing in mind that the former is the most sustainable location.
- 4.32 For reasons set out in relation to that policy, I am satisfied that the continued emergence of new housing opportunities in the city need not be overly constrained by the contents of policy CS7 and its presumption in favour of retaining existing employment sites mainly, if not wholly, in that use based on past trends and overall future requirements.

- 4.33 Moreover, concerns regarding the deliverability of new housing sites in present flood zones 2 and 3, both in the city centre and outside, in relation to the achievement of the overall new housing target over the plan period are assuaged by the following factors in particular. The analysis and identification of the areas most likely to flood and the practical methods of avoiding and/or minimising the risks to life and property have improved recently, including through the SFRA already undertaken for the PUSH area. More importantly, no major new site will be allocated in the DPDs, including in the city centre, until after the completion of the more detailed and site specific SFRA2, as confirmed during the examination.
- 4.34 Such work will establish the protection and mitigation measures necessary to allow the otherwise most sustainable sites to come forward during the plan period with the necessary implementation mechanisms. In the event that delivery is not practical or delayed for flood risk reasons (although this seems unlikely on the basis of the present, albeit incomplete, evidence base) the relevant DPDs will be expected to have contingencies in place elsewhere in the city with a potential reassessment of new housing allocations throughout PUSH available as a final “fallback” (policy SH5 – SEP). In such circumstances, I am satisfied that there is no justification for reducing or otherwise amending the overall new housing total anticipated for the city over the plan period in the CS, in relation to flood risk issues.
- 4.35 Similar conclusions apply with regard to the implications of the increased population of the city on the strategic highway network and the integrity of the internationally designated sites of nature conservation interest nearby, as identified in the AA, assuming the implementation of the mitigation and related measures referred to elsewhere in the CS (and in this report). For the reasons given above I am satisfied overall that the Council's confidence in their ability to deliver the requisite numbers is based on sound and robust evidence. No material changes are therefore necessary to this policy or its supporting text as a result (save for the minor change of deleting the word “up” from the brackets at the end of the policy for clarity).

CS5 – Housing Density

Issue – Are the densities envisaged the most suitable and appropriate in all the relevant circumstances in the light of regional policy and local needs ?

- 4.36 The necessity of a housing density policy in the CS derives from both paras 46 and 47 of PPS 3, as well as the relevant policies of the SEP (CD51), including H5 which refers to an overall regional target of 40 dwellings per hectare (DPH). Policies SP2, BE2, SH1 and SH8 (i) of the SEP (CD51) also encourage higher densities in city and town centres and other areas of high accessibility, such as

public transport hubs. The latter refers specifically to establishing density ranges related to accessibility in South Hampshire. Such a policy is also in line with objective SO3 of the SCS (CD89) and both the PUSH (CD70) and Southampton Housing Strategy (CD125). Moreover, recent residential completions in the city (2007/8 AMR), the latest UCS (CD123) and SHLAA (CD124) all help to confirm that the ranges identified are realistic and realisable in practice.

- 4.37 In the light of this robust evidence base, I conclude that the targets identified in the policy are suitable and appropriate in principle and would materially contribute to the implementation of regional policy and help meet local housing needs. The application of the three different ranges set out according to the Public Transport Accessibility Level (PTAL) value of the locality is also clearly consistent with national guidance and regional policy.
- 4.38 Notwithstanding the above, and despite the use of ranges, the detailed wording of the policy has been criticised as insufficiently flexible by some respondents. This is on the basis that it may not take sufficient account of the individual character of particular areas and/or the need to make the most efficient use of land in accord with advice in PPS 3 and with particular reference to criterion 6. In recognition of the former and as discussed at the examination, the Council now suggest that the wording above the inset table within the policy could be changed so that it is less inflexible to read: "the net density levels should generally accord with:" and I endorse this amendment accordingly so that there is greater scope for existing local character to be taken into account.
- 4.39 By providing an adequate degree of flexibility through the change to the wording above the inset table, the density levels in the ranges in the policy would not be absolute but indicative and subject to detailed consideration in accordance with the six criteria set out in the latter part of the policy. This would allow some scope for higher or lower densities in appropriate locations, particularly if properly justified in the Design and Access Statement, and in relation to the existing character of the area and the quality of the new scheme, if relevant. In my judgement, this would be consistent with both policies CS13 and the Council's Residential Design Guide (CD144).
- 4.40 The Council also now acknowledges the desirability of clarifying that the PTAL map in Appendix 2 would be updated as circumstances develop so as to take into account changes, such as to public transport service levels. The addition of a new sentence to say "The PTAL map will be updated as appropriate" at the end of para 4.5.24 would achieve this clarification and is therefore necessary. I therefore recommend both this addition to the supporting text and the change to the words above the inset table in the policy to improve clarity and certainty.
- 4.41 In relation to criterion 6, PPS 3 (paras 40 and 45) refers to both the effective and efficient use of land in the context of residential

densities and, whilst it might be argued that “best use” is shorthand for both, it is less precise and less clear than the national guidance. It would therefore be open to interpretation to a greater degree than is intended in that document, in my view. Although the Council may have wished to indicate a change of emphasis, I have seen no compelling evidence of such difficulties in complying with the national guidance in Southampton such as to justify a departure from it in this instance.

- 4.42 Particularly when read alongside the other five criteria, as it must be, I am concerned that the word “best” could be misconstrued to mean that, in practice, it would operate against the most efficient and effective use of land being properly taken into account as it should be to accord with national guidance in PPS 3. I therefore recommend that “best” is replaced with “efficient and effective” in criterion 6 for it to be sound.

CS6 – Employment Growth

Issue – Are the objectives set out consistent with the SEP's strategy and will the levels of new employment development proposed be suitable to deliver it ?

- 4.43 It is effectively undisputed that the objectives set out in this policy are consistent with those in the Sustainable Economic Development chapter of the SEP (CD51). Moreover, they refer specifically to the implementation of that strategy, with its ambitions to achieve a 3.5% economic growth rate, as well as the sub regional allocations focused on urban areas agreed through PUSH (CD71). The employment background paper (CD102) also demonstrates in Appendix 12 that the industrial/warehouse targets in part 2 of the policy can be met on existing sites/allocations that are not subject to any significant constraints in most instances.
- 4.44 Similarly, and as confirmed in para 4.6.12, the new office space figure in part 1 of the policy can be met on city centre sites alone, albeit that there is no intention or necessity to preclude suitable smaller scale office developments elsewhere in the city. I am therefore content that there is a robust evidence base available to confirm that the levels of new employment development envisaged in policy CS6 can be delivered across the city over the plan period and also that there is no clear justification for the identification of more sites outside the city centre at present as a result.
- 4.45 The Council has put forward a number of proposed minor additions to the text supporting this policy, notably to the list of points in para 4.6.2, in an attempt to address the comments of respondents on the published version. They have also suggested a new para 4.6.2A in order to clarify and expand upon the key existing and potential employment sectors in the city. I am entirely satisfied that this extra content is useful in further explaining the background and justification for the policy. It meets the main

criticisms of the earlier version, including that insufficient prominence was given to the role of the Port in the local economy, and I therefore endorse its inclusion in the CS.

- 4.46 At the examination, the Council put forward a further proposed change to the first bullet point in para 4.6.2 to better reflect the relevant text in the adopted SEP (CD51) by omitting the words “the rate of increase in” in relation to “smart growth”. This change is necessary for accuracy and consistency with the RSS.
- 4.47 However, in relation to the policy wording it is also necessary to omit “approximately” from part 1 for consistency with para 4.6.12 and the Council’s stance that the new office space provision set out is a minimum figure, albeit that neither the city centre in general nor the MDQ in particular will be the only location where new office (and leisure) development would be acceptable in principle.
- 4.48 Matters relating to the future development of the Port of Southampton are dealt with in relation to policy CS9, whilst issues relating to the specific safeguarding of sites for marine uses concern policy CS7. Moreover, the specific allocation of sites for employment uses is a matter for the two “next stage” DPDs. Thus, this policy properly deals essentially with the overall approach to economic growth, rather than just employment generation in itself. In the light of the above, I am satisfied that the policy is sound and that no further minor amendments are required to the supporting text, bearing in mind the content of policies CS7, CS8 and CS9.

CS7 – Safeguarding Employment Land

Issue i) – Is it appropriate in principle and reasonable in practice to seek to safeguard (nearly) all existing employment sites or should more flexible criteria be used ?

- 4.49 The policy is entirely consistent with, and derives directly from, policies RE3, RE6(i) and SH3 of the SEP (CD51), as well as PPS 1 and PPG 4 (including draft PPS 4) and is therefore clearly appropriate in principle. The strategic importance of substantially enhancing the sub-region’s economic performance over the plan period is acknowledged by all, as is the absence of scope for any significant new employment land allocations within the city. The SHLAA demonstrates that the city’s share of the sub-regional need for new housing can be met without significant losses of employment land (section 3.4 CD102). Therefore, I conclude that the available evidence justifies the need to retain the majority, if not all, of the existing employment sites already in those uses, where practical.
- 4.50 The recent commercial appraisal of employment land (CD114), also concluded that most existing sites were commercially viable. Although this was undertaken before the present recession, I consider that it would be short-sighted and contrary to the overall

aims and objectives of the SEP and the CS itself to allow many or major sites to be redeveloped for other purposes during such a period of the overall economic cycle, if only because once lost employment uses are unlikely to return to these locations.

- 4.51 Nevertheless, the policy does properly allow for circumstances whereby employment use is demonstrably no longer viable and/or other relevant factors point to redevelopment incorporating other uses to be acceptable in principle. I note that there have been recent examples in the city where such an approach has proved to be justified and successful in bringing forward suitable mixed use schemes, including on a substantial scale in some instances. Accordingly, I am satisfied that the overall policy approach is both reasonable in principle and realistic in practice and that the various criteria to be applied to proposals are appropriate in detail and sufficiently flexible to assist implementation.
- 4.52 In the light of the above, the question of which particular existing employment sites should be safeguarded and which considered suitable for alternative use redevelopment is a matter for detailed examination through the “next stage” DPDs and/or the determination of specific schemes. In contrast, whether the redevelopment of such sites should have to include some employment, rather than just a mix of other uses, does seem to me to be a matter for the CS. It is clear from the evidence base that the current employment land availability situation is such that the ambitious SEP (CD51) and PUSH objectives for the local economy are unlikely to be achieved if any significant areas of land or strategic sites are allowed to go out of employment use entirely, if only because of the difficulty of finding suitable replacements.
- 4.53 In such circumstances, I consider this particular policy requirement to be appropriate in principle in the knowledge that there will always be an exceptional case from time to time where it could be relaxed, at the Council’s discretion, if all other relevant material considerations, including economic viability and environmental sustainability so indicate. Given that the “next stage” DPDs will be examining which sites should actually be subject to policy CS7 in any event, I am satisfied that this requirement should be retained and that the policy does not need to be rewritten to make it sound as suggested by some respondents.

Issue ii) – Should marine and marine related industries be treated as a special case in policy terms ?

- 4.54 Taking into account what is said in para 6 of policy RE3 and policy RE6 and para 16.15, as well as policy SH6 of the SEP (CD51), I have no doubt of the importance of the marine sector to the economy of the city and its environs. Moreover, I note that in the light of some recent losses the safeguarding of sites, especially but not exclusively with access to the waterfront, that currently cater for marine and marine related businesses is thus properly and

necessarily a strategic matter to address in the CS, as recognised in the Solent Waterfront Strategy (CD134).

- 4.55 Nevertheless, I do not subscribe to the view expressed by some that an additional, separate, policy is needed to protect sites for marine businesses as the matter is clearly addressed in part 2c) of policy CS7. It would therefore have to be taken into account in any proposals for any site involving the loss (or material reduction) in such uses, including in terms of waterfront access, alongside other relevant material considerations.
- 4.56 In my opinion, it would be unreasonable in principle and unrealistic in practice to seek to impose a blanket ban on any loss of any marine related business site, land or building within the city to another use or uses over the plan period irrespective of relevant circumstances, despite the importance of the sector to the local economy. Bearing in mind the Council's express intentions over the safeguarding of employment sites in the "next stage" DPDs, I conclude that the treatment of marine and marine related uses in policy CS7 is suitable and appropriate, in recognition of their economic contribution, but that no special or additional policy is necessary or desirable.
- 4.57 The Council's proposed changes to the published document include an additional sentence at the end of this policy referring to the Sites and Policies DPD, explaining that it will provide further guidance on the types of employment use considered suitable for particular sites. Para 4.6.6 of the supporting text also says that it (and the City Centre AAP) will identify those sites to be safeguarded for employment uses and, by implication, those that will not be formally defined in this way.
- 4.58 In such circumstances, it seems to me that both criterion 2e) of the policy and para 4.6.8 of the text are not strictly accurate in identifying "cumulative effect" as a factor that could actually influence decisions taken under this policy once the "next stage" DPDs are in place, as the matter will have effectively already been addressed by decisions as to whether to safeguard or not. Therefore, I consider that both criterion 2e) of the policy and para 4.6.8 of the supporting text should be deleted as not necessary or directly relevant to this policy for soundness.

CS8 – Offices

Issue – Is the sequential approach the best one in all the relevant circumstances and, if not, how should the target provision of new office space be distributed across the city ?

- 4.59 At the examination the Council clarified that, in accordance with the policy framework set out by PUSH for employment floor space (CD71), the target figure for new offices in the city of 322,000 sq. m should be taken as a minimum. Although acknowledged to be

“ambitious”, the fact that sites can be identified in the city centre alone to meet that target over the plan period (para 4.6.12) justifies the Council’s confidence in this regard, in my opinion. However, the implication is that the first line of the policy needs minor amendment by replacing “approximately” with “at least” for clarity and to confirm that the overall target should be monitored on a citywide basis, albeit that the vast majority of new office space is expected in the central area.

- 4.60 It is also clear that the principal focus on the city centre as a whole, and the area around the main rail station in particular, for new office development over the plan period is a fundamental part of the sequential approach. This is not only entirely consistent with national guidance in PPS 6 and PPS 13, but also with the currently emerging new advice in draft PPS 4. Similarly, the policy also expressly reflects policies TC1, which defines the city as a primary regional centre, and SH4 of the SEP (CD51) in encouraging new office development as an integral part of the mixed use regeneration of the city centre. Taking into account the potential for associated improvement of the local public transport network, I have no doubt that the most sustainable and thus preferred location for new office development is in the city centre and especially in the area close to the main rail station, as proposed.
- 4.61 Nevertheless, two small points require clarification in this context. Firstly, there can be no justification for any objection on the grounds of impact on residential amenity from the replacement of existing industrial premises with (B1) offices in principle, as such uses are deemed acceptable in, let alone adjacent to, residential areas, at a national level, as presently set out in the second sentence of para 4.6.13. If, as explained at the examination, the Council’s concern relates to the height of any replacement buildings then this is a design issue to be addressed under other policies and in respect of specific proposals, rather than in the supporting text concerning new office location. Accordingly, the second sentence of para 4.6.13 should be deleted for consistency with national guidance.
- 4.62 Secondly, bearing in mind the above, the first line of the third para of the policy should be altered by replacing “permitted” with “acceptable in principle” for consistency and clarity that proximity to the rail station will not be the only relevant criteria against which such proposals will be judged. In practice, such schemes may not actually be “permitted” by the Council if, for example, the proposed new offices would have a materially detrimental impact on residential amenity through excessive heights or overbearing design or a failure to comply with other relevant plan policies. Hence, this part of the policy requires amendment to be sound.
- 4.63 In terms of office development outside the city centre, I recognise that there are numerous existing examples throughout Southampton. But, in accordance with the sequential test, it is

essential for the Council to examine carefully any significant proposals for new offices in district or local centres, or elsewhere, for their sustainability and other spatial implications in accordance with PPS 6.

- 4.64 In my view, the inclusion of thresholds should help to direct the appropriate scale of new offices to the most appropriate locations, without imposing any unnecessary constraints on the growth of smaller businesses outside of the city centre. Given that, as I understand it, the Council's aspirations for the improvement of the district centres does not rely on any significant new office elements for their viability, I see no reason to change this part of the policy and consider the threshold levels suitable for their purpose, based on the likely number of office jobs associated with each. Taking into account the Council's clarification that the citywide target is a minimum and the estimated capacity of the central area, nor do I see any requirement to set out specific allocations of new office space for district and local centres across the city in the CS, as it is not a strategic level issue for Southampton.

CS9 – Port of Southampton

Issue – Does the policy need to better acknowledge the importance of the Port to the local economy and the relevance of the emerging Port Masterplan ?

- 4.65 No one doubts the overall importance of the Port to the local economy, both now and in the future, and the Council has responded to various detailed points made about this policy and its supporting text in the published version by proposing a number of changes. The recent emergence of a draft Port Masterplan, in accord with policy T10 of the SEP (CD51), also needs to be acknowledged in the CS as it will be a focus for important decisions on the Port's future that will have to be taken during the plan period. In this context I recognise the need for consistency with the relevant parts of the New Forest Core Strategy (NFCS).
- 4.66 To that end, and as endorsed by all concerned at the examination, I have taken into account the amended text agreed between the main parties and included by my fellow Inspector (Michael Hetherington) in his report. Bearing that in mind, it is clear that, as proposed to be changed, policy CS9 would be not only consistent with the SEP (CD51), notably policies RE2, RE3, T10 (and para 8.33), SH3, SH7 and SH8, but also the NFCS, in principle. It is also derived from and supported by an extensive and robust evidence base in relation to the present circumstances prevailing, including the lack of land within the city for expansion, and the likely future development needs of the Port over the plan period.
- 4.67 However, there are some remaining issues about the detailed wording of the proposed changes in the light of both the representations received and the debate at the examination.

Regarding the first paragraph it must be remembered that it can only relate to land within the city, not directly to any potential future expansion of the Port outside it and that there are permitted development rights on the Port's designated operational land.

- 4.68 That being so, I am content that the references to “where it holds the powers” and the “international sites in line with the habitats regulations” in the submitted policy are not necessary given the other policies in the CS and those of the NFCS. Accordingly, the simplified wording now proposed, together with the addition of a reference to the existing Port boundaries being defined on the Proposals Map, is to be preferred, if only for that reason alone, and is endorsed accordingly.
- 4.69 In relation to part 2, I further agree that the necessity for taking into account the transport needs of the city centre, as well as those of the Port, when considering the various transport improvements in the city listed in policy CS18, whilst fairly obvious, is worthy of mention at the end of this point. This is also because the wording of para 1 of the policy is now to be changed to remove the reference to port growth being “balanced with the development growth needs of the city centre” in a more general sense.
- 4.70 In response to representations received the Council proposed to rewrite paras 4.6.14 and 4.6.15 of the supporting text, as well as to make minor additions to paras 4.6.16 and 4.6.17. Whilst the latter are non controversial (and I endorse them) the proposed new paras have attracted further representations. In principle, it seems to me that the text should refer to the draft Port Masterplan, given that this is required by policy T10 of the SEP (CD51). More specifically, I see no problem with the reference to the “long term ability for the Port to grow” relating to “land and sites outside the City's boundaries” as it does not specify any one particular location (e.g. Dibden Bay).
- 4.71 Nor does it (nor could it) imply any presumption in favour of development being permitted in that location (or any other) outside the city's boundaries. Having had the advantage of seeing the relevant new text for the NFCS, I am satisfied that there would be no material inconsistency between the two documents should the Council's proposed new paras 4.6.14 and 4.6.15 be accepted in support of policy CS9.
- 4.72 Moreover, the proper protection for sites of nature conservation interest, including those with International/European designations, in line with national guidance and as accepted by NE, is appropriately addressed in policy CS22, as referred to in the last sentence of the reworded para 4.6.14. In such circumstances, I see no need for a direct cross reference to the NFCS in the policy or supporting text or to retain the mention of the Habitats Regulations in the policy wording, particularly as there is normally no need to

repeat national guidance in a DPD. I therefore endorse these suggested changes.

CS10 – A Healthy City

Issue i) – Are the objectives realistic and deliverable with the resources likely to be available ?

4.73 The policy seeks to implement the relevant strategic policies (S1 and S2) from the SEP (CD51) in the local context and, in the absence of any identified need for any large scale new facilities in the city over the plan period, I am satisfied that it is realistic and deliverable. It is compatible with the SCS (CD89) and the Council's analysis of existing provision, future infrastructure required and the resources available to provide it (CD100), which strongly suggest that the necessary funding should be available. As clarified at the examination, the Council intends to address the details of development contributions, such as scope and levels, towards health facilities in its revised SPD on Planning Contributions. I agree that this would be appropriate, at least until a more formal system is introduced under any Community Infrastructure Levy (CIL) in the future.

Issue ii) – Is it reasonable to seek HIAs on major developments ?

4.74 The justification for seeking Health Impact Assessments (HIA) from larger schemes in the city also derives directly from the SEP (CD51) policy S2 and, again, is appropriate in principle, given the additional support from national guidance in para 16 of PPS 1 and para 2 of PPS 23. However, even though it is not yet intended to apply until the new SPD has been prepared, it seems to me that the detailed wording would be clearer for all concerned if it referred to "major" schemes rather than "significant". The latter requires a subjective judgement in each case, whereas an initial definition at least of "major" is available to the Council in terms of dealing with planning applications and would be consistent with other policies, including CS23.

4.75 It would also be unduly onerous and unnecessary to apply the HIA requirement to small scale schemes, irrespective of any perceived local "significance", at least in advance of an adopted CIL. Therefore, I recommend that "major" should replace "significant" in line one of para 4 of this policy but that no other changes are required for it to be sound.

CS11 - An Educated City

Issue – Is the policy reasonable, realistic and resource related ?

4.76 Following on from policies S3 and S4 of the SEP (CD51), this policy is designed to help implement one of the main objectives of both the SCS (CD89) and the Plan for Prosperity (CD143). In the light of

the work being undertaken in the ongoing reviews of secondary and primary school provision throughout the city, the contents of the Delivery and Infrastructure Background Paper (CD100), the local Building Schools for the Future programme and the commitments already demonstrated regarding the two new academies proposed, I am content that both the policy in principle and its detailed wording are sound, save in one respect. The last para of the present wording is a description of a “community facility” and therefore belongs in the Glossary, not in a policy.

- 4.77 The improvement of links between employment and education is referred to in policy CS23 and para 5.5.1, in particular. In my view, developments proposed by educational bodies or establishments should not be subject to any different expectations in principle from all other forms of development in terms of making necessary contributions to supporting infrastructure and facilities, given that overall economic viability will always be taken into account.

CS12 – Waterfront

Issue – Does it provide a “clear steer” for the future of waterfront sites and deal adequately and appropriately with aspirations for greater public access in the face of significant constraints ?

- 4.78 Much of the city's “unique sense of place” (objective 6 in the SCS – CD89) clearly derives from its relationship to the sea in economic, physical, visual, cultural and historical terms. Thus, it is essentially common ground that the twin aims of this policy to improve practical connections and maintain/recreate key views to and from the water are to be supported and I can only endorse this effective consensus. Nonetheless, it is equally clear that significant parts of the present waterfront cannot and should not be open to public access for valid safety, security and other reasons, including nature conservation, that are well known and understood locally.
- 4.79 In such circumstances, it seems to me that the Council are right to acknowledge these constraints, including through the suggested addition to the end of para 4.8.1 referring specifically to the operational land of the Port. Moreover, given that detailed proposals for individual sites and areas will be a matter for the “next stage” DPDs, I am satisfied that the policy wording and supporting text as it stands strikes the right balance to properly inform subsequent schemes and decisions without the need for any changes or additions beyond those suggested by the Council themselves.

CS13 – Design

Issue i) – Is it consistent with national guidance and the Council's RDG ?

- 4.80 Despite the list of existing non statutory guidance referenced in para 5.1.2, I agree with EH that the reference to “new landmark or

tall buildings in appropriate locations” in part 2 of the policy implies, or should imply, that the Council will be preparing further specific guidance to define where those “appropriate locations” might be. However, there is no further mention of any such guidance in the CS beyond this general list. Accordingly, I consider that the second line of para 5.1.4 should be amended by replacing all after “principles” with “and on appropriate locations for new landmark or tall buildings will be provided in City Centre AAP and the Sites and Policies DPD.”.

- 4.81 For similar reasons, I consider that part 5 of the policy should be changed to refer to the City Centre AAP and Sites and Policies DPD rather than listing the studies that provide the background information to the policy and seeking to delegate decisions on applications to be judged against their results, when they were not all intended as policy making vehicles in relation to the CS.
- 4.82 Accordingly, all the words after “as set out in” should be replaced by “the City Centre AAP and Sites and Policies DPD (see also CS12)” for consistency and clarity. Otherwise, I am satisfied that the policy wording is consistent with national guidance, such as PPS 1 and the Council's RDG (CD144) and with the Council's own minor suggested additions (referred to elsewhere in this report).

Issue ii) – Is it reasonable and appropriate to use the BfL criteria ?

- 4.83 The last paragraph of this policy should be omitted entirely, rather than amended as the Council suggest, as neither version makes clear exactly what is intended. Importantly, it is not necessary to introduce this extra criterion against which new development schemes would be judged given what is contained in the rest of the policy covering all relevant main design considerations. Moreover, it is not appropriate for an adopted development plan policy to effectively defer or “delegate” a decision on a planning application to bodies other than the Council or to their non-statutory guidance/publications. This addresses the criticisms of the requirement for compliance with the “Building for Life” criteria and the other detailed specifications implied therein.
- 4.84 Nevertheless, the fact that Southampton does not have a strong local vernacular design style, for housing in particular, does not obviate the need to seek a high standard of design for all new development in accordance with national guidance in PPS 1, amongst other sources. In my judgement, criteria 1-12 inclusive of this policy are all relevant and appropriate in that context and provide an essential comprehensive list of factors to be taken into account in all schemes, irrespective of the fact that some are also referred to in other CS policies.
- 4.85 In my opinion, the strictly limited element of duplication involved is necessary in this instance so that one CS policy sets out the main design criteria, for ease of reference and simplicity for all

concerned. It is also desirable that all the most relevant design criteria (which effectively cover those set out in the CABE guidance) should be set out here to act as a “hook” to later, more detailed, design policies in both the City Centre AAP and Sites and Policies DPD.

CS14 – Historic Environment

Issue – Is the policy necessary in a CS and, if so, are there any changes needed for consistency with national guidance and can any differences be locally justified ?

- 4.86 Taking into account the national guidance in PPG 15 and 16 and the importance of the remains of the Saxon and Medieval towns in the city, as identified in para 12.17 (i) of the SEP (CD51), I conclude that there are good local reasons and sound evidence for the inclusion of a more detailed policy than BE6 of the SEP (CD51) regarding the historic environment. In the light of comments from EH, I also agree that the Council's late suggested change to add to objective S8 (p.16) the words “, ensuring that designated sites are safeguarded. Historic conservation opportunities in new development will be maximised and local awareness of heritage issues raised.” would be appropriate.
- 4.87 Similarly, adding the words “from inappropriate development” after “safeguard” in line 1 of the policy would be entirely consistent with this change. It would also help reflect the equal importance that the Council rightly places on the historic and natural environments.
- 4.88 I note that the “Buildings at Risk” Register should now be renamed the “Heritage at Risk” Register. However, the para containing this reference forms no part of a CS policy, referring as it does to proposed character appraisals for conservation areas, as well as the updating of the Register and Local List. Consequently, so that the policy wording is sound, it should be moved from the policy and added instead to the supporting text as new para 5.1.11.

CS15 – Affordable Housing

Issue – Are the target percentages, thresholds and other criteria reasonable and realistic in terms of meeting national guidance, regional policy, local needs and economic viability tests ?

- 4.89 The necessity for an affordable housing policy in the city is beyond dispute, given the scale of need identified in the South Hampshire Housing Market Assessment (CD118) and the more local Housing Needs and Market Survey, as updated in 2008 (CD155). Moreover, there can be no doubt that the policy content falls within the percentage range identified in policy SH6 of the SEP (CD51). It also accurately reflects both the overall regional percentage target and the split (65/35) between social rented and intermediate affordable housing in policy H3 (ii) of the SEP (CD51), for sites of

15 dwellings or more. I am therefore satisfied that these elements of the policy are consistent with both the PUSH common framework (CD69 – para 12), the SCS (CD89 – page 5) and the Council's Housing Strategy (CD125 - page 5), as well as the more general national guidance in PPS 3.

- 4.90 Nevertheless, as required in para 29 of PPS 3, it is still necessary to assess the policy and particularly the thresholds and percentages therein on the basis of likely economic viability. In this context, I recognise that the October 2008 Adams Integra viability study (CD122), whilst recent, was undertaken before the worst of the current economic downturn was apparent and that, necessarily, some of the assumptions made therein may no longer be entirely accurate (e.g. on land values) as things stand. However, as the study itself acknowledges (para 2.2.7), it could only ever realistically be a "snapshot" of the position at any one time. As such I consider that it provides a generally robust picture of likely economic viability according to the many variations tested, at the start of the plan period, but could not be a fully comprehensive analysis covering all possible scenarios to 2026.
- 4.91 A range of alternative policy positions was considered, including in respect of different locations, percentage targets and thresholds at varying value levels. The availability or otherwise of grants, alternative profit levels and build costs, including in respect of contingencies and marketing, plus reasonable assumptions about infrastructure contributions, such as those arising from other CS policies (e.g. CS20), were also taken into account. The outcome of the study also resulted in a reduction in the main percentage target from 40 to 35% and a lower percentage target of 20% on the smaller sites.
- 4.92 On that basis, I conclude that the 2008 viability study (CD122) provides the necessary, more detailed, local evidence that backs up the earlier work carried out for the SEP, PUSH and the Council themselves to confirm that the requirement for 35% affordable provision is a realistic and reasonable target over the whole of the plan period if local needs are to be met. As a target, not an automatic minimum requirement, it also allows for the negative effects on viability of the present financial climate to be taken into account.
- 4.93 Inevitably, judgements about economic viability will continue to have to be made in relation to individual schemes, alongside all the other constraints and expectations of developer contributions that will apply once the new CS policies are in operation, as referred to in parts 1 and 4 of the policy. In such circumstances, I am content that the 2008 viability study (CD122) provides sound and robust evidence to justify the affordable housing percentage sought in the policy, derived as it is directly from the SEP (CD51), in the light of all other relevant material considerations, including the likely economic viability of new housing schemes to 2026.

- 4.94 The fact that the target will be challenging for the Council to achieve, especially in the early stages of the plan period, is not in itself a reason to deem it unrealistic or unreasonable, given that it is intended to apply up to 2026, likely to be well beyond the current economic downturn, and will have to be closely monitored and adjusted if necessary in the interim.
- 4.95 Clearly, the recent “credit crunch” cannot be ignored but it remains the case that such difficulties normally, in the past at least, form only one part of the overall economic cycles that would occur within the lifetime of the CS and for which it must plan. Provided that there is sufficient flexibility within the plan for the differing circumstances prevailing at the likely stages of the economic cycle to be catered for in relation to individual schemes, then relatively short term issues of this nature need not dictate the main basis of the policy; only how it is implemented in practice.
- 4.96 At the examination the Council said that they currently take a realistic and flexible approach to negotiations for all forms of developer contributions, including for affordable housing and also for those required by existing legal agreements in terms of timing and phasing in particular. Taking such public pronouncements into account, I am content that not only does the policy itself demonstrate the necessary flexibility to satisfactorily address this difficult current issue but that the evidence available suggests that the early implementation thereof in practice would too.
- 4.97 Turning to the matter of thresholds, 15 (or more) dwellings (or 0.5 ha) for the application of the 35% expectation is entirely consistent with the national minimum indicative guidance in PPS 3, as well as the present LPR (CD92). In addition, based on the recommendations of the earlier studies and an analysis of the SHLAA (CD124) data, the Council proposes a lower threshold of 5 (or more) dwellings to which a 20% expectation would apply. This has raised the objection that smaller schemes (and smaller developers) will be disproportionately disadvantaged, given that they cannot normally take advantage of the economies of scale and operation available on larger projects to the extent that new housing delivery could be materially reduced.
- 4.98 The viability testing undertaken in the 2008 study (CD122) satisfies me that there is no general or locally specific economic reason to exclude sites smaller than 15 (or 10) dwellings from the affordable housing policy in principle and that the 20% expectation would not, of itself, render the new schemes to which it would now apply unviable in the vast majority of cases. Moreover, the Council's analysis of the SHLAA data in the affordable housing background paper demonstrates that, subject to viability, the inclusion of sites providing between 5 and 14 new dwellings could make a meaningful contribution to the overall supply of new affordable housing in the city over the plan period. Given the reasonable expectation that

additional “windfall” sites of the relevant sizes would also continue to come forward, albeit perhaps not to the same extent as previously, such a contribution would be enhanced in the face of the undisputed high level of local need.

- 4.99 I recognise that this new requirement will place an additional burden on developers that is particularly unwelcome at this difficult time. However, I cannot accept the prognosis that, in itself, it would lead to companies going out of business or choosing to operate elsewhere only, even in the short term, if only because, in the final analysis, all schemes would still be subject to an economic viability test that would also have to take into account any other developer contributions expected or sought under other Council policies. I therefore conclude that the introduction of a lower site size threshold should form part of this policy and that it is properly justified by the relevant and robust evidence, albeit that it may have a limited impact on the viability of some small scale housing redevelopment schemes in the short term.
- 4.100 Bearing in mind my conclusions set out below regarding the issue of “net” or “gross” in terms of how a requirement for affordable housing is calculated in practice, I am satisfied that there is no firm evidence that this new threshold (with its smaller percentage) would necessarily render many schemes of the relevant size economically unviable, even during the current downturn. This does not mean that it will be irrelevant, only that I consider the potential benefits in terms of achieving the aims and objectives of the CS, in relation to affordable housing, over the plan period to be justified by the evidence. They outweigh the limited influence that I judge will occur for the new schemes to which the policy will apply for the first time, particularly as viability must be taken into account in the appropriate and flexible application of the policy as now.
- 4.101 The Council’s current practice is to seek provision in relation to the total number of units proposed on any site. This has the advantages of clarity and consistency but does not differ according to the existing use or uses, in circumstances where virtually all new housing development in the city takes place (and will continue to take place) on previously developed land, as defined in PPS 3.
- 4.102 I acknowledge the concerns expressed by representors that the failure to take any account of differences in existing use values, for example in “residential to residential” schemes, could mean that those involving the intensification or expansion of residential use on sites, whether through conversion or new building, above the relevant thresholds, could be effectively “discriminated against” in relation to other proposals on non residential land. This could lead to a “perverse incentive” whereby pressures increase for the residential redevelopment of small sites currently in employment or commercial uses, potentially including those that the CS objectives seek to safeguard in accordance with policy CS7.

- 4.103 Notwithstanding my other conclusions on affordable housing, I do therefore share some of the concern expressed on behalf of the development industry, notably from independent local house builders, that this particular element of the overall policy approach may act to reduce the number of new schemes coming forward, especially at the smaller scale where the new lower threshold of 5 dwellings would now apply. In particular, this specific element of the affordable housing policy's application could disproportionately affect the economic viability of the smallest scale housing redevelopment schemes, which make up a recognisable proportion of new housing land supply across the city. In my judgement, this would be contrary to the aims of PPS 3 and the objectives of policies CS4 and CS5 to make the most effective and efficient use of previously developed land.
- 4.104 I therefore recommend that this policy should relate to the net increase in the number of dwellings, rather than the gross or overall total in each scheme. Not only would this better reflect national guidance, in my opinion, it would also remove any unintended consequences for the comparative viability of redevelopment on non residential sites to better accord with the overall objectives of the CS and reflect local circumstances as evidenced in the SHLAA (CD124). Para 4 of the policy wording should be amended by replacing the word "total" with "net" and the word "new" added in before "housing".
- 4.105 With regard to the "hierarchy of provision", the Council has suggested some changes to address criticisms of the detailed wording so as to set out more precisely what is intended. Taking into account representations received and the relevant debate at the examination, I consider that the phrase "dispersed amongst" should be replaced with "distributed across" in criterion 1 to more accurately define likely implementation in practice. For the same reason and also to better reflect relevant national guidance and regional policy, the remainder of the criterion should read as follows: "the development as much as is reasonable and practical to create a sustainable balanced community.".
- 4.106 In order to avoid any possible confusion that the Council might be seeking any "enhanced" contribution, over and above the normal expectations, in the event that criterion 2 comes into play, I agree with the representors that suggest that it also needs minor amendment. Accordingly, I recommend that, notwithstanding the Council's own proposed change, it should read as follows after "result in"; "a more effective use of available resources or would meet an identified housing need such as providing a better social mix and wider housing choice.".
- 4.107 I acknowledge the desirability of increasing the provision of sheltered housing schemes in the city, particularly in the light of anticipated demographic changes. I also accept that, in common with some other forms of new housing development, individual

sheltered housing schemes may incur additional/abnormal build costs. However, any such variations can be taken into account on a site by site basis and addressed in terms of an overall economic viability analysis, should it prove necessary in any particular instance, in accordance with the criteria set out in the policy. Accordingly, I see no justification for making any specific exception from any part of the policy for sheltered housing schemes.

CS16 – Housing Mix and Type

Issue – Is the mix of size and type of housing expected the most appropriate in the light of regional policies and the most suitable to meet local needs ?

- 4.108 The evidence base available confirms that the Council has undertaken the necessary studies to identify housing needs over the plan period and that this policy derives from it, in accordance with policy H4 of the SEP (CD51). In my judgement, it is also consistent with PUSH Priority 1 (CD70) and the Council's Housing Strategy (CD125). Most importantly, the new percentage requirement for family homes derives directly from an up to date assessment of the sub regional Housing Market (CD118) as required by PPS 3, and is effectively justified by that evidence.
- 4.109 Also, taking into account the very high proportion of new dwellings in the city over the last few years (85-90%) that have been flats, I consider that it is appropriate to seek a percentage provision for families, so as to provide a better range and mix of size and type of new housing over the plan period. This is so notwithstanding the continuing and accepted need for a large proportion of new dwellings to be provided as flats for demographic reasons. Given that 30% is a target, rather than a requirement, that will be dependent on the location, character and the viability of the scheme, I am satisfied that it would be suitable and acceptable for inclusion in the policy, reinforcing the Council's Family Housing SPG.
- 4.110 However, for consistency with the wording of other policies in the CS and to assist both clarity and certainty regarding the Council's aims, the words "seek to" should be deleted from the first part of the policy. They are neither helpful to an understanding of the Council's intentions nor to the assessment of the policy's effectiveness during monitoring.
- 4.111 The Council also seeks to severely restrict the net loss of family homes through redevelopment schemes and, for the same reasons, I agree that the objectives met by obtaining a proportion of new housing for families would be effectively undermined if there was no equivalent policy to minimise the loss of existing ones. Consequently, I see no objection in principle to such a policy.
- 4.112 However, it must also make allowances for the fact that some sites may be inherently unsuitable for new family houses and that in

other situations there may be overriding reasons why a net loss may have to be accepted, on balance, to be reasonable and practical. Therefore, the Council's submitted change to the published wording should be an addition to and not a replacement for the existing text of part 2 of the policy. The Council's proposed additional sentence (after the first) in para 5.2.11 is entirely consistent with the above and should also be included.

- 4.113 However, the content of the last paragraph is not strictly part of the policy in that it is firstly, just an acknowledgement of the derivation of the policy from the evidence base and, secondly, is effectively repeated in paras 5.2.7 and 5.2.8 of the supporting text. It should therefore be deleted.
- 4.114 The application of minimum outdoor amenity space standards to new housing developments is long established and widespread in planning policy terms in this country, including in Southampton. It need not, therefore, act as any form of disincentive to higher density housing schemes in appropriate locations.
- 4.115 Given the likely significant demographic changes identified in the evidence base (CD118 in particular) and the positive objective set out to help address it in part 4 of the policy, I have some sympathy with those who say that the policy should not place unnecessary obstacles in the way of the sort of schemes referred to in para 3. To that end, para 3 should be amended to make it clear that specialist housing schemes, comprised entirely of the types described, do not need to be subject to the criteria set out in parts 1-3 inclusive, as such restrictions may mean that some would simply not be deliverable in practice. This would be achieved by rewording the first line of the para to start "The requirements in points 1 - 3 above do" rather than "The requirement in point 1 above does".

CS17 – Gypsies and Travellers

Issue – Is the policy satisfactory and sufficient to address the current shortfall of suitable sites in the city ?

- 4.116 Due to the delay in producing appropriate regional strategic guidance on this matter, this can only be largely a criteria based policy, against which any planning applications for such uses can be judged, at present. However, the importance of this often difficult issue needs to be properly recognised in the policy by a firm commitment to the making of sufficient site allocations to make up any shortfall identified in the next stage of the LDF process.
- 4.117 To that end, it is essential that both the policy and its supporting text identify which document will be the one to address the matter so that implementation can be monitored, amongst other things. Consequently, "the Sites and Policies DPD" should replace "another Development Plan Document" in the first line of the policy and the

“Site Allocations DPD or other DPD” in the seventh line of para 5.2.17. In all other respects the policy is sound.

CS18 – Transport

Issue i) – Is the relevant evidence base sufficient to justify the “reduce – manage – invest” approach as the most suitable ?

- 4.118 The HA and others have raised relevant concerns about the potential traffic generation effects of the redevelopment schemes envisaged in the CS on the strategic road network around the city, notably on the M3 and M27 but not excluding the M271 and A34. In particular, this relates to the capacity of links and junctions with, for example, the potential for creating tailbacks on slip roads, bearing in mind that the major proposed developments in neighbouring Eastleigh identified in the SEP (CD51) would be principally served by the same elements of the strategic network. HCC express similar concerns about the implications for the local road network.
- 4.119 Notwithstanding the considerable highway modelling and related work done to date, which continues to be progressed on a co-operative and co-ordinated basis, forming part of the current evidence base, it is not yet possible to say specifically what the likely effects on individual motorway junctions would be, although the preliminary results indicate potential problems. Nor is it possible at this stage to identify clearly what mitigation measures would be feasible, at what cost or their funding sources.
- 4.120 In recognition of the above, the Council is content with the HA's minor suggested changes to the text of the CS in a number of places, notably to para 5.3.7 to help address this situation. All the available evidence points to the need for a further more detailed analysis of the potential traffic generation impacts of the levels of development proposed in the city and at Eastleigh, on both the strategic and local road networks on a comprehensive basis.
- 4.121 The city centre is clearly the most sustainable location where appropriate redevelopment of previously used land within a large urban area should take priority in accordance with both national guidance and regional policies. This is particularly so when it is acknowledged by all concerned that the major strategic employment allocation at Eastleigh Riverside is subject to localised transport infrastructure constraints, in relation to both significant road and rail (“the Eastleigh Chord”) improvement costs, which mean that it is not likely to come forward in the short term. Similarly, the Strategic Development Area at Hedge End is not planned to commence until the post 2016 period at least in the SEP (CD51), with the first priority to new development in the urban areas of Southampton and Portsmouth.

4.122 Additionally, although there is no national funding allocated as yet, I agree with the Council that in the light of the recent public announcement that an Automatic Traffic Management scheme would be technically feasible and economically realistic for the sections of the M3 and M27 around Southampton it must be assessed as a “reasonable prospect” that such a scheme will be introduced within the plan period. This would have some beneficial effect on the capacity (and safety) of this part of the strategic road network. It could potentially allow redevelopment in Southampton city centre to proceed without a materially detrimental impact on the strategic road network in the shorter term, whilst longer term improvements for the expected impacts of major developments in Eastleigh over the latter part of the plan period are assessed.

Issue ii) – Is the policy consistent with national guidance in PPS 13 and regional policies ?

4.123 Nevertheless, it remains necessary to look at the overall picture in the sub-region and assess the reasonable and realistic contributions that developments should make to the likely mitigation measures required on both networks before specific land allocations are made in the “next stage” DPDs. In this context I do not consider the identification of the overall extent of the MDQ in the CS, alongside the definition of the boundary of the City Centre AAP, to be a formal strategic land allocation as such, because it relates to a mixed use scheme for the redevelopment of a fully built up part of the existing urban area in a highly sustainable location, the detailed elements of which remain to be determined in a programmed DPD, as set out in para 5.3.7.

4.124 However, the HA suggest that this commitment is not as clearly expressed as it could be and that the clarity of the text would be improved by an addition at the end of the third sentence. This would confirm what the continuation of the existing work referred to there will cover and that it will be an important input to the Council’s “next stage” DPDs (as well as for Eastleigh’s CS).

4.125 The Council expressed a general acceptance of this addition at the examination and I agree that further clarification should be included, albeit the detailed wording could be simpler and slightly shorter whilst still achieving the same objectives. I therefore recommend that a revised addition to para 5.3.7 should be made.

4.126 As a result of this necessary change it must also be acknowledged that the wording of the second sentence of para 5.3.1 can no longer be considered entirely accurate, if only because further work on the joint study remains to be completed in relation to, firstly, the strategic road network outside the city, notably the M3 and M27 motorways and also, secondly, to the potential P + R sites in neighbouring areas. In such circumstances accuracy demands that the word “own” should be added before “transport” in line 3.

Issue iii) – Is the implementation of the 3 new P + R sites appropriate and realistic within the timescale envisaged ?

- 4.127 In relation to Park and Ride (P + R), it is common ground that the overall transport strategy for the city relies on the provision of new peripheral sites, together with a range of complementary measures in each corridor, such as bus priority/only lanes and a reduction in the proportion of all day/public car parking spaces in the city centre within the plan period, for its achievement. It is further agreed that three locations are required, on the eastern, northern and western approaches to the city (together with the retention/enhancement of existing local ferry services for the southern), if the system is to operate on a comprehensive basis and meet the objective of facilitating major redevelopment in the city centre without a significant increase in traffic congestion and related problems (e.g. for air quality).
- 4.128 The Council asserts and no-one appears to disagree that the eastern one is the first priority. It has been identified as the most directly beneficial to meeting the transport objectives, the site at Windhover is already allocated for the purpose in the Eastleigh LP, and some at least of the funding for implementation is in place. Consequently, there is no reason at present to doubt its deliverability in relatively short order, nor that any localised impacts on the strategic and/or local road networks could not be mitigated at reasonable cost as a part of the overall scheme.
- 4.129 However, matters are not so straightforward in relation to the other two locations, as there are no actual sites or funding formally allocated or available as yet. Nevertheless, there is considerable evidence of a commitment to the schemes from the relevant Councils (Test Valley, Eastleigh and Hampshire) in both cases and potential sites have been identified, with possible alternatives, that are being analysed as part of the ongoing joint working arrangements for the sub-region required under policy SH7 of the SEP (CD51).
- 4.130 I have referred elsewhere in this report to the established joint working arrangements through PUSH as being a considerable benefit in terms of likely implementation in practice. Accordingly, based on the available evidence, I conclude that part 6c) of this policy is appropriate and that there is a realistic prospect of all three new P + R sites, together with the comprehensive complementary measures necessary to ensure their success, being delivered within the plan period. I am therefore satisfied that, with the changes now proposed, this policy is sound overall and will provide an appropriate strategic transport framework for the “next stage” DPDs.

CS19 – Parking

Issue – Is it consistent with national guidance in PPS 13 and regional policies ?

- 4.131 It is essentially common ground that this policy, referring as it does to maximum car and minimum cycle parking standards, is generally consistent with both national guidance in PPG 13 and policy T4 of the SEP (CD51). Moreover, the criteria set out for consideration in relation to car parking provision are also appropriate and relevant. In the circumstances I am content that the actual standards to be sought in the city may be established in a subsequent SPD, particularly as this can be more easily amended should circumstances change significantly over the plan period.
- 4.132 However, at the end of para 5.3.10 it is necessary to confirm that the PTAL map in Appendix 2 “will be updated as appropriate”, as this will be an important criterion for the determination of planning applications. Also, as suggested by the HA, it would be helpful to add a cross reference to para 5.3.7 in para 5.3.13 by including “which will be identified through further study as set out in para 5.3.7 above” at the end of the penultimate sentence. I am satisfied that this policy and its supporting text do not need to be altered in any other way to be sound.

CS20 – Climate Change

Issue - Are the targets set out reasonable and realistic, bearing in mind the associated costs imposed and is there sufficient evidence to justify their imposition ?

- 4.133 The policy derives from those of the SEP (CD51), especially CC1 to CC4 inclusive, NRM policies 1, and 11 to 16 inclusive, and SH8 (ii) and (iv) that have been adopted since the 2008 Climate Change and Planning and Energy Acts, as well as other directly related national guidance, such as the supplement to PPS 1. In my view, the policy is also consistent with the context set by the SCS (CD89), policy S1 of the Hampshire Minerals and Waste CS (CD108), the Council's 2004 Climate Change and Air Quality Strategy (CD133), the Local Area Agreement and the PUSH common policy framework, following on from policy SH8 of the SEP (CD51). Accordingly, I consider that the policy is appropriate in principle and suitable for inclusion in a CS, rather than in a later DPD, for example, with the final implementation details to be resolved through SPD (para 5.4.8).
- 4.134 The city forms part of a quite densely built up sub-region that is facing significant development pressures in the part of the country deemed most likely to suffer from adverse impacts as a result of climate change. Not only is it in an area of “serious water stress”, according to the EA, but the coastal location and two rivers make it

more vulnerable to flood risk, both tidal and fluvial, than many other parts of the region.

- 4.135 Furthermore, the availability of Community Heat and Power (CHP) in the Southampton District Energy Scheme (the largest in the UK at present), for the central area at least, and with realistic potential opportunities for expansion across the city over the plan period, provides a more direct and specific local justification for a policy that “anticipates” the introduction of national carbon reduction targets, albeit by only a short time, in my judgement. This is supported by the preparation of the country’s first local authority climate change and air quality strategy (CD133).
- 4.136 Not only does the CHP make the targets more realistic in viability terms, it also helps to justify the potential adoption of a Carbon Offset fund for the city as reasonable in principle, in my opinion. Thus, the expertise already available locally in moving towards the soon to be introduced national targets also helps to demonstrate that the requirements of the policy would not be as constraining on new development proposals as some respondents fear, nor that they will necessarily materially affect their overall economic viability, even in the short term.
- 4.137 I therefore endorse both the policy in principle and the overall energy requirements introduced in general as sound and supported by sufficient local justification as part of the evidence base available. Similarly, noting the support of the EA, I see no objection to the inclusion in part 2 of the policy of expectations in relation to a) improving water efficiency and b) managing surface work run-off, as both are consistent with the intentions of the relevant national guidance and regional policies.
- 4.138 However, in part 3, for the CS to be clear it is necessary to identify which “other planning documents” will identify the opportunities referred to, if only because such potential opportunities form part of the justification for the policy itself. References to the City Centre AAP and Sites and Policies DPD must therefore be added in accordingly. In the supporting text it is also necessary to change “2026” to “2019” in line 6 of para 5.4.2 (p.61) to update the situation following the government’s most recent pronouncements.

CS21 – Open Space

Issue - Does the policy provide the best approach to safeguard existing provision and achieve more ?

- 4.139 The policy derives from the SEP (CD51), the Open Space Audit (CD128) and the Green Space Strategy (CD130) and also reflects objective 4 of the SCS (CD89), as well as national guidance in PPS 17. Accordingly, it is essentially satisfactory as submitted. However, in the light of representations made, the Council now proposes a further change to better reflect the intention to provide

new open spaces, both within and around the city. This would help provide for the increasing numbers of local residents, visitors and tourists expected over the plan period.

- 4.140 In particular, proposals include the creation of a Forest Park at Lords Wood just to the north of the city, in conjunction with TVBC and other partners including the Forestry Commission. This should make a significant contribution to increasing the amount of accessible open space on the edge of the city and help to divert additional visitor pressures arising from new housing away from the New Forest National Park, due to its location.
- 4.141 Accordingly, it and other similar initiatives represent an important element in the implementation of the overall strategy, despite being largely in an adjoining district. It should therefore be properly referenced in the most relevant policy. Therefore, I endorse the Council's suggested addition of the words "and help deliver new open space both within and beyond the city" after "spaces" in line 2 of the policy. To my mind, this change would help overcome concerns expressed that, as worded, the policy would not adequately address the acknowledged current shortfalls in various types of public open space in the city.
- 4.142 A further criticism of the published policy was that it would not provide a sufficient safeguard against the net loss of public open space through redevelopment and that the present shortfalls might therefore be exacerbated, even if the overall quality of some spaces were to also be improved. It was therefore suggested that the phrase "no net loss" should be introduced into part 2, dealing with the replacing or reconfiguring of open spaces.
- 4.143 However, it seems to me that the best approach to safeguarding existing provision and achieving more would be for the words "seek to" to be omitted from the first line of the policy so that the Council is committed to retaining the quantity and improving the quality of open space on an overall basis. This would acknowledge that some redevelopment schemes might result in a small net loss but improved quality, whilst other projects should provide net gains that more than match in overall terms, giving some necessary flexibility.
- 4.144 Taking the content of the other parts of the policy into account, including achieving "a more even distribution across the city", I consider that such an approach would be effective and deliverable over the plan period and thus sound. Moreover, it would be entirely consistent with the proposed local indicators and key outcomes to be monitored in relation to this policy as set out in the delivery and monitoring framework in table 3 of the CS. Thus, the words "seek to" should be deleted from the first line of the policy.
- 4.145 In relation to concerns over the possible effects on the city centre parks from redevelopment on their peripheries, including through

overshadowing by tall buildings, I consider that this is too detailed a matter for a CS but that it should be addressed in the City Centre AAP.

CS22 – Biodiversity

Issue – Is the policy suitably worded to achieve its objectives ?

- 4.146 The policy clearly accords with national guidance in PPS 9 and policies NRM5, CC8 and SH8 (ii) of the SEP (CD51), as well as generally with objective 4 of the SCS (CD89) and more specifically with the city's Biodiversity Action Plan (CD132) and Green Space Strategy (CD130). However, it does not refer to the Habitats Regulations Assessment carried out or to the necessary implementation of a strategic approach across the sub region to protecting internationally designated sites. I therefore endorse the criticisms of NE on these points in respect of the published version and the additional text agreed by the Council in their suggested changes following para 5.4.20 accordingly.
- 4.147 This can be inserted at the start of para 5.4.21, rather than needing 3 separate paras, with one minor change for clarity. As access management and alternative recreational space are only two of the measures that might be employed in relation to the protection of internationally designated sites, albeit very important ones, the extra text should say "including" rather than "with" after "mitigation measures". In my judgement, two other small changes are also required to the policy so that it is clearly expressed and can achieve its objectives. In part 5 the words "provisions for" need to be added in at the start of the second line and the word "for" deleted at the end of the line. I recommend accordingly.
- 4.148 I also consider that the final para of the policy is a definition, rather than forming any part of the policy to be implemented and should be moved to the Glossary accordingly. However, the word "appropriate" in part 2 is both necessary in terms of providing some limited flexibility and, more importantly, entirely consistent with the wording of the Key Principles set out in PPS 9. It should therefore be retained rather than deleted.

CS23 – Flood Risk

Issue i) – Is the policy adequate to ensure compliance with national guidance in PPS 25 and related advice to help adapt the city to cope with a rise in sea level ?

Issue ii) – Is there sufficient evidence to justify the overall approach taken, including with regard to the SFRA, PPS 25 exceptions test and various site specific locations ?

- 4.149 In the face of significant criticisms of the published version of the CS by the EA regarding the treatment of flood risk and related

issues, the Council put forward a number of proposed changes to address the deficiencies identified. Firstly, a new para (4.4.18) clarifies the approach to flood risk in the MDQ and secondly, additions to the “Further Work” section of part 7.4 Constraints confirm the Council’s commitments to a SFRA 2 to inform the “next stage” DPDs and keeping the SHLAA under review as more detailed information becomes available.

- 4.150 Thirdly, and most significantly, this policy and its supporting text are effectively completely rewritten to explain how the appropriate steps of the flood risk hierarchy required by PPS 25 and its Good Practice Guide will be implemented at the local level. Moreover, the inclusion of maps showing the current (2009) and predicted (2115) extent of flood zones 2 and 3 in the city, based on the latest EA information, as now proposed by the Council, should help to clarify the nature of the constraint for all concerned.
- 4.151 Nevertheless, despite these changes, the EA remains concerned that, given the absence of an overall coastal defence strategy, including an assessment of need for and implementation of strategic measures (such as sea walls), the CS is inadequate in its analysis of flood risks and that the identification of the MDQ does not fully meet the PPS 25 sequential test. About 50% of the existing city centre is already “at risk”, in that it lies within flood zones 2 or 3, with between 15% and 20% in zone 3.
- 4.152 Notwithstanding, as recognised in the SEP (CD51), it is clearly one of the two most sustainable locations in the sub-region and is already occupied by major retail, office, leisure and residential uses, amongst other things. It is also relevant to note that, due to the local topography, only a small increase in the geographical extent of the areas in flood zones 2 and 3 in the city is expected, albeit that the frequency and depth of flooding anticipated would place much of the land presently in zone 2 into zone 3 over the next 100 years or so in the absence of mitigation measures. Moreover, only a marginal rise in sea levels is currently expected over the plan period, allowing time to address the more serious effects predicted later, including through the new Coastal Defence Strategy (CDS) on which work is due to start in early 2010 and the SFRA 2 which has already commenced.
- 4.153 The latter will be especially important for the MDQ, in providing the necessary more detailed and site specific flood risk information to enable the Council to make formal allocations in the City Centre AAP. This would also make clear that the potentially more vulnerable land uses, such as residential, would not be permitted at ground floor level in any redevelopment schemes. Given the limited amount of new housing likely to be built in the MDQ in any event (up to about 500 new units), the alternatives identified in the SHLAA and the SEP commitment to a review of the PUSH housing allocations as a final “fallback”, I am satisfied that there is no

fundamental flaw in the identification of the MDQ for mixed use redevelopment in the longer term on flood risk grounds.

- 4.154 I am satisfied that the PPS 25 sequential test has effectively been applied at the strategic level to the extent necessary for a CS and will now continue to be applied at the more local level through the “next stage” DPDs, the SFRA 2 and related work, including the Coastal Defence Strategy. The satisfactory completion of the SFRA 2 as an important input to the “next stage” DPDs was agreed by the EA at the examination to be the key to their acceptance thereof in principle and I see no reason to disagree.
- 4.155 It was also agreed at the examination that for consistency with PPS 25 the word “avoid” needs to be added to strategic objective S20, in addition to the other changes that the Council is already proposing to its wording and I recommend accordingly. With this change and also taking into account the Council’s proposed amendments to part 7.4, as well as the identification in Table 3 of the need for “significant investment in flood control and mitigation measures” as part of the Delivery and Monitoring Framework, I am satisfied that there is sufficient evidence to justify the Council’s approach to the flood risk issue in the CS and that what has been done to date is not inconsistent with national guidance in PPS 25.
- 4.156 Taken in the round and with the other measures now envisaged, the “next stage” DPDs should now be able to incorporate the necessary detailed policies and proposals to help the city adapt suitably and safely to the anticipated rise in sea levels over time, following on from the overall strategic level approach laid down in the CS. Accordingly, in my judgement, there is no need to delay the adoption of the CS to await the completion of the SFRA 2.
- 4.157 In the light of the above and to add interest for readers/users as well as local distinctiveness, I recommend that maps of the flood risk zones at 2009 and 2115 are set out in a new Appendix 3 and the existing Appendices renumbered accordingly with the following text on the two maps: “These figures provide an overview at 2009. Please also refer to policy CS23 and the Southampton SFRA 2 when published (Spring 2010) as well as checking with the Environment Agency if there have been any updates.”. For completeness, a cross reference should also be added at the end of the supporting text to policy CS23 as follows: “Maps of the flood risk zones at 2009 and 2115 are set out in Appendix 3”.

CS24 – Access to Jobs

Issue – Is the policy necessary or appropriate for a CS ?

- 4.158 Although the details will need to be set out in the proposed new SPD on development contributions, based on the Council’s evidence, I am satisfied that this policy is both appropriate in principle and necessary in the CS to help implement some of the

strategic objectives, notably S2, S11 and S18. In the local context and taking into account the benefits that have been achieved from the present measures used, for example in relation to the new Ikea store, I conclude that the policy is both useful and practical in helping to address some of the disadvantages currently affecting jobseekers in the city.

4.159 However, for the sake of clarity and certainty, it seems to me that para 5.5.3, setting out the application of the policy, ought to form part of it, rather than just supporting text thereto. The fact that it also clarifies that construction jobs for all types of major development are included reinforces my conclusion in this respect. Therefore, I recommend that present para 5.5.3 be added to the policy wording (and 5.5.4 renumbered accordingly).

CS25 – Infrastructure Delivery

Issue – Bearing in mind the phasing and funding required, is the overall strategy economically viable and practically achievable in the timescales envisaged and in the form proposed, with a reliance on developer contributions ?

4.160 As a densely built up urban area, the city is already well served by existing infrastructure with few significant deficiencies identified at present. Consequently, in general terms, the strategy is not directly reliant on the delivery of any particular or critical piece of new infrastructure (such as might be the case for a greenfield project) to allow developments to commence in the timescales envisaged. Rather, it depends more on the overall provision of the necessary services and facilities keeping pace, as redevelopment schemes take place over the plan period.

4.161 Nearly all new development will be on previously developed land and in a sustainable location in line with the regional strategy of urban concentration. Nor are there any realistic alternative locations in the city to which the development envisaged in the city centre could reasonably be directed as a contingency. This is especially so in the context of the present economic downturn and to avoid an over reliance on contributions from developers that may have to be scaled back, in the short term at least, if schemes are to be deliverable in the timescales envisaged. In such circumstances, the availability of national Growth Point funding through PUSH and the South Hampshire and Local Area Agreements provide a degree of reassurance over future delivery that might not be available elsewhere.

4.162 Moreover, the joint working arrangements that have been established on a sub regional basis with key public sector partners, including the EA and HA, add to the level of confidence that the necessary infrastructure to support the planned growth of the city can be fully identified, funded and provided at the appropriate time, including through the “next stage” DPDs. In my judgement, the

necessary “reasonable prospects” of infrastructure delivery as required have also been reinforced by the important changes and additions to the CS that have been introduced since it was published as a result of the positive engagement of and constructive contributions from relevant stakeholders in its evolution to date.

- 4.163 Subject to those changes referred to elsewhere in this report, I am therefore satisfied that there is sufficient evidence to conclude that, overall, the strategy is generally viable and achievable in the form proposed and to the timings envisaged. Accordingly, I see no need for any major changes to this policy or its supporting text. Nevertheless, in order to be entirely consistent with national guidance in Circular 05/2005 and para B5(iii) in particular, a change is necessary in the last para of the policy, where the words “required in association with the development” are deleted and replaced by the addition of “directly related” between “towards” and “measures”.
- 4.164 I also agree with the suggestion that a specific reference should be added to both of the Council's “next stage” DPDs “the City Centre AAP and the Sites and Policies DPD” after “Local Transport Plan” in line 7 of para 5.6.3 to clarify that the full identification of detailed infrastructure requirements, such as in relation to flood risk following the SFRA 2, will only be possible at that stage, as discussed and agreed at the examination. Para 5.6.4 needs to be updated following the passing of the Planning Act 2008 for accuracy. This should be achieved by deleting the second sentence and replacing it with “in Circular 05/2005” at the end of the first sentence. Also, the third sentence should then start “The Planning Act 2008” to replace “The Bill”.

Key Diagram

Issue – How should it be changed and why ?

- 4.165 In addition to the identified mapping errors (and additions to the key) that the Council proposes should be changed from the published Key Diagram, it was agreed at the examination that, in order to be sound, the CS also needs to identify the boundary of both the City Centre AAP and the MDQ. This should be on an OS base on the revised Proposals Map when adopted so that there can be no doubt about the areas that each is intended to cover. The latter part of para 6.1.2 therefore also requires amendment as follows: replace all after “importance” in the second sentence with “and the City Centre AAP and MDQ boundaries.”. Otherwise, I endorse all of the Council's proposed changes to the Key Diagram as essential for accuracy and clarity.

Flexibility

Issue – Is the CS reasonably flexible to enable it to deal with changing circumstances and, if not, what changes/contingencies would improve the ability to respond to new issues arising during the plan period, such as a lack of investment in major projects ?

- 4.166 The physical land area of the city cannot be expanded at present and, thus, there are no alternative locations available if the previously developed sites identified do not come forward for redevelopment as currently envisaged over the plan period. Given that the city centre is clearly a highly sustainable location, any significant failure to deliver on the new housing and employment targets in the city could only properly be addressed on a sub-regional basis as has been recognised in the SEP (CD51).
- 4.167 Consequently, there need to be suitable joint working arrangements in place through the joint Implementation Agency required in policy SH9 of the SEP (CD51) to enable the relevant allocations to be adjusted over time, if necessary, following continuing sub-regional, as well as the Council's own, monitoring to provide the necessary flexibility in these respects.
- 4.168 In relation to retail, the anticipated growth will inevitably be responsive to demand over time, as the Council recognises in clarifying that the MDQ scheme is now considered unlikely to commence until the latter part of the plan period. Accordingly, the phasing and timing of implementation should be flexible and responsive to the outcome of ongoing monitoring in any event, as set out in para 7.2.9 of the CS. Although it would be inherently less flexible as a result, it is necessary to amend the figures in para 7.2.8 for consistency with changes to be made elsewhere in the CS by deleting "- 200,000" in line one, "- 82,000" in line three and "- 118,000" in line four.
- 4.169 Regarding transport, in a tightly constrained urban area the scope for flexibility is limited but I acknowledge the Council's point that if the local road system becomes too congested, especially at peak times, then other options, including peak spreading and increased use of the varied public transport system are available, at least for the short term. In other respects, I note that the Council has been recently operating a more flexible application of its current policy regarding financial contributions to infrastructure from new developments. This demonstrates a flexible response to the present economic difficulties and a helpful attempt to assist implementation/delivery in practice. Accordingly, I am content that the CS is sufficiently flexible to enable it to deal with changing circumstances, should it prove necessary.

Monitoring

Issue – Will the monitoring proposed be sufficiently comprehensive and informative to achieve its objectives ?

- 4.170 The monitoring framework set out in Table 3 has been designed to fit in with and complement that already undertaken by the Council (and others) in relation to the AMR, LAA (CD141), LTP (CD135) and the SCS (CD89). On that basis it is comprehensive and well suited to the task in principle. Taking into account the indicators listed, I am satisfied that it will provide clear arrangements for monitoring and managing the delivery of the strategy in accord with para 4.1.4 of PPS 12 and the Good Practice Guide (CD40).
- 4.171 In most instances it provides targets and/or identifiable outcomes that can be monitored over time, particularly once more specific objectives have been set out in subsequent DPDs in some cases. Acknowledging that there is inevitably an iterative element to monitoring, over time, the range of data to be collected should support an adequately informed analysis of the Council's progress in delivering the strategic objectives set out in part 3.3 of the CS. Nothing persuades me that this needs to be done more regularly than on an annual basis, especially in the light of the resource implications involved if it were otherwise.
- 4.172 In response to criticisms of the published version, the Council has suggested a number of minor changes to the wording in Table 3, all of which I endorse as helpful additions and/or clarifications. This is particularly so in respect of the modal split indicator relating to policy CS18 to be monitored against both the indicative targets set out in Table 1 of the Council's Transport Background Paper, as it is an important issue in relation to the local "reduce – manage – invest" approach relied on under that policy. There is nothing in principle against having two indicative targets as a form of sensitivity testing, providing that their individual sources are made clear and the expected and potentially different outcome if one or both are not met is explained in accord with the guidance in para 4.47 of PPS 12.
- 4.173 Regarding employment land and the concerns expressed about recent and continuing losses to other uses in the city, I am satisfied that the local indicator "% of existing employment land redeveloped to other uses" should provide the necessary data for that issue to be re-addressed should it become apparent that policy CS7 is not operating as intended to minimise such changes, alongside Core Output Indicators BD1 and BD3.
- 4.174 At the examination it was agreed that it would be sensible to clarify in the text that the local indicator about P + R sites under policies CS18 and CS19 was intended to relate to the delivery of separate sites on the western, northern and eastern approaches to the city and I recommend accordingly. This would help to reinforce the

intention of the Council and its neighbouring authorities to address the potential impacts of new development in the sub-region on both the strategic and local road networks on a comprehensive basis over the plan period.

Implementation (Delivery Strategy)

Issue – Are the implementation mechanisms identified sufficient and suitable to achieve their objectives ?

- 4.175 The delivery strategy in part 7 of the CS takes its cue from the guidance in para 4.4 of PPS 12 in providing the necessary evidence of the commitment of service providers and the co-ordination role of the Council in delivering the strategy. It is a matter for the Council at a later date, rather than as part of this CS, whether or not they seek to introduce a CIL scheme in the future. Otherwise, the required mechanisms to deliver the strategy are identified, including the GIS, together with the relevant housing, employment and retail targets (although the latter needs some minor amendments to para 7.2.8 to clarify the most recent estimates/expectations for the city centre).
- 4.176 As the implementation of the strategy does not entirely rely on only one or just a few major development sites coming forward as planned, it is potentially more flexible and in this sense also inherently more robust than if this were not the case, particularly in the light of the prevailing economic conditions at the start of the plan period. There are clearly some outstanding issues remaining to be resolved in detail during the “next stage” DPDs, but more detailed technical information will be available at that time, in terms of both specific flood risks through the SFRA2 and likely impacts on the strategic and local road networks arising from new developments.
- 4.177 Overall, I consider that the delivery strategy set out provides a suitable framework for the more detailed analysis to be undertaken at that next stage. There is also strong and clear evidence of a co-ordinated sub-regional approach to delivery across South Hampshire, involving all the main public agencies, that is not always present elsewhere to bolster that assessment. This evidence of joint working with neighbouring authorities and consideration of cross border issues, for example in relation to the mitigation measures arising from the GIS and providing a realistic prospect of implementation over the long term, reinforces my judgement in this respect. Moreover, I am satisfied that there is sufficient information in the schedule to have confidence that the main relevant risks to implementation have been acknowledged.
- 4.178 There are therefore reasonable prospects that, on a city wide basis, the infrastructure necessary to support the target growth levels either exists, is being or can be provided from the resources identified. I am therefore able to conclude that, with the inclusion

of the minor changes proposed by the Council at submission stage, sufficient and suitable implementation mechanisms have been identified so that, overall, the delivery strategy is sound.

5 Minor Changes

- 5.1 The Council proposed numerous minor changes to the published DPD in order to clarify, correct and update various parts of the text. Although these changes do not address key aspects of soundness, I endorse most of them on a general basis in the interests of clarity and accuracy.
- 5.2 I endorse all of the Council's "Corrections" (Part 1 of CD73) to the text of the CS as minor amendments that do not alter the intent or meaning to any material extent and all should be included in the adopted version of the document. I also endorse and formally recommend for inclusion in the adopted version all of the Council's "Minor Text Changes/Points of Clarification" (Part 2 of CD73) for the same reasons with the following exceptions.
- 5.3 3.3.1 (S20) – p.16 – in addition to the replacement wording suggested by the Council, the word "avoid" should be included here rather than just a "reduce and mitigate" approach in accordance with the representations of the EA and for consistency with national guidance in PPS 25 as acknowledged by the Council during the examination.
- 5.4 4.3.1 – p.20 – the suggested replacement wording of the second paragraph relating to the Port should read as follows: "The Port is preparing a Masterplan which will identify the actions required to intensify its uses within its existing boundaries in the short and medium term and also the preferred options for any future expansion on land outside the City in the longer term.". This wording is slightly clearer and avoids unnecessary duplication.
- 5.5 4.4.17 – p.26 – as well as the new paragraph (4.4.18) proposed by the Council, that I endorse in Section 6, the words "following a local Flood Risk Assessment (SFRA 2)" should be added to the end of the extra text for consistency with other changes and to reflect that this work is already underway on behalf of the Council and in conjunction with the EA.
- 5.6 4.6.2 – p.36 –In the first bullet point all the words " "smart growth" (increased prosperity whilst reducing its ecological footprint)" should be added after "promoting", to more accurately reflect regional policy in the SEP, as the Council now suggests. The addition of "Broadly," to the start of the second sentence of the third bullet point is endorsed.
- 5.7 CS9 – p.39 – in addition to the amended wording put forward by the Council for the first part of the policy, the words "as defined on the Proposals Map" should be added at the end of the second sentence to assist clarity and provide certainty as to the extent of the Port's operational land boundaries.

- 5.8 CS13(6) – p.46 – the addition to point 6 should read “, green infrastructure”.
- 5.9 CS15 – p.47 – the Council’s proposed changes to part 2 of the policy would not fully address the criticisms made about the lack of clarity as to what is actually intended in the original version, as acknowledged at the examination. Accordingly, part 2 should be re-worded as follows: “on an alternative site, where provision would result in a more effective use of available resources or would meet an identified housing need, such as providing a better social mix and wider housing choice.”. This clarifies that there is no intention by the Council (or anyone else) to seek any enhanced affordable housing provision in circumstances where it might be more appropriate to make the necessary contribution somewhere other than the application site itself.
- 5.10 CS16 (2) – p.51 – the suggested change, replacing one qualification to part 2 of the policy with another would not fully address the full range of concerns expressed in representations regarding the application of this criterion to new development schemes in practice. In the light of those representations and the relevant debate at the examination, I consider that the suggested change should in fact be an addition to the criterion so that it reads “No net loss of family homes on sites capable of accommodating a mix of residential units unless there are overriding policy considerations justifying this loss.”. Such wording would make it clear that part 2 would not apply to sites that are not reasonably or realistically capable of providing a mix of size and type of new housing units, due to factors such as size or other significant constraints. It would also be consistent with the Council’s suggested addition to add a new second sentence to para 5.2.11 to the effect that there may be some exceptions to this requirement that are justifiable in local policy terms.
- 5.11 CS18 (10) – p.55 – the Council’s suggested change from “major” to “larger” would reduce clarity and certainty, as no definition of “larger” is provided, whereas a “major” development, as distinct from a “minor” one, is more easily understood in terms of the size of the scheme in relation to planning applications. The original wording should therefore be retained to provide more certainty as to when travel plans and transport assessments will be required, notwithstanding what is said in the earlier LPR (CD92).
- 5.12 Table 3 (CS13) – p.87 – for the reasons given in relation to policy CS13 above the second bullet point in relation to the delivery and monitoring of this policy is not necessary and it should therefore be deleted in the interest of consistency, particularly as it is not referred to as forming part of the relevant implementation/delivery mechanisms for this policy.
- 5.13 Throughout the document the Council also needs to amend all references to the “emerging” SEP to reflect the fact that it was

adopted in March 2009 and to change all references to the previously proposed “Development Control” and “Site Allocations” DPDs to refer instead to the “Site and Policies” DPD as now intended. Additionally, all references to “the Council” or “the City Council” should be standardised throughout as “the Council” for consistency.

6 Recommendations

- 6.1 The following changes are required to ensure that the CS is sound. I also endorse and formally recommend for inclusion all of the Council's proposed Soundness Changes (part 3 of CD73), albeit with minor changes of wording in some instances as referred to below.
- 6.2 Part 1.2 - delete as no longer relevant.
- 6.3 Para 2.3.11 – replace "It" with "A local, more detailed Flood Risk Assessment (SFRA2)" at the start of the second sentence.
- 6.4 Para 3.2.1 – replace "at least" with "about" in second line of second bullet point.
- 6.5 Para 3.3.1 – S8 – replace text after "historic environment" with ", ensuring that designated sites are safeguarded. Historic conservation opportunities in new development will be maximised and local awareness of heritage issues raised."
- 6.6 Para 3.3.1 – S20 – replace "a" with "an avoid".
- 6.7 Para 4.1.2 – add "avoidance may not be appropriate and" before "mitigation" in line 4 of the third bullet point.
- 6.8 Para 4.3.1 – City Centre - add "At least" at the start of the second bullet point. Replace "at least" with "About" at the start of the third bullet point and add "comparison" between "new" and "shopping".
- 6.9 Para 4.3.1 – replace second and third paras with new text as in Annex 4 to this report and move to after "The Port, Employment Sites and Areas".
- 6.10 Para 4.3.1 – omit last sentence under "Supporting Health and Education".
- 6.11 Page 22 – replace maps 2 and 3 with versions in Annex 3 to this report to correct errors and to include the actual boundaries of the "Suburban Neighbourhoods" identified in para 4.3.1.
- 6.12 Policy CS1 – part 2 – delete "- 200,000". Move last para of policy to be new second sentence of the first para.
- 6.13 Policy CS2 – reword third para of policy as per Council Soundness Changes (part 3 of CD73) as in Annex 2 to this report.
- 6.14 Policy CS2 – reword last two paras of policy as follows: "Subject to ongoing monitoring, the need for retail expansion of the primary shopping area in the major development quarter is unlikely to occur before 2016 at the earliest. Development adjacent to the primary shopping area within the major development quarter may include a

mix of uses but will not be permitted if it is likely to prejudice the provision of the required retail development in that location.”.

- 6.15 Policy CS2 – amend para 4.1.4 – first and fourth sentences - as per Council Soundness Changes (part 3 of CD73) as in Annex 2 to this report.
- 6.16 Amend Table 1 in accordance with new part 2 of policy CS1 by deleting higher ranges under parts b) and d) and in relation to both West Quay 3 and Bargate/Hanover Buildings/Queens Way to reflect the latest evidence in the 2009 DTZ study (CD 151 – Table 4.1).
- 6.17 Policy CS3 – delete “Public Houses/Café” from line 5 of para 8.
- 6.18 Policy CS4 – delete “up” from the words in brackets at the end.
- 6.19 Policy CS5 – replace “The appropriate levels of density are” with “The net density levels should generally accord with” above table.
- 6.20 Policy CS5 – replace “best” with “efficient and effective” in part 6.
- 6.21 Policy CS5 – para 4.5.24 - add new sentence at end “The PTAL map will be updated as appropriate.”.
- 6.22 Policy CS6 – omit “approximately” in line 1 of part 1, add new second bullet point “Promoting key sectors and their supporting infrastructure” and add new para 4.6.2a after 4.6.2, all as per Council Soundness Changes (part 3 of CD73) as in Annex 2 to this report.
- 6.23 Policy CS7 – omit criterion 2e) and para 4.6.8.
- 6.24 Policy CS8 – replace “approximately” with “at least” in line 1.
- 6.25 Policy CS8 – replace “permitted” with “acceptable in principle” in line 1 of para 3.
- 6.26 Policy CS8 – para 4.6.13 – omit second sentence.
- 6.27 Policy CS9 – reword para 1 as follows: “The Council will promote and facilitate the growth of the International Gateway Port of Southampton. Within the city operational port growth will take place within the existing port boundaries to be defined on the Proposals Map.”.
- 6.28 Policy CS10 – para 4 line 1 – replace “significant” with “major”.
- 6.29 Policy CS11 – move last para of policy wording to the Glossary under “Community Facility”.
- 6.30 Policy CS12 – add “Development proposals should follow the approach to European sites set out in the Core Strategy (5.4.21 –

- 5.4.23" at the end of para 4.81 as per Council Soundness Changes (part 3 of CD73) as in Annex 2 to this report. (For clarity this change is in addition to those suggested by the Council to paras 4.8.1 and 4.8.2 and endorsed above under Minor Changes).
- 6.31 Policy CS13 – part 5 – replace all after "as set out in" with "the City Centre AAP and the Sites and Policies DPD (see also CS12)".
- 6.32 Policy CS13 – delete the last para of the policy.
- 6.33 Policy CS13 – para 5.1.4 – delete all after "principles" and replace with "and on appropriate locations for new landmark or tall buildings will be provided in the City Centre AAP and Sites and Policies DPD."
- 6.34 Policy CS14 – add "from inappropriate development" after "safeguard" in line 1. Replace "Buildings" with "Heritage" in last line of last para and move from policy to be last para of supporting text as new para 5.1.11.
- 6.35 Policy CS15 – add "net" after "15 or more" in para 1 and after "5 – 14" in para 2 and replace "total" with "net" and add "new" before "housing" in para 4 of policy.
- 6.36 Policy CS15 – criterion 1 – replace all after "and" in line 1 with "distributed across the development as much as is reasonable and practical to create a sustainable, balanced, community."
- 6.37 Policy CS15 – criterion 2 – replace all after "result in" in line with "a more effective use of available resources or would meet an identified housing need, such as providing a better social mix and wider housing choice."
- 6.38 Policy CS16 – delete "seek to" from first line of policy.
- 6.39 Policy CS16 – add "unless there are overriding policy considerations justifying this loss" at the end of part 2.
- 6.40 Policy CS16 – reword first line of para 3 of policy as "The requirements in points 1 – 3 above do" rather than "The requirement in point 1 above does".
- 6.41 Policy CS16 – delete last para of policy.
- 6.42 Policy CS17 – replace "another Development Plan Document" with "the Sites and Policies DPD" in first line of policy and add the same words in replacement for "the Site Allocations DPD or another DPD" in line 7 of para 5.2.17.
- 6.43 Policy CS18 – para 5.3.1 – add "own" before "transport" in line 3.

- 6.44 Policy CS18 - para 5.3.7 – replace “kept under review” with “an important input to the City Centre AAP and Sites and Policies DPD. This will also identify costs, phasing with development, funding sources and responsibility for delivery associated with mitigation measures. Developments coming forward in advance of this study must assess their impacts on the strategic and local road networks and identify where mitigation is necessary, for which developer contributions will be sought.”.
- 6.45 Policy CS19 – para 5.3.10 - add “and will be updated as appropriate” at the end.
- 6.46 Policy CS19 – para 5.3.13 – add “which will be identified through further study as set out in para 5.3.7 above” at end of penultimate sentence.
- 6.47 Policy CS20 – part 3 – line 2 – replace “other planning documents” with “the City Centre AAP and the Sites and Policies DPD.”.
- 6.48 Policy CS20 – para 5.4.2 – line 6 – replace “2026” with “2019”.
- 6.49 Policy CS21 – delete “seek to” from first line of policy.
- 6.50 Policy CS21 – add “and help deliver new open space both within and beyond the city” after “spaces” in line 2 of the policy.
- 6.51 Policy CS22 – part 5 - add “provisions for” at start of second line of third para and delete “for” from the end of the second line.
- 6.52 Policy CS22 – move para 4 of policy to Glossary as “Green Infrastructure”.
- 6.53 Policy CS22 – add to start of para 5.4.21 as follows: “The Core Strategy has been subject to assessment in relation to Regulation 85 of the Habitats Regulations to ensure that the proposals it contains will not lead to any adverse effect on the integrity of any European sites. This process has influenced the development of strategic options and the proposals to mitigate recreational pressures on designated sites. The Council recognises that additional growth in the city, in combination with growth in neighbouring areas, could, without appropriate management and mitigation, lead to adverse effects upon the European sites. The Council commits to working with partners in the sub region to develop and implement a strategic approach to protecting European sites. This approach will consider a suite of mitigation measures, including adequate provision of alternative recreational space and support via developer contributions for access management measures within and around the European sites.”.
- 6.54 Policy CS23 – reword as per Council Soundness Changes (part 3 of CD73) as in Annex 2 to this report.

- 6.55 Policy CS23 – delete para 5.4.22 and replace with 8 new paras (5.4.22 – 5.4.29) as per Council Soundness Changes (part 3 of CD73) as in Annex 2 to this report.
- 6.56 Policy CS23 – add in Flood Risk maps 2009 and 2115 as new Appendix 3 (see Annex 3 of this report) and renumber accordingly.
- 6.57 Policy CS24 – move para 5.5.3 to second para of policy wording (and renumber 5.5.4).
- 6.58 Policy CS25 – para 3 – delete “required in association with the development” and add “directly related” between “towards” and “measures”.
- 6.59 Policy CS25 - para 5.6.3 – add “the City Centre AAP and the Sites and Policies DPD” after “Local Transport Plan” in line 7.
- 6.60 Policy CS25 - para 5.6.4 – delete second sentence and add “in Circular 05/2005” at end of the first sentence. Replace “The Bill” with “The Planning Act 2008” at the start of the third sentence.
- 6.61 Policy CS25 – para 5.6.5 – add “within and outside the city” after “used” in line 1 and “22” after “21” in second part of the table below.
- 6.62 Key Diagram – para 6.1.2 – replace all after “importance” in second sentence with “and the City Centre AAP and MDQ boundaries”.
- 6.63 Key Diagram – replace with new version as in Annex 3 to this report.
- 6.64 Para 7.2.8 – delete “- 200,000 in line 1 “- 82,000” in line 3 and “- 118,000” in line 4.
- 6.65 Table 3 – p. 90 - fourth local indicator for policies CS18 and CS19 – add “- one each on the western, northern and eastern approaches to the city”.

7 Overall Conclusions

7.1 I conclude that, with the amendments I recommend, the Southampton Core Strategy satisfies the requirements of s20(5) of the 2004 Act and meets the tests of soundness in PPS 12.

Nigel Payne

INSPECTOR

Annex 1 - Abbreviations

AA – Appropriate Assessment

AAP - Area Action Plan

AMR - Annual Monitoring Report

CD – Core Document

CDS – Coastal Defence Strategy

CIL – Community Infrastructure Levy

CS – Core Strategy

DPD – Development Plan Document

DPH – Dwellings per Hectare

EA – Environment Agency

EH – English Heritage

GIS – Green Infrastructure Strategy

HA – Highways Agency

HCC – Hampshire County Council

HIA – Health Improvement Assessment

HRA – Habitats Regulations Assessment

LDS – Local Development Scheme

LPR – Local Plan Review

MDQ – Major Development Quarter

NE – Natural England

NFCS – New Forest Core Strategy

NFNP – New Forest National Park

P + R – Park and Ride

PPG – Planning Policy Guidance

PPS – Planning Policy Statement

PSA – Primary Shopping Area

PTAL – Public Transport Accessibility Level

PUSH – Partnership for Urban South Hampshire

RDG – Residential Design Guidance

RSS – Regional Spatial Strategy

SA – Sustainability Appraisal

SCS – Southampton Community Strategy

SDA – Strategic Development Area

SEA – Strategic Environmental Appraisal

SFRA – Strategic Flood Risk Assessment

SPD – Supplementary Planning Document

SPG – Supplementary Planning Guidance

SEP – South East Plan

SHLAA – Strategic Housing Land Availability Assessment

TVBC – Test Valley Borough Council

UCS – Urban Capacity Study

Annex 2 - Schedule of Changes put forward by the Council

Annex 3 – Revised Key Diagram and Maps

Annex 4 – Council's New Text for Para 4.3.1