

The Chief Executive  
Southampton City Council  
SOUTHAMPTON  
SO14 7LY

Date

Dear Sir

**REPORT ON THE OBJECTIONS MADE TO THE CITY OF SOUTHAMPTON  
LOCAL PLAN REVIEW REVISED DEPOSIT**

1. I was appointed by the First Secretary of State to adjudicate on all of the outstanding duly made objections to the City of Southampton Local Plan Review (hereinafter referred to as 'the Local Plan'). My involvement with the process commenced when I conducted a Pre-Inquiry Meeting (PIM) into the arrangements for the Inquiry at Southampton Institute Conference Centre on 2 September 2003.
2. I opened the Inquiry into the objections to the Local Plan at the Civic Centre on Tuesday, 25 November 2003. The inquiry was completed on 11 March 2004 having sat for 19 days. Throughout this period, and afterwards, I conducted site visits throughout the city, several of them accompanied by Objectors and the Council's officers. Altogether some 9 days were spent on site visits in one form or another.
3. The First Draft of the Local Plan was placed on Deposit by the Council on 29 March 2001 with a consultation period expiring on 11 May 2001. Following the receipt of representations thereon, the Second (Revised) Draft of the Local Plan was placed on deposit on 28 February 2003 with a consultation period until 11 April 2003. Further to that process, the Cabinet of the Council approved a number of Proposed Changes on 11 August 2003. Further Proposed Changes were made prior to the opening of the Inquiry and also during its course and Council Officers had delegated authority to approve these revisions. I understand that the objective was to try and reach agreement with Objectors and narrow the areas of dispute. There were about 86 Proposed Changes in all, none of which were formally advertised, although all those who had made relevant objections were notified.
4. I was told that GOSE had endorsed the approach that your Council had taken to the introduction of Proposed Changes. However, at the PIM some disquiet was expressed by Objectors who felt that the Council was changing the "goal posts" and making it impossible for those unfamiliar with planning procedures to keep up with the Plan as it was evolving. I have some sympathy with those concerns, although many of the Proposed Changes were relatively minor and involved clarification or factual correction. Some of the Proposed Changes though were more fundamental in scope, for example those relating to the retail allocation on the Pirelli Site under Policy MSA 14. Objectors

to that policy made it clear at the Inquiry that they doubted the legality of the Council's approach and considered that the lack of publicity was prejudicial to their interests. I am not convinced that this is the case but, in the event, I have not recommended that this particular site should be allocated for retail purposes.

5. I have considered the Proposed Changes and the objections to them. However, it is most important that those that the Council wish to carry forward into the adopted Plan should be properly advertised as formal modifications to the Plan so that Objectors have a chance to make further representations on them. The Council will need to decide whether any representations received raise new issues of substance and hence justify the holding of a formal modifications inquiry.
6. The Council confirmed at the start of the Inquiry that it was satisfied that the statutory formalities in respect of the Revised Deposit draft of the Local Plan have been complied with. Advertisements were placed in the Southampton Advertiser and Notices about the Initial and Revised Deposits were also placed in the London Gazette.
7. At the First Deposit Stage I was told by the Council that there were 1796 separate objections and 318 representations in support. At the Second Deposit Stage, there were a further 225 objections and 80 representations of support. As a result of the various changes I understand that there were 646 full or conditional withdrawals. By the time that the Inquiry opened, some 1641 objections remained outstanding for me to consider. About 95 were dealt with at the Inquiry and the remainder were in the form of written representations. Of the supporting representations, I decided that 76 included points that could be deemed as objections. I reclassified these and they appear as underlined objections in the tables of representations to the relevant policy in my Report. The result is that I have considered a total of 1717 unresolved objections as well as 326 objections that were conditionally withdrawn.
8. My remit was to consider all of the outstanding duly made objections to the Second (Revised) Deposit draft version of the Local Plan. These included some objections that had not been withdrawn from the First Deposit stage despite the fact that, on the face of it, they appear to have been satisfied. A good example is in relation to Policy CLT 8 (Southampton Sports Centre) where, despite the removal of the contentious residential proposal, many of the objections to this aspect remain outstanding.
9. There are twelve sections to my Report, which correspond with the chapters in the Local Plan in the order that they appear. Under each policy I have very briefly summarised the main issues and then considered the gist of the objections within the context of my conclusions. I have not always referred to individual Objectors by name but I have read and considered all of the representations, including those in support. In arriving at my recommendations I have had regard to all material considerations, including government

guidance and ministerial statements as well as regional planning policy and the provisions of the Structure Plan. Although I hope that my recommendations on particular policies have included the relevant part of the supporting text I cannot guarantee that this is always the case, especially when references are made in other parts of the Plan.

10. I have made reference in my Report to two circumstances that have happened since the close of the Inquiry. The first was the publication of the Regional Transport Strategy in July 2004, which replaces Chapter 9 of RPG 9. The second was the decision of the Secretary of State to refuse permission for the Dibden Bay Container Terminal in April 2004. Clearly any other changes that might occur, for example revised guidance under PPS 6, will need to be taken into account by the Council when considering my recommendations.
11. This is a time of enormous change in terms of the development plans system and I understand that the Council is well underway with the preparation of its new Local Development Framework (LDF). This will involve different considerations in that it will be a spatial plan rather than one that concentrates solely on land use matters. Nevertheless, I would expect that many of the policies and proposals from the Local Plan that I am considering will be carried forward into the LDF. My conclusions and recommendations have therefore been on the basis that the "Local Plan period" will extend to 2011. This of course will not be the case in reality and the currency of this Plan is likely to be relatively short. This makes it all the more important that the Council should adopt the Plan expeditiously so that it can provide the basis for up to date, quick, rational and consistent decision making. In a number of areas where further work needs to be done I have suggested that this should be undertaken within the context of the LDF rather than hold up the adoption of this Local Plan.
12. I turn now to consider some of the key issues in my Report. One of the topics that attracted most public interest was the proposed park and ride at Stoneham and the proposed deletion of the site from the strategic gap. I concluded that this land should remain in the strategic gap although I did not find a fundamental incompatibility between the gap designation and the provision of a park and ride. My main concern was that I felt it doubtful that a park and ride in this vicinity would be needed during the Local Plan period. Even if it were, this is not one of the preferred sites. The area suffers from considerable congestion and in the absence of a detailed Transport Assessment there are serious doubts about the likely success of a bus-based facility. I can appreciate that the preferred sites are actually in adjoining authorities and that the Council would like to have a site in reserve that is within its control. However, I do not believe that this is sufficient justification for safeguarding the land at Stoneham.
13. There are many good things in the Plan. In a city like Southampton which is developed up to its boundaries, there are bound to be conflicts between competing interests for scarce land resources. Whilst the Plan does not seek to rank its priorities it does have to

deliver them through its land use policies. Choices need to be made through site specific policies and these are not always popular with everyone. A good example is in relation to the evening economy. There is a tension between those who provide and use the clubs, pubs and restaurants and local residents who often suffer from anti social consequences arising from their patronage. The Council has put forward a pro-active strategy which I have generally supported. This is based on encouraging late night uses into specific zones away from residential areas and involves a range of agencies not just the planning authority.

14. Many of the MSA allocations provide for exciting and innovative developments that should encourage inward investment and help Southampton become the leading European City that it aspires to be. However, the MSA developments must be realistic and there are instances where I have some doubt that they will be realised during the lifetime of the Plan. The Royal Pier and Town Quay (MSA 4) is an example. Other proposals do not comply with government policy or the principles of sustainable development. Proposals for car dependant offices at Ocean Village (MSA 18) fall within this category. Some MSA sites have already been developed so it seems pointless maintaining the allocation. Canute's Pavilion (MSA 11) and Shirley Precinct (MSA 20) are cases in point where I have recommended deletion of the policy.
15. The Plan includes a raft of sustainable development policies, which underpin other policies in the Local Plan. Generally I have supported these provisions which aim to encourage high standards of design, social inclusion, improved accessibility by all travel modes and resource conservation, amongst other things. Southampton also has a rich historical heritage, including its city walls and I have sought to strengthen the policies relevant to these issues where necessary.
16. There are though some parts of the Plan where I have serious concerns and it is in these areas that the Council will need to give serious consideration. It seems to me that the problems arise from two main factors and are particularly evident in the retail, leisure and housing sections of the Plan. Firstly, there are important areas in the Plan that fail to comply with national and regional planning guidance. GOSE have submitted numerous objections but in many cases the changes either at Revised Deposit stage or thereafter have not been sufficient to overcome their concerns. Secondly, there is often insufficient background research and analysis to provide a firm base for the policies in the Plan.
17. I have been unable to support the Council's edge and out-of-centre retail allocations under Policy REI 1 and some of the MSA policies. Apart from the fact that there is no indication of the amount of floorspace that individual sites could provide, there is also no certainty that they are needed at all. This is because there has been no proper assessment to see whether there are sequentially superior locations, for example within the city centre. For PPG 6 purposes the city centre

- needs to be defined and I have recommended that this be done under Policy REI 4.
18. Although I have supported the assessment of retail need in the White Young Green Retail Study as the best available evidence, I have concluded that a wider analysis is required to properly reflect the catchment of Southampton as a sub regional centre. It seems to me unacceptably narrow to base floorspace requirements on a survey of the Council's administrative area with no attempt to plan for expenditure growth within the wider catchment. The Council has tried to resolve these problems by requiring proposals on allocated sites to demonstrate retail need and undertake a sequential analysis. Such an approach is contrary to government guidance as these issues should be resolved first before a Local Plan allocation is made. I have concluded that until this work has been done retail proposals outside the centres should be considered on their merits under Policy REI 2.
  19. A number of MSA sites include large scale leisure allocations. However, there has been no leisure needs assessment or sequential analysis to see whether they are justified. I appreciate that the Council considers that this is a difficult task but it is a necessary one that one that is required by national and regional policy. In the circumstances I have been unable to support large scale leisure allocations on edge-of-centre sites such as at Pirelli (MSA 6), Ocean Village (MSA 15) and part of West Quay Phase 3 (MSA 6).
  20. The Council is to be commended for providing all of its housing sites on brownfield land. However, I have a number of concerns about the Urban Capacity Study and how it has been carried out. Whilst I believe that the Council has sufficient housing land to meet its Structure Plan commitment during the Local Plan period, I do not think that the position is as optimistic as it may think. The situation will need to be carefully monitored and kept under review. Furthermore, the Council's approach to affordable housing does not accord with national policy and I can see no justification for the very low thresholds that are being proposed in the Local Plan. I have recommended considerable changes to the affordable housing policies as a consequence.
  21. This letter is intended to do no more than outline the procedural background to the preparation of the Local Plan and to highlight a few of the principal issues that I have had to deal with. One of the problems I have faced is that important issues such as housing and affordable housing were dealt with completely on the basis of written representations. I was therefore unable to probe the evidence or ask questions as I would have liked.
  22. Despite the obvious differences of opinion held by the Objectors and the Council, the proceedings were generally conducted courteously, efficiently and in good humour. I understand that the Officers who were responsible for the Revised Deposit version were not the authors of the Initial Deposit draft of the Plan. It is always a difficult job

taking over work that others have started. I consider that it is to their credit that the team who took the Plan through the Inquiry process did so in a competent and professional manner.

23. Mr Simon Bird was of great help to me in the way that he managed the Council's approach to the Inquiry and I am very grateful to him. Mr Robert Young, the Programme Officer, should not pass unmentioned. He managed the proceedings with endless good humour and efficiency and the Inquiry as a result ran as smoothly and as quickly as it could possibly have done. I am particularly grateful to him for the preparation of all the background schedules, the continuous updating of the programme and all the other numerous tasks that he undertook, including accompanying me on an evening site visit in order to view the city's evening economy in relation to Policy CLT 14.
24. A copy of this letter and my report will be sent to the Government Office for the South East and to the Office of the Deputy Prime Minister. Finally, I thank the Council again for all the assistance and consideration they showed me over a lengthy period of time and I wish them well in the final stages leading to the adoption of the Local Plan.

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